



# Testimony on Political Prisoners/ Prisoners of War

## Indigenous Witnesses

- Bob Robideau
- Ward Churchill

## New Afrikan Witness

- Watani Tyehimba

## Mexican Witness

- Ricardo Sánchez

## Puerto Rican Witness

- Carlos Ortíz

## North American Witness

- Rita D. Brown

**Bob Robideau:** Because of the magnitude and complexity of this case, I have a prepared statement to read to you this evening. I wanted to be able to cover all the pertinent issues that this case entails, in which has affected, not only Leonard Peltier for the 16 years he has been confined, but also Native people in this hemisphere.

Over the last two decades we have shared in the development of movements of Red, Black, Brown and White sisters and brothers to organize and defend the freedom of our people against the terrorism of the US government and its repressive agencies. Our organizations have traveled similar paths. We have developed similar programs of resistance within our respective communities, and as a result we have acquired a new quality within these struggles. We have become less isolated and more organized. We have all felt the brunt of brutality and murder in our communities inflicted by these repressive agencies of the state. We all continue to experience racist attacks, poor medical care, poor education, unemployment, all of these conditions and many more are imposed on us with impunity. These are acts of genocide. The use of the courtroom as an arena where political activists are eliminated is not a new tactic. Judicial persecution and prosecution has been the governments way to neutralize national liberation movements.

The US Department of Justice is used by the State to legitimize the suppression of our struggle. The enemy often wins political trials even when the jury's verdict is in our favor. Trying freedom fighters on criminal charges for political acts,

offers these repressive forces an opportunity to create a climate of fear amongst those who continue to sleep with the illusion of freedom. It is through the judicial process that our movements are criminalized and the state's aggression legitimized. Many of us have already committed our lives to the liberation of our people. Because of this commitment many of us have been murdered by the state, others have been imprisoned, and still others are struggling in US courts to free themselves from trumped up charges that could keep them locked down well into the next century.

The case of Leonard Peltier, exemplifies the extent in which the US government will go to neutralize freedom fighters. Leonard Peltier, as a leader of the American Indian Movement, has been targeted for neutralization by the FBI, for his work in seeking US compliance with treaties, protection of land against corporate intrusion and destruction, and the right of tribal people in North America to sovereignty and human dignity. The FBI has been responsible for falsely accusing Leonard of murder, attempted murder, assaulting Federal officers and conspiracy. They have fabricated evidence in order to imprison him and plotted to kill him once he was there. These actions have occurred with the knowledge and assistance of members of the US Justice Department, various state and federal agencies, the Royal Canadian Mounted Police, and the Canadian Justice Department.

Leonard Peltier is a prisoner of war in a conflict waged by the Federal government to support continuing efforts by transnational corporations to obtain natural resources that exist

on tribal lands. Since the arrival of Europeans on the North American continent five hundred years ago, a constant struggle has been waged between them and tribal people. Europeans have expressed an insatiable appetite for the earth's resources, removing tribal people, the buffalo, the forests and anything else perceived as an obstacle. Today, corporations seek uranium, coal, oil, gas, gold, water and simply more land of what little remains in our possession. Our resistance to the destruction of the earth and the genocide practiced against us has taken many forms throughout the last 500 years.

From the late 1960's through today, much of that resistance has been spearheaded by members and supporters of the American Indian Movement. The American Indian Movement has consistently asserted treaties between the various tribal nations and the US government, demanding that the United States government live up to its agreements and respect the sovereignty of tribal people and our right to protect and control agreed upon areas of North America. At the turn of the 1980s, tribal people went to Washington DC to present a list of grievances for treaty violations in what became known as the Trail of Broken Treaties. Dishonesty, misrepresentation, and broken agreements by Federal officials in the United States capital led to the temporary occupation of Bureau of Indian Affairs buildings in the fall of 1972. Leonard Peltier was one of those whose leadership made that action successful. From files we viewed and seized during the occupation, documented evidence of involuntary sterilization of Native women and other genocidal acts

sponsored by the Federal government were obtained. Much of this evidence was later presented to the United Nations in the fall of 1978. In keeping with Federal practice, no sooner had the occupation ended then the FBI targeted some 32 AIM members, including Leonard Peltier.

Leonard left Washington DC and returned to Milwaukee, Wisconsin where he was working as an employment counselor at an Indian alcohol rehabilitation program. A few weeks later, while eating dinner at a restaurant with some friends, two plainclothes policemen approached him from a nearby table and began to harass him and other friends that were with him. When Leonard and his companions left the restaurant to avoid an incident, the two cops viciously attacked Leonard claiming he had tried to kill one of them — Ronald Helvinka. Leonard was arrested for attempted murder. After arresting and handcuffing him, the officer beat Leonard so savagely that Helvinka was absent from work for three days, having broken most of the blood vessels in his hand. After a period of time, Leonard was released on \$25,000 bond, pending trial.

The Wounded Knee occupation had just ended upon his release and believing that the struggle of his people in South Dakota was more important than his trial on false charges, Leonard left Wisconsin and went to Pine Ridge. As a result of the resistance at Wounded Knee, the FBI began arming, training and directing a private police force, known as the Guardians of the Oglala Nation (GOON) squad. From the start of Wounded Knee, from 1975, the GOONs were respon-

sible for the deaths of some 69 traditional Lakota people and members of the American Indian Movement. They were responsible for over 300 violent attacks on traditional people and members and supporters of the American Indian Movement. This government sponsored terrorism invoked a request of the American Indian Movement to provide security for traditional people of Pine Ridge. At this time, the US government, employed the FBI to engage and destroy the American Indian Movement. The aforementioned sequence of events correspond in time to increased interest in the energy resources abundant within the Lakota controlled boundaries of the Fort Laramie Treaty.

Beginning in the early 1970's, some 27 multi-national corporations including Union Carbide, Tennessee Valley Authority (a US government owned corporation), Mobil, Kerr-Magee, Westinghouse, HomeState and Exxon began acquiring claims to the Black Hills in order to exploit its uranium, coal and oil reserves. Various plans for this energy development indicate much of the area would become an arid, radioactive wasteland for hundreds of generations. To assist these corporations, the BIA conducted a study of the mineral resources of the Pine Ridge nation in 1975. An area known as sheep mountain bombing range was noted to contain large amounts of uranium ore. On June 26, 1975, Tribal chairman Richard Wilson was in Washington DC negotiating the transfer of sheep mountain area, one eighth of the Pine Ridge nation to the federal government. While these negotiations were being conducted a firefight ensued between members of the American Indian Movement and the FBI. At

the end of the day, two agents were dead and Joe Stuntz, a Nez Pierce lay murdered. In early Spring of 1975, traditional elders of the Pine Ridge village of Oglala requested that Northwest AIM led by Leonard Peltier help them defend their community from frequent GOON attacks. Contrary to FBI propaganda that we were outsiders, most of our group had established family ties within the Lakota communities. Leonard had children in the community of Oglala through a past marriage. We established an encampment along White Clay Creek on the Jumping Bull home, and began patrolling the area to interfere with GOON activities. The immediate effect was to reduce the level of GOON activities in the area.

During the same period however, there were increasingly numerous indications of FBI interest in our AIM camp. During the first week of June, an FBI memo notes, "There are pockets of Indian population which consist almost exclusively of the American Indian Movement members and their supporters on the reservation." The memo went on to falsely state that fortified bunkers had been built which were later shown to be 30 year old root cellars. In the end, this disinformation served to justify and psyche up agents for an armed confrontation with our camp. On the morning of June 26th, we heard gunfire coming from the Jumping Bull home, it was located about a quarter of a mile from our camp. Believing that we were under attack from GOONS we ran towards the homes, weapons in hand. Upon arriving we observed two men shooting at the three homes in this area and we returned fire. By early afternoon we had identified our attackers as being agents of the FBI. By that time, police forces

involved in the firefight had increased to nearly 200. The firefight justified a massive paramilitary assault not only on the American Indian Movement but on the Pine Ridge reservation as well. The FBI, along with BIA police and GOONS carried on raids for the next three months, both on the Pine Ridge reservation and adjacent reservations. There are seven reservations in the state of South Dakota. These raids were designed basically to terrorize tribal people who supported the American Indian Movement and who had assisted us in our escape from that assault.

Assault teams were equipped with counter-insurgency weapons. With the excuse of searching for us, they broke into homes, conducted warrantless searches and illegal seizures destroyed private property, harassed and threatened tribal members and arrested people on illegal John Doe warrants. That the occupation of Pine Ridge was pre-planned is supported by an FBI document entitled: The Use of Special Agents of the FBI in a Paramilitary Law Enforcement Operation in the Indian Country, issued two months prior to their assault on women and children in the Jumping Bull home and subsequent to the invasion of Pine Ridge reservation. With the assistance of traditional Oglalas from almost every district of the Pine Ridge nation, we were able to escape those attackers.

By the fall of 1975, four of us had been indicted for the death of these two agents, Koller and Williams and another AIM member, Anna Mae Aquash had been murdered. Anna Mae, who along with several other people living at the home of

Crow Dog, a traditional medicine man, were arrested on September 5th and taken to Pierre, South Dakota for interrogation. The FBI singled out Anna Mae from the group and when she refused to cooperate, the FBI intensified the efforts to undermine her credibility within the American Indian Movement. They failed miserably and murdered her execution style by blowing the back of her head away with a .38 caliber revolver. And then, to express their racism they cut off her hands in the guise of investigating a murder. After the trial in Cedar Rapids Iowa, in which Dino Butler and I were acquitted on the grounds of self-defense, Leonard's trial was moved to Fargo, North Dakota after the FBI had concluded in an in-depth analysis of our trial, that Leonard would also be found innocent if allowed to remain in Cedar Rapids, Iowa.

It is clear today, through that analysis of the Cedar Rapids trial, that all of the fabricated and manipulated evidence used against Leonard was designed to create the illusion that this was a criminal trial and that Leonard was the person that had killed the two agents. Judge Benson sentenced Leonard to two consecutive life terms. Leonard appealed in February 1978 to the 8th Circuit Court of Appeals, which denied him a new trial after expressing, "serious problems with the FBI's handling of the case and feeling discomfort with their decision." The Supreme Court refused to hear the case in February of 1979. Between May and June 1979, the US government plotted to kill Leonard Peltier while he was in prison and forced Leonard to flee from his Lompoc, California prison. After his recapture, two men that had assisted

him died under mysterious circumstances. Bobby Gene García would be found hung in his cell and Rocky Duenas was killed while fishing in the Northwest. We, as Native people, hold the United States government totally responsible for these two murders. In 1981, twelve thousand pages of the FBI's investigation were released to Leonard and another six thousand pages were withheld for "national security reasons." The documents established grounds for a new series of appeals. The papers revealed the FBI had deliberately hidden a report that conclusively showed that the rifle attributed to Leonard was not the weapon used to kill these two agents. Contrary to the false testimony of Evan Hodge during Leonard's trial, there were tests performed on an AR-15 rifle attributed to Leonard that conclusively proved it was not "his" rifle that killed the agents. Although the Court agreed with Leonard's attorneys in appeal arguments in 1985 that this was the most important piece of evidence in the case, it came back after a year of deliberation denying a new trial and stated, "We recognize that there is evidence in this record of improper conduct on the part of some FBI agents but we are reluctant to impute even further improprieties to them."

Today, there is another appeal before the 8th Circuit Court of Appeals. This is based on the government's manipulation of evidence in order to make the jury believe that Leonard was the person that shot and killed these agents. Today, the government contends that it does not know, nor can it prove who actually killed these two agents. Judge Heeney, whose consciousness has risen to a revealing height, has

joined Senator Inouye in a round of struggles with the White House to get Leonard Peltier a clemency and a Congressional hearing to investigate his case. Senior 8th Circuit Court Judge Heeney believes that the United States government shares in the culpability for the deaths of their two agents and the killing of Joe Stuntz. The FBI has reacted by sending William Wood, an agent responsible for fabricating the Myrtle Poor Bear affidavits used to extradite Leonard from Canada to Oklahoma to interrogate Yvonne Bushyhead. Ms. Bushyhead, a paralegal and worker at the National Office of the Leonard Peltier Defense Committee, was questioned about how she was able to convince Senator Inouye to help Leonard. Failing in their effort to intimidate her, they spread lies about her and talked to her employers, getting her fired from an environmental law firm. In August, shortly after investigating Yvonne Bushyhead, a small riot broke out in Leavenworth federal prison where Leonard is currently being confined. The FBI influenced the Bureau of Prisons to trump up charges indicating that Leonard also took part in this riot. The charges were later dropped after an unknown person, possibly Al Gore, Clinton's presidential running mate, persuaded the Bureau of Prisons to drop charges and release him back into the prison population.

On September 23 of this year, Leavenworth moved Leonard into a cell with a prisoner that had killed his previous cellmate. After a concerted effort by supporters around the country, the Bureau of Prisons removed the violent prisoner and then asked Leonard to call his committee and tell them to, "Call off the dogs".

The pattern of assaults on Leonard by the US government not only demonstrates their concern that Leonard's support could free him from prison, but demonstrates once again their intent to kill Leonard if they cannot keep him in prison. Leonard has been in prison for over sixteen years and today stands as a symbol to the continued resistance against genocide that has been visited on our people for over 500 years. We know that our enemy's violence knows no bounds and will spare no effort when it comes to crushing our national liberation movement. Leonard's freedom has come to represent all of our freedom. As long as the United States government continues to hold him in prison, so too are we. We must move into the demonstrations that are about to begin with the Spirit of Crazy Horse and the perseverance of Leonard Peltier.

The acts of terrorism that are visited upon us by the US will increase as our strength grows. It is clear that given the increasing oppression of our people that there will be increased resistance, which means that more of us will face either death or imprisonment. Because of this reality, we have to understand the need for movements to share understanding and responsibility. To actively support each other in struggle. By doing this, we also support our brothers and sisters already in the political cages of the state. Faced by a people with different beliefs and lifestyles, the Europeans who came to the Western hemisphere have tried to defeat, confine, poison, starve, subjugate, evangelize, disperse, remove, reeducate and finally in a word, annihilate, nations of people in the Western hemisphere. Our history has been and

continues to be one of militant resistance. We were once a people that were fully self sufficient living in harmony with the natural world. Today, we are amongst the poorest in this country, with the highest unemployment, malnutrition, disease and infant mortality rates of any population group in this country. We continue to have our lands stolen, our cultures threatened and our basic human rights trampled upon. Yes, our history is one of militant resistance and we pride ourselves today in following in the footsteps of our ancestors. As long as the United States government continues to follow a policy of genocide against tribal nations, so too, will we continue to resist.

**Bryan Savage:** Thank you, I have one more witness. I would call Mr. Ward Churchill please. Mr. Churchill it is my understanding that your testimony is going to address what is commonly referred to as COINTELPRO, is that correct?

**Ward Churchill:** COINTELPRO and its variations, yes.

**Bryan Savage:** Can you tell the Tribunal what COINTELPRO stands for?

**Ward Churchill:** COINTELPRO is an acronym utilized by the Federal Bureau of Investigation for domestic counter-intelligence program efforts directed at what the FBI construed as the domestic population of the United States.

**Bryan Savage:** You've done research into COINTELPRO, is that correct? Can you tell the Tribunal how many years you've been doing that research and what you've looked into in the process?

**Ward Churchill:** The period of intensive research was approximately ten years long beginning roughly 1978, ending roughly 1988, during which time I investigated some 128,000 separate file classifications of the FBI with regard to operations conducted against movements including the Universal Negro Improvement Association headed by Marcus Garvey, Socialist Workers Party, Communist Party USA, Puerto Rican independence movement, Civil Rights Movement, Black Panther Party, American Indian Movement, about 200 disparate anti-war movements as defined by the Bureau and Duke University.

**Bryan Savage:** And you are currently employed at the University of Colorado?

**Ward Churchill:** University of Colorado at Boulder, Colorado.

**Bryan Savage:** How long have you been employed there?

**Ward Churchill:** Fifteen years.

**Bryan Savage:** The basis of your knowledge and information is not only research, it is my understanding that you have also been the target of investigations by the FBI, is that correct?

**Ward Churchill:** I have been a target of COINTELPRO at a fairly low level. A number of my associates and movements with which I've been involved or acting in solidarity and alliance, with have been targeted rather heavily. I do have first hand knowledge of counter intelligence methodologies, both in an immediate personal and a more indirect sense.

**Bryan Savage:** Were you ever associated with Mark Clark?

**Ward Churchill:** Mark Clark, Deputy Defense Captain of the Black Panther Party in Illinois, was my roommate in 1969, prior to being killed in a police arms raid orchestrated by the FBI in Chicago, Illinois on December 4, 1969.

**Bryan Savage:** Is part of the basis of the opinions you're going to express here and the statement you're going to make, does it come in part from your association with Mr. Clark and the Black Panther movement and its investigation by the FBI?

**Ward Churchill:** That is correct.

**Bryan Savage:** Would you tell the Tribunal what roles disinformation, surveillance, informants and provocateurs play in the COINTELPRO procedures?

**Ward Churchill:** They are the COINTELPRO procedures. Without those particular methods there would be no COINTELPRO. I think that's the substance of it. COINTELPRO was a secret operation. It was secret because it was unlawful. It represented the confluence between the FBI's internal security section and other sections devoted to counter-intelligence against foreign agents. The rubric of operation directed lawfully, in the opinion of the United States against foreign agents, was not lawfully directed against the domestic population of the United States. The object of COINTELPRO was to use foreign agent neutralization methodologies to on political activists, and against the expression of political thought and inside the United States. This could not be done openly. It was therefore done in a clandestine fashion until it was revealed in 1971. The FBI is typically referred to, not only in propaganda but in supposedly factual discourse in the news media, and academic analysis as an investigative agency of the Justice Department of the United States. The preeminent investigative agency of the US as a whole, and to a certain extent, a law enforcement agency. This suggests that the functions of the FBI would be devoted to apprehending information which would lead, either to the confirmation or the denial of criminal activity within the United States. In the event that they concluded an in-

investigation with a determination that criminal activity had occurred, there would be a judicial process which ensued. In other words prosecution, and if a conviction ensued, then an incarceration resulting from this activity uncovered through investigation.

Specialists in counter intelligence define their mission on the other hand, not in terms of prosecution or investigation, but rather in terms of neutralization of target. To cause certain types of activity which are considered to be objectionable by the political, social and economic status quo of the United States to cease. Any means to accomplish that end were considered appropriate within the rubric of counter-intelligence operations. This is disclosed in so many words, in numerous internal memoranda and other documents of the FBI. Documents that were not intended to be seen by members of the general public or researchers such as myself. This is the FBI, not me, explaining its mission to you.

**Bryan Savage:** Can you tell me if COINTELPRO was ever disbanded by the FBI and the government?

**Ward Churchill:** It's former period of operation was roughly 1954 through 1971 at which point its cover was blown. Documents bearing the caption COINTELPRO were disclosed by a Citizens Review group, as they called themselves, which conducted an FBI-style operation against the FBI. Entering its offices in the dead of night, removing its files and disclosing the contents for public consumption.

The operational reality of COINTELPRO however, greatly

predates 1954. The first evidence of it is found in internal letters and memoranda authored by J. Edgar Hoover in 1918 directed against Marcus Garvey, who he construed as a Black Messiah galvanizing the Black population to liberate itself from the status quo, from the oppression it "enjoyed," inside the United States of America. I like that word "enjoyed." After 1971, of course, the operational reality of COINTELPRO has been continued although they no longer use the acronym to define it. The operations conducted against the American Indian Movement in particular are evidence of that. They're chapter and verse the techniques that were perfected, honed to a fine edge against the Black Panther Party prior to 1971, then continued full force and in some ways escalated and further refined against AIM during the period 1972-1977, in 1977 you begin to see an abatement but you have a lingering residue of these operational realities to the present time.

**Bryan Savage:** Can you give the Tribunal some concrete examples of how COINTELPRO or procedures like those were used against the American Indian Movement or other Native peoples?

**Ward Churchill:** Typically during the late 1960s and into the 1970s, COINTELPRO techniques were directed against members of the New Left, the Black Liberation Movement, the Brown Berets and other Latino organizations such as the FALN. The vernacular deployed, the internal memoranda recording what was being done, what should be done, making recommendations, referred to individuals as being political

extremists, occasionally revolutionary, “racial hate groups” of various types and so forth. The vernacular changes with regard to AIM. The vernacular that’s deployed is typically “terrorist” but more telling. I think I misspoke a bit, this is a “terroristic” vernacular in general, but they were applying the term “terrorist” to describe AIM activities is what I mean.

More tellingly, in a number of the documents describing the operational activities directed against AIM, the descriptor of the organization was “insurgent.” It was the view of the FBI that an insurgency was occurring on the Pine Ridge Reservation in South Dakota in the context that Bob Robideau described. They were setting out quite explicitly to counter the insurgency. In effect, they were conducted a counter-insurgency campaign. Counter-insurgency is not a police doctrine, it’s not a law enforcement doctrine, it is a military doctrine. It is taught at a special warfare school at Fort Bragg in North Carolina. We had a de facto counter-insurgency campaign waged by an alleged police agency of the United States of America against what it wrongly, I would argue because we are separate nations, considered us to be, a domestic target.

That bears certain implications to the entire citizenry of the US. Given this sort of rubric of low level war with which they were proceeding, the primary mechanism with which they proceeded to neutralize the offensive or objectionable behavior on Pine Ridge, which was Indians attempting to assert their Treaty Rights, to assert some degree of control over their land, lives and dignity, was to form the entity Bob re-

ferred to, the GOON squad. The GOON squad acronym which stands for Guardians of the Oglala Nation, was a federally funded and FBI-commanded, controlled and coordinated entity which served as a death squad. Reference was made to the fact that 69 members and supporters of the American Indian Movement died violently as a result of homicide on Pine Ridge between roughly March 1973 and March 1976.

The rate of violent death represented by those 69 individuals. I would point out that these are only the individuals that we can absolutely, conclusively prove died in this fashion during that period, the body count was probably higher. But taking those 69 fatalities against the roughly 10,000 Indians living on Pine Ridge at the time, you end up with a rate of violent death which was 7-9 times the death rate in Detroit, Michigan, according to the FBI’s uniform crime report during that period. 7-9 times that of Detroit, and Detroit was called the murder capital of the United States.

There is no contemporary counterpart, statistically at least, in the US, to the rate of death which was inflicted on AIM on Pine Ridge under FBI auspices during those three years. In order to find correlate examples, we have to go outside the borders of the US and look to the Third World. You can look to Chile during the three year period of time following Augusto Pinochet’s coup and overthrow of Salvador Allende, and during the period of maximum fascistic, openly fascistic repression of the left, find an almost identical rate of death for political reasons. You can look to Uruguay during the height of the anti-Tupamaro repression that occurred in that country and you find an almost identical rate of death. So

we had, literally war conditions, we have a Third World type of counter-insurgency warfare prevailing on Pine Ridge during this period. This transcends a normal understanding of COINTELPRO, counter-intelligence operations suppression and stifling of political dissent. We have a continuation of the 19th century, and earlier forms of anti-Indian warfare. The Indian wars go on.

**Bryan Savage:** The effect of COINTELPRO on political movements and liberation movements, is it generally successful, generally disruptive? How would you characterize the success of the procedures?

**Ward Churchill:** To my knowledge, the application of these techniques has never been successful in terms of destroying the impetus to a movement. Not one. The movements have continued, they've sometimes mutated, adapted to their circumstances, but nonetheless they've gone forward. In that sense, the FBI and its intentions have been foiled. On the other hand, one of the effects which commonly accompanies the application of this sort of force, aside from the human consequences in terms of the casualties suffered, the people sitting in cages and so on, is that the nature of the movements tends to be deformed. They're forced into channels of political activity, political expression that were not necessarily selected and preferable. Mass organizing sometimes ends up being clandestine activity. So we have a repressive apparatus which has dictated, whether we like it or not, the form and function of political discourse in this country to the benefit of the status quo, even though it is unable to ultimately strangle the legitimate aspirations of

the various movements it has targeted. It is a fairly complicated answer I suppose, but it is a fairly complicated reality.

**Bryan Savage:** On the basis of your research and own experience, do you have any opinion about whether the US government through the FBI or any of its other agencies still engages in acts of disinformation, surveillance, still sends informants into domestic political movements and national liberation movements, and still sends provocateurs into those same movements?

Let me shorten it, put it more to the point. Do you believe that the government of the United States is still engaged in the kind of activities that you've been describing as COINTELPRO?

**Ward Churchill:** Yes, the government is certainly engaged at the present time in these types of activities. The extent of it, of course, is not known. The information is secret. We have information accrued from the Center for Constitutional Rights in the mid 1980s.

There were FBI operations conducted against the Central America support networks, CISPES in particular, as well as the 220 odd other organizations that had interaction with CISPES as well. The techniques involved were straight out of the vernacular of COINTELPRO in certain respects, having to do with the discrediting of individuals based on false information, the providing information false or not false to employers of individuals in order to get them fired, providing information to landlords leading to eviction, black bag jobs,

burglaries, destruction of movement property having to do with mailing lists, we've had embezzlement of funds, we have undoubtedly had infiltration, and a covert operation that was conducted against CISPES and sanctuary groups that were bringing Salvadoran refugees up here. Utilizing a provocateur by the name of Frank Varelli, who precipitated the deportation of selected Salvadoran refugees and the FBI provided information as to when to anticipate their arrival. Usually these were individuals targeted by death squads for elimination in El Salvador. So, with its own set of variations that particular operation would constitute a COINTELPRO in the classic sense.

We also have a variety of even more recent operations that were conducted against various environmental organizations, notably Earth First!, particularly targeting a woman named Judi Barri for elimination who was an effective labor organizer as well as environmental activist. The type of operation we're talking about is deployed by the Bureau with the tacit authorization of the government against such targets as it determines are becoming effective politically. And in so far as they become effective, and to the degree they're construed as effective, they're construed as being threatening and the level of repressive force that is applied against them is measured accordingly. The more effective you are the harder they come at you. The more threatening you are, the more likely they will be to go to extraordinary lengths to neutralize, you either as an individual or as a movement.

**Bryan Savage:** Let me conclude by asking you to acknowl-

edge and describe to the Tribunal the two books that you co-authored and wish to submit to them.

**Ward Churchill:** The results of the research that I was talking about are approximately one thousand pages of detailed information contained in two volumes. The first of which was published in 1988, it is entitled *Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement*. This is an attempt to chronicle the sorts of things we talked about in great detail. It relies primarily on government documents, most conspicuously FBI documents for documentation and authentication of the points made. It also attempts to engage in a contrast and comparison between the sorts of operations that were focused on the Black Panther Party and the American Indian Movement to show the points of commonality and also show the line of escalation which occurred between the targeting of the Panthers (roughly circa 1970) and the targeting of AIM with a focal point somewhere around 1975.

The second volume was really done because it was impossible to get the amount of information we gathered in condensed form into a single book. It does contrast and comparison studies on the same sort of basis that I was talking about with regard to the first book, in a context of the primary movements, organizations and individuals who were targeted over the years by counter-intelligence operations within the rubric of COINTELPRO or without. The title of the second book is the *COINTELPRO Papers: Documents from the FBI's Secret Wars against Dissent in the United*

States.

**James Simmons:** I call Watani Tyehimba to the stand. Please state your name

**Watani Tyehimba:** My name is Watani Tyehimba.

**James Simmons:** What qualifies you to testify about political prisoners and prisoners of war?

**Watani Tyehimba:** I have over 25 years of activism in the liberation of African people in this country, starting as a student in the 1960s. I am currently the National Secretary and National Security Director for the New Afrikan Peoples Organization, and a former grand jury resister incarcerated as a political prisoner as a result of a grand jury investigation around the Black Liberation movement, in particular around the Black Liberation Army.

**James Simmons:** Thank you. Let us clarify a couple of preliminary matters first. The New Afrikan Peoples Organization believes that African people in this country constitute a nation?

**Watani Tyehimba:** That is correct. The New Afrikan Peoples Organization is an organization made up of men, women and youth that is dedicated to the national liberation of New Afrikans in this country. We are an organization that believes in organizing our people for what we believe, ultimately, to be a national liberation struggle. Our organization is pro-socialist, we support the rights of all oppressed nations inside the United States to self-determination, and we are also anti-sexist and struggle for the total liberation of women.

**James Simmons:** When you speak of nationhood, would you

please define nation for us?

**Watani Tyehimba:** We see that nation, from the Universal Declaration, really talks about an historically evolved, stable community of people with a common past, common language, common territory, common economic life all manifest in a community of culture. We believe that the New Afrikan nation, that is Afrikan people who are captive inside this country, meet all those requirements. If we look at the common territory, we believe that historically we have lived in what is called the Black Belt South, or the Southeastern part of what is now commonly known as the United States of America. We look at our common language even though we speak English, it is a different dialect of English. We understand that in terms of economic life, we come from an African tributary mode of production, we've gone through agrarian peonage, and currently exist at a proletarian status. Our culture is definitely distinct from any other people inside North America at this time.

**James Simmons:** Briefly, would you explain the term "New Afrikan" as a term for the nation, as opposed to simply a "Black" nation or "African" nation in the United States?

**Watani Tyehimba:** We look at it in terms of our right to self-determination. We had to have a term that defined politically who we were. In fact, when we use the term New Afrikan, it is to talk about what we are as Africans here in America. We understand that we came from various African nations in various communities, and it was that coming together here, in the Southeastern section of the United States, the

mingling of our cultures, of our blood, our common struggle against oppression that fused us into a new people in a new land. In fact, we use the term New Afrikan like many people use the term New Mexico, or New England. We talk about the historic linkage to Africa, but realize that we are a distinct people now in a new land and new territory, thereby making us a new people. The New Afrikan nation dates its foundation to the time the first African was enslaved and brought here. We recognize that we have been evolving ever since that particular time. And we meet all requirements, the criteria of nationhood.

**James Simmons:** New doesn't necessarily mean better, just distinct?

**Watani Tyehimba:** We hope new means better. We hope that new means better because we see a better world and a better life for us. We recognize that until we have self-determination, that is our human right, than we will not have a better life. So yes, new does mean better for us. It doesn't mean that we're not African because we're clearly of an African descent.

**James Simmons:** Do you believe there's a state of war between the United States and the New Afrikan nation?

**Watani Tyehimba:** There's no question that there is a state of war. We understand that a state of war existed from the first time an African was actually snatched, or kidnapped from the shores of Africa. The war has been an undeclared war, but it has been a war. Throughout our history, we've fought,

we have resisted our oppression. We have resisted the torture that has taken place. This undeclared war takes place on many different levels. It has been physical, what we call low-intensity warfare, but it has been a war just the same. We have war casualties, political prisoners and prisoners of war as a result of that.

**James Simmons:** The war on the African continent to capture slaves was one manifestation. Once the Africans were brought to the United States did this war continue, and how did it manifest itself?

**Watani Tyehimba:** The war definitely started on the African continent, and once it came to the United States, we fought every step of the way. We look back through major slave rebellions such as Gabriel Prosser, and Denmark Vesey, who was inspired by the Haitian revolution which was the first African nation that came into being the Western hemisphere fighting against the major military force at that time, France. This provided the conditions that enabled the US to purchase Louisiana. This war has continued until today. Every step of the way, from the Emancipation Proclamation, which allegedly freed the African captives; to the 14th Amendment which made us citizens, there has been a war against the African population here. Through the terrorism of the KKK, through the acts of soldier/cops serving as an occupying army inside our community, this war continues. The state of war clearly exists today, 1992, because we're not liberated yet. We're still an African captive, colonized nation inside the United States. And we believe that our war will continue un-

til we are liberated.

**James Simmons:** You mentioned soldier/cops, why would you use that term?

**Watani Tyehimba:** We believe that is an accurate term. When we see the police occupying our community, they serve as an occupying force. When we look back through our history, we look at the Fugitive Slave laws in which the US Constitution authorized any white person to go and bring slaves back. These soldier/cops represent the same thing. They represent the force in our community that acts in the interest of the US government and not in the interest of the New Afrikan community. They're shooting us down. They're treating us as though it is a state of war; that's what they are: they're soldier/cops, that's the best way we can call them. They're cops and at the same time they're soldiers. Most recently we saw they were federalized by the US government after the rebellion in Los Angeles. There, they came up under the chain of command of the federal government, that makes them a soldier, and they're definitely cops. That seems to express the sentiment of our youth in terms of their rap music.

**James Simmons:** Would you consider the US government war on drugs, a war on the New Afrikan nation?

**Watani Tyehimba:** Clearly. We understand the US government's "war on drugs" is a sham. The New Afrikan nation and population, particularly our youth, have no boats, no planes, to bring drugs into our communities. We do not control what actually takes place with the drugs. It has been used

as a guise to roundup the most progressive elements in our community. It has been used as a guise to incarcerate our youth, particularly our young male youth in large numbers, and put them inside a prison which doesn't give them a chance to fully develop. The "war on drugs" is really a sham. Oliver North and George Bush and everyone else involved actually are the ones that should be criminalized and jailed, because it is to their benefit to propagate this war.

**James Simmons:** Are you familiar with the "Weed and Seed Program"?

**Watani Tyehimba:** Yes I am. Basically the, "Weed and Seed" program is a continuation of the COINTELPRO program. It is a military operation designed to institutionalize informing. We saw the "Weed and Seed" program come into the communities after the rebellion, particularly in Los Angeles. After the rebellion, we saw more FBI agents in LA than anyplace else in the country. We saw federal troops come in, going door to door, and begin to identify people who might be potential leaders in our community. They began to interrogate, kick in doors and investigate those people they believe participated in the rebellion. The "Weed and Seed" program is an extension of a military operation by the US government.

**James Simmons:** Let's go back a little. You mentioned the rebellion in Los Angeles of this year, rebellions from the 1960s to the present. Would you consider those manifestations of a state of war?

**Watani Tyehimba:** We need to be clear that ours was a rebel-

lion, not a riot. Anytime you have people spontaneously taking to the streets, they're fighting back against that repression, that oppression that exists there. The rebellions that have taken place, not only from the 1960s, but as far back as the early 1900's, 1920's have been instances where the African masses, just couldn't take it anymore and have struck out, and rebelled to try and take their destiny into their own hands. The rebellions of the 1960s to the 1990s are nothing less than our aspirations to control our destiny, our aspirations for self-determination of the African captive nation inside this country, be it consciously or unconsciously.

**James Simmons:** During the 60' and 90s, particularly in Los Angeles, there was a great amount of gang activity prior to the rebellions. Immediately after the rebellions, gang activity dropped significantly. The gang members became involved in political activity, joining the Black Panther Party and other organizations. Is this, in your opinion, why you believe they have placed so many FBI agents and other military personnel in the New Afrikan communities in Los Angeles and other places where there have been rebellions?

**Watani Tyehimba:** Let me just elaborate a little bit. You are absolutely correct to say that during the 1960s, and anytime there's been an emergence, or reemergence of political activity in our community, our youth — who represent our soldiers, represent the most conscious element in our community from time to time because they're the ones who catch the brunt of the repression — begin to go into political formations. If we look at Los Angeles during the 1960s,

the major gangs in the city at that time, the Slausons and Del Vikings and Gladiators which represented East Side and West Side gangs, began to go into formations like the Black Panthers, the United Slaves organization and the Malcolm X Foundation, because they felt that they represented their aspirations. They felt that it gave them a chance to be what they needed to become. They could progress in those organizations, whereas they couldn't see themselves progressing anywhere inside the United States of America. What they began to do with COINTELPRO is crush our political formations, to kill off our leaders, to send them into exile. This left a void in the community. Those same youth that came into those political formations went back into the community, into the streets and degenerated back into the gang elements. That is why they're so afraid of the unity that exists now, the Bloods and the Crips particularly in Los Angeles, but also throughout the country. Because it speaks to a unified force of soldiers. We call on our youth, our future New Afrikan freedom fighters to come together and recognize these soldier/cops are the ones they need to be dealing with and not with the fratricide that has existed in the past.

**James Simmons:** Those rebellions were basically unorganized resistance?

**Watani Tyehimba:** Yes.

**James Simmons:** Could you speak about the organized resistance?

**Watani Tyehimba:** The organized resistance, we can take

back to the beginning of enslavement. I talked a little earlier about Gabriel Prosser, that was an example of organized resistance. Denmark Vesey, Nat Turner all of them began to organize for national liberation. More than just resistance, it was for national liberation. During the 1960s we also had, because of COINTELPRO repression, many of our political activists forced underground. In forcing our people underground, they began to form what they call underground military formations. The Black Liberation Army came into existence as a direct result of that. We had organized resistance on an underground level, whereas aboveground at the same time, people on the dealt with demonstrations, strikes, boycotts and armed self defense units in a very organized manner. We have a history of this kind of organization.

**James Simmons:** The Black Liberation Army seems to be the largest and most sustained underground movement in the New Afrikan community. What has been the US government's response to the Black Liberation Army.

**Watani Tyehimba:** The US government's response to the Black Liberation Army has been the same as it's response to military operations by any other nation struggling for self-determination and national liberation. They have attempted to crush it. What they have done is when they arrest our soldiers is to treat them as common criminals. They have not given them prisoner of war status. They have criminalized our soldiers, thereby criminalizing our movement. We see the same thing in every other movement: the Puerto Rican independence movement, the Native American, the

Mexicano movement, we see that in most national liberation movements. Organized military operations by our soldiers for our national liberation have been criminalized.

Looking at the Black Liberation Army, it is clearly an army that is functioning on a clandestine level. They recognize that our liberation, ultimately, will come through armed struggle, they represent the best that New Afrika has to offer. They've put their lives on the line. They've gone out and done what many of us would not do. Each of us have different jobs to do. Some of us organize aboveground, some underground. When I talked earlier about a nation, nations have armies. You cannot talk about having a nation and not have an army. Our nation is struggling for state power. State power means having an aboveground army. It means having all the necessary elements to control our state and our destiny. At this time, our army has to function in a clandestine manner. Because of that, when they're arrested, people become confused when they see our freedom fighters treated as criminals. One thing we must do here at the International Tribunal, as revolutionaries, is to project our soldiers to the world as the freedom fighters they are, as opposed to being the criminals the United States government says they are.

**James Simmons:** So when the US Senator said the Black Liberation Army is a "small group of five or ten assassins, and that doesn't make an army", he's incorrect?

**Watani Tyehimba:** Just like Denmark Vesey and those brothers and sisters that went to the gallows with sealed lips, no one knows the size of the Black Liberation Army. US govern-

ment repression of our people produces millions of soldiers for the Black Liberation Army. We don't know where the recruiting stations are, but we know that as long as our condition exists there will a Black Liberation Army. They would hope that this army was a small band of people; they would hope they've crushed it. We know that in 1979, a unit of the Black Liberation Army went inside of a Clinton, New Jersey prison for men and snatched Assata Shakur to freedom. She is living in political asylum in Cuba today.

This is after they said they'd captured the "Soul of the Black Liberation Army". We know also that Dr. Mutulu Shakur sits in prison today because they said that he was a mastermind around the attempted Brink's expropriation in 1981.

**James Simmons:** Can you tell me how many BLA soldiers have been killed?

**Watani Tyehimba:** That is a difficult question. What I would like to do is refer the judges and other people to Can't Jail the Spirit. That will give us an idea of how many political prisoners there are. But in terms of the soldiers that have been killed, I don't have an accurate number in front of me. One of the difficulties is that they have been treated as common criminals. For example, Lumumba Shakur, who was assassinated by the United States government in New Orleans prior to Mutulu Shakur being arrested in Los Angeles, California. It was just written off as a regular, unsolved murder. Look at these kind of incidents to realize that our soldiers have been killed in large numbers and we don't know what happened. There's often a mystery about the cause of their

deaths.

**James Simmons:** You mentioned Mutulu Shakur? Was your case was related to his?

**Watani Tyehimba:** Yes it was. My case was minor. I went to prison for refusing to collaborate with a grand jury investigation around the Black Liberation Army and well as the New Afrikan Independence Movement, after the capture of Mutulu Shakur. The United States government always uses grand juries when it can't criminalize and it can't get anything else. COINTELPRO was designed to neutralize, criminalize us, and to try to find anything it could. When the government could not do that, they could issue a grand jury subpoena, because they realize that we have as our principle, as a political principle, refusal. Outright refusal to collaborate with our enemies. And they knew that at the beginning.

**James Simmons:** How long were you incarcerated?

**Watani Tyehimba:** I was only incarcerated for 14 months. I say only, because when I look at people like Dr. Mutulu Shakur who's been given 60 years with no parole; I look at Sekou Odinga, who has 30 years, and has been in Marion since the beginning, I look at all of our soldiers and I say only 14 months because we have brothers and sisters who are locked up with no possibility of parole. The time that I spent was insignificant in terms of what actually is being done to those people who don't have a possibility of parole.

**James Simmons:** But you were incarcerated for 14 months without committing a crime?

**Watani Tyehimba:** I was incarcerated for 14 months without committing a crime, in fact I left the streets and went straight to administrative detention, "the hole", on 23 hour lockdown because they said my security level rating was too high to go into general population. It was through the efforts of the New Afrikan community and other people who wrote in that I was released to general population. It was 14 months out of my life that I had to regroup. People don't realize this happens right here in the United States, they think it only happens someplace else in the world. I'm here to tell you that happens right here today. I was not charged with a thing, was not charged with a felony, but had to serve 14 months inside of a prison designed for people that had committed crimes.

**James Simmons:** Was that the United States government that...

**Watani Tyehimba:** That was the United States government, the one that we've been talking about all evening, in fact all weekend. The same one this Tribunal has to find guilty of genocide, has to find guilty of all the charges that have been brought against it.

**James Simmons:** Briefly, could you tell us the status of the case of Sekou Odinga?

**Watani Tyehimba:** Sekou Odinga is currently in Marion, I believe he's still there. The reason I say believe is because he is transferred in and out of Marion. Sekou Odinga is a freedom fighter. The US government says Sekou Odinga is one of the

Panther 21 that went underground and actually fought in Africa. They're saying he actually participated in struggle in Angola, they're saying that he is a soldier in the Black Liberation Army. The reason I'm saying they said that, is because when Sekou Odinga went to trial he said, "you can carry on with your trial the way you want to. I am a prisoner of war and want to be treated accordingly", and did not participate in his trial.

One of the reasons is because the United States does not have jurisdiction over us. In the New Afrikan Independence Movement, we believe that we are not citizens of the US government. We believe those people that were brought here from Africa, after the Emancipation, were never given a plebiscite to determine what we were going to be. They imposed citizenship on us. In 1968, we had over 500 people attend a Black government conference and decide that we'd sign a declaration declaring we'd be free and independent. Some of the signers of that declaration were: Queen Mother Moore, Betty Shabaaz, the widow of Malcolm X — one of our great leaders, Jamil Al-Amin and H. Rap Brown. We say that we have no allegiance to the US, and Sekou represented that same struggle for New Afrikan Independence by being a soldier.

**James Simmons:** Could you describe to us the case of first Dhoruba Bin-Wahad and then Mumia Abu Jamal?

**Watani Tyehimba:** Dhoruba Bin Wahad was freed in 1990, he was one of the New York Panther 21 targeted by COIN-TELPRO. He's free now but still facing re-incarceration after

being out. In 1990, when Nelson Mandela came to Harlem, I was there, and Dhoruba greeted Nelson in the name of political prisoners in the US. We see Dhoruba as well as geronimo ji Jaga and everybody else as being our own Nelson Mandelas. Once again, I encourage people to read Can't Jail the Spirit, because they can do that.

In terms of Mumia, we have a brother who's on death row, right now as a political prisoner who was a target. He stands to lose his life because the United States government has decided that he poses a threat to their interests.

**James Simmons:** What you have just testified to is not a complete appraisal of all prisoners of war or political prisoners for the New Afrikan nation, is that correct?

**Watani Tyehimba:** That is absolutely correct.

**James Simmons:** I'll be submitting documents to the Tribunal. Thank you sir.

**Guillermo Suárez:** If I can, I'd like to follow Mr. Tyehimba's testimony and request the Tribunal look at the document that we have submitted entitled: Repression Against Mexicanos. In that document the Movimiento de Liberación Mexicano, discusses ongoing repression against the Mexicano people. The document speaks on pages 6 and 7, about constant FBI investigation and monitoring of Mexicano organizations beginning in the late 1930s. As part of this, in the 1950s when the COINTELPRO program was begun, they created a border coverage program called the BOCOV (the Border Coverage Program) and that this program maintained offices in both the occupied territories and the dependent capitalist republic of Mexico. It maintained offices in the major cities throughout the Southwest, throughout our homeland, as a way to keep tabs on the Mexicano community, on the Mexicano people. And as Mr. García testified earlier, it's important to know that the largest office of the CIA outside of the US is in Mexico City. Clearly the CIA not only intervenes in Mexico, but it also uses its wide network of agents to investigate the liberation movements of Central and South America.

There were reports in the early 80s, where Nazarao who was National Director of Internal Security for Mexico admitted, when he was arrested as part of a car theft ring, that he had been in the employ of the CIA. And that he had furthermore, tapped the telephones of international representatives of the Nicaraguans and the Salvadorans in Mexico City and had turned that information over to the CIA in the United States.

I have one witness on prisons and their effect on Mexicano

people in our occupied homeland. I'd like to call Dr. Ricardo Sánchez to the stand please.

Mr. Sánchez, could you state your occupation please?

**Ricardo Sánchez:** Yes, my name is Ricardo Sánchez, I hold a Phd in American Studies. I'm an Associate Professor in Chicano Studies, Comparative American Cultures, English at Washington State University in Pullman, Washington. I am an ex convict, and I also have a GED, no bachelors, no masters, just a GED and a Phd.

**Guillermo Suárez:** Mr. Sánchez, you say that you are an ex-pinto, a prisoner. How much time did you do sir, and where?

**Ricardo Sánchez:** I did time in California, at Soledad from about 1960 to 1963. Then I did time in one of the most bestial hell holes in the country, Ramsey One Prison Farm, maximum security, Texas Department of "Deformations" or "Corrections," whichever it might be. From 1965-1969, I was witness to a lot of different crimes against the humanity of pintos, of people doing time in Texas.

**Guillermo Suárez:** For the Tribunal, why don't you explain what the term "pinto" means.

**Ricardo Sánchez:** First, a couple of things, I am a doctor. I earned the right to be called Dr. Sánchez. I'm one of the few pintos in this country who can talk about being a PhD, a doctor. I'm a Chicano. Unequivocally a Chicano, who traces his heritage through his Mexicano people one way, but also through the fact that I come from a family who did not come

to the United States, the United States came to us. My grandmother was born in San Juan Pueblo, Northern New Mexico between Taos and Santa Fe. I am very proud of that heritage and I am one of those from the internal colony in this country who has been too damn colonized by a very vicious, pernicious system. I make those corrections.

A pinto is a person, basically a Chicano, who has been convicted of a felony, who is doing time in a prison, or who is an ex-convict. In the Chicano way of looking at the world, those of us who've been to prison do not differentiate between the convict who is doing time, and the ex-convict who is out. We realize that as pintos, we are doing time whether inside or outside the penitentiary because it is doing time if you try to survive in the United States, irrespective of other things, it is doing time. Pinto comes from the word penitenciaría, penitentiary. La Pinta. The pinto then, is a convict, or ex-convict in our parlance, and I differentiate convict or ex-convict from the word inmate because a convict or a pinto is in constant struggle for his or her liberation

**Guillermo Suárez:** Dr. Sánchez, if I can back up a little bit, you say that you spent some time in Texas, not in the pinta, but I just meant, a citizen, a resident in the state of Texas?

**Ricardo Sánchez:** In prison, I was at Huntsville Unit Texas Department of Corrections, the Texas prison system, I was in the Ramsey One Prison Farm, which is a maximum security prison.

**Guillermo Suárez:** Did you live in Texas outside of the pintas?

**Ricardo Sánchez:** Yes. I was born in El Paso, the first one in my family who was born outside of New Mexico or southern Colorado. I was raised in El Paso.

**Guillermo Suárez:** What was your life history growing up in El Paso, growing up in Southern New Mexico, Northern New Mexico? Did you feel you were treated as an equal? What did you learn?

**Ricardo Sánchez:** In El Paso, I grew up in a barrio called El Barrio del Diablo. The Devil's Ward. Within a block of my home we had the county sewage disposal plant, open pits of feces, urine, pestilence, illness. Was I treated as an equal as a child at Zapata Elementary School? I once had the audacity to tell my teacher in the second grade, more or less, when she asked us what we wanted to do when we grew up, I said I wanted to become a writer and a poet. I do not know why. I was fascinated by language. My teacher said, "Ricardo, you are just going to disappoint yourself. People like you, Mexican people, you are not born to do those kinds of things with your life, you should accept what you are, you're going to be a janitor, you're going to collect garbage, you're going to work for the city, but a poet? Ricardo, Mexicans don't become poets or writers."

This was a basic everyday kind of reality in El Paso, where we were told from the very get-go, the same things we're being told in the 90s by a racist system who looks at people like us, Mestizo people, as if we are criminals because we are born Chicano, as if we are mentally deficient. The US Commission on Civil Rights, in 1970, monitored a school in California in

a farmworker community for two weeks. The monitor was there every day for two weeks. In that particular class, all the children were Chicano except one. An Anglo American child. Every where the children went, the teacher would say "Johnny," to the Anglo American child, "take the children to recess, take them to lunch, take them here, take them there, take them everywhere." At the end of the two week period, the teacher was asked by the monitor, "Why do you always point out Johnny?" And she said, "it was very basic. All these children are migrant farmworkers and will grow up to be migrant farmworkers. Johnny's parents own the farm. If Johnny's going to be a successful farmer, he will have to learn how to handle his Mexicans when he grows up."

A few years ago, at Eagle Pass, Texas, I was invited to perform poetry all day long in the high school. Class after class came into the auditorium, many kids would stay with me. The school is almost 100 percent Chicano. At the end of the day, all the children that stayed with me wanted me to go with them and then one of the teachers came up to me, not the one who invited me, but a racist, and said, "Dr. Sánchez, I'm very angry at you, you lied to these children." And I asked, "How did I lie?" The teacher said, "Well, you told them that they all had greatness within them. And you know darn good and well that most of them will just grow up to be mediocre people." What I had told the children was that every human being, every creature born, has an inherent capacity for greatness, and that we must somehow explore ourselves and arrive at our personal greatness, so we can add to human society. A beautiful, meaningful measure of realization

with our lives.

I believe that we are all born to enjoy life, and share the wonder of humanity. I believe this for all of us. I believe we were born to be capable people with greatness and beauty in our lives.

**Guillermo Suárez:** Dr. Sanchez, can you give a time frame as to when those two incidents occurred?

**Ricardo Sánchez:** The two incidents with the children? The high school happened around 1987, 1988. I was a columnist for the San Antonio Express at the time and freelance writing, when I went to Eagle Pass High. I had a bookstore in San Antonio. The other incident, regarding the US Commission on Civil Rights happened in somewhere in the 70s and is documented in one of its papers dealing with Mexican American education in the country.

**Guillermo Suárez:** So you're saying in a sense that as recently as 1987-1988 that those types of racist stereotypes toward Mexicano, Chicanos continued to be prevalent in the state of Texas?

**Ricardo Sánchez:** I would venture to say as an educator, that kind of attitude prevails throughout the country in 1992.

**Guillermo Suárez:** You may have heard the earlier testimony with respect to the question of genocide and English only and people being punished for speaking Spanish in the schools. Did anything like that happen to you or anybody you knew when you were in public schools?

**Ricardo Sánchez:** How does it feel to be a child and you're caught in the playground with one of your friends, and you're joking and you say, "ese, vato, ¿vas a ir al borlo en el noche?" and the teacher overhears you and the following day asks you to write on the blackboard 500 times: I will not speak that filthy language Spanish anymore.

These are things that prevail even now. There is still Spanish detention in some parts of Texas. There is still that pervasive movement of ugliness and sordidness and human destruction called English Only, that strives to eradicate us from our own minds. The Treaty of Guadalupe Hidalgo spoke about the guarantees of property. Language and culture are property. That treaty, like so many others, has been constantly violated and is still being violated. There are places in Texas, in one particular part of Laredo where the usage of Spanish was outlawed, even though the majority of customers of that particular business were Spanish speaking. There is still that very pernicious attempt to eradicate us in every sense of the word. Eradicate. Genocide, yes. To destroy the way we look at the world is to destroy us also. It is perhaps even more painful to be psychologically, culturally, linguistically destroyed, and walk upon this earth as shadowy, fearful people, then perhaps it would be to die.

I prefer to die than to live as a shadow. I was born to thrive, I was born to celebrate, like all of us were. I will not be shadowy. And yet, this system continues trying maddeningly, Hitlerianly, to eradicate us. To eradicate any sense of our own humanity and dignity. And the questions most voiced to people like me in this society are "Why do you want to be

Chicano?" As if I could choose my humanity. I did not choose to be Chicano, I am, by historical reality and lineage, because Chicano derives from Mexicano, and Mexicano is my heritage, but Chicano is the political-social experience that has formed and molded me into the kind of Mestizo that I am. I have a right to be who and what I am in spite of what this government attempts to destroy my own notion of my humanity. I have a right to be that.

**Guillermo Suárez:** Dr. Sánchez, I'd like to go forward a little bit now and return to the question of prisons. Are you familiar with the name Ricardo Flores Magón?

**Ricardo Sánchez:** Of course I am. Ricardo Flores Magon, who published the newspaper *Regeneración*, who was the architect of the Mexican Revolution, "Mexicano, forward to the cry of war!" That's the cry of Ricardo Flores Magón who wrote meaningful treatises on the Mexican Revolution and the role of men and women and the dignity we both must have in waging the personal struggle and communal liberation.

**Guillermo Suárez:** What ties Ricardo Flores Magón to prisons?

**Ricardo Sánchez:** Ricardo Flores Magón wrote a letter to his brother, Enrique when he was in Leavenworth Prison. It said: "Enrique, Harry Weinberg came to see me and he said that I could apply for a pardon, and I would get a pardon." He was doing time in Leavenworth under a charge of waging war against a friendly nation. Against Mexico — Mexico was not too friendly at the time to the poor, to the real people of

Mexico. Magón also said "I am going blind, my brother. Write on my tombstone: Here lies a dreamer, a fool, but never a traitor to his ideals." A few weeks later, Ricardo Flores Magón, for not bowing to the United States government, would be assassinated by a prison guard at Leavenworth Prison. Ricardo Flores Magón, architect of the Mexican Revolution. He was a great man. A man, a human being who lived up to his ideals, who never betrayed them. He never asked for a pardon because he never felt he was guilty of a crime, because waging revolution in Mexico was not really a crime. It was a heroic wonderful testament to the humanity that he aspired to.

**Guillermo Suárez:** Dr. Sánchez, in what year was Ricardo Flores Magón assassinated?

**Ricardo Sánchez:** Right after the Mexican Revolution, around 1920, but I am not sure of the date.

**Guillermo Suárez:** So it was during the Mexican Revolution?

**Ricardo Sánchez:** Around that era.

**Guillermo Suárez:** Would you discuss with this Tribunal your personal experiences within the pinta, how other Mexicanos, and Chicanos were treated within the prison.

**Ricardo Sánchez:** You know, in Texas, they had a cotton quota. If you didn't pick your quota of cotton you would be punished. You could either ride the rail, which was a coke box on its side, and if you fell down the guards would come and force you to get back up on it, or one of those 55-gallon

drums that had no lid on it and you would have to stand on the edge. Barefooted. Sometimes you would fall and you would just hope that you did not fall with you legs on both sides of that can because it would hurt very much.

There was also continuous whippings. Many pintos would cut the tendons in their heels so they wouldn't go out into the prison fields. It wasn't the work, it was the possibility of being killed by a mad-dog guard. It was the possibility of maybe being bitten by a snake and being put under a wagon all day long and they would bring you in at night and your entire body would be bloated and you'd be dead. It was the continuous torture, guards on horseback, with weapons, horses trained to bite you when you were picking cotton if you didn't pick enough. It was sometimes being dragged through a field by guards on horseback. It was going to the hole where you went totally naked and slept on cement. A piece of bread a day and a little cup of water and when you got hot enough and thirsty enough, that hole in the floor, where you defacated and urinated, you would flush it numerous times and then drink out of it and taste not only your own urine, but the urine of the thousands and thousands of others who had urinated there at one point.

Not bathing for weeks and weeks. Having inmate guards who were given weapons, the saps, the building tenders, who kept in judicious order, who wanted to kill other convicts, it didn't matter. And if you were a tractor driver and your tractor broke down, you were hurting. Because tractors cost money and you goddamn, no good sorry-ass, Mexican

convicts, we get you cheap every day down here.

What was it like? It was vicious. But what is prison or jail like? What does it mean when you grab a jute ball — a ball of meat you're served on Sundays — in the Los Angeles county jail and you split it open, and there's a cockroach in it? What does it mean in the Texas prison system when you look at the black eyed beans and you see something sticking out and you pull it, and it is a lizard? What does it mean when the guards just like to have fun and play games with you, with everybody, and whip on you? And the only defense you have is poetry sometimes, or, running the horses dead. When you get into a manic mood as a convict, and the entire squad starts working hard all day long and running and running and you want to kill that horse so maybe a guard will fall down and maybe you can kill the guard.

And they would work you like a beast and you would see horses actually begin snorting out blood and die. We would outrun the horse. But we were beasts. We were brutalized. We had become less than human. in our own thinking about ourselves. It was very political because we had been taught, effectively, to hate existence. To hate ourselves.

**Guillermo Suárez:** Dr. Sánchez, I have one further question for you and then you can make your closing comments if you'd like. When you were in the pinta, was there any kind of activity or movement by Mexicano/Chicano prisoners to form advocacy organizations on their behalf?

**Ricardo Sánchez:** Yes. Many times. Both in Soledad in California, in the early 60s, and in the mid-to-late 60s in Texas.

There were attempts by many of us to do that. It is unfortunate that in Texas, we were usually infiltrated.

A lot of people got hurt, destroyed for trying to do things to alleviate conditions among the people. For trying to reach out and help pintos who were functionally illiterate, writing papers for them, whether to their families or to courts, petitioning, doing whatever they could to bring about some semblance of justice and meaning, a little bit of dignity in a world that has no dignity whatsoever. Yes, there were always attempts. There was always someone there who somehow dared to confront the system as much as we could. Especially in Texas, in a very brutal place where we are very very much hated, where the greatest crime continues to be being Chicano or Mexicano.

To back up that statement, there is the brutal murder of Santos Rodríguez, an 11-year-old child who was handcuffed and the police killed him. An editorial in one of the newspapers in Dallas, Texas wrote: "We all know Mexicans grow up to be criminals and Santos Rodríguez was spared a life of crime." The child was innocent and had committed no crime.

When the 18 Mexicanos suffocated in that box car in west Texas, a discjockey in Dallas, Texas said: "I don't know if your mind functions like mine, but I think those people got what they deserved." That's one of the realities of life in Texas. It's a very racist, brutal state where destructive acts against La Raza are fully sanctioned by the government of Texas and the United States.

**Guillermo Suárez:** Do you have any closing statements Dr. Sánchez?

**Ricardo Sánchez:** Yes. I am a poet, and if you will permit me to read a poetic thing. The poem is *Otra Vez*, 1967, The Texas Prison System: Otra vez, again and again and again, hated words of Mexican damn dirty Mexican, can't work, won't work, won't give you damn thing to eat, cotton high, pinche convict, pues, a la madre con la ley, wait, but I won't pick their goddamn sorry ass cotton, I'm a city dude, ese. Un pacheco del paciente, if God had wanted me to be a goddamn cotton picker, he'd have given me a slow mind, strong back and quick hands, but seein's how I don't believe in God, society and her pinches reglas, I'll just pretend to be dumb. My back was injured, and if that don't work they'll beat the crap right out my soul, but I don't care, for the judge she said I sentence you, Ricardo to do 12 years, it didn't say a damn thing about rehabilitation through cotton picking. And I didn't pick, but I got whipped. And like I told them, "Right now you hold the whipping gun. I am defenseless, and though I hurt, you'll never see my tears nor hear my moans, you better kill me while you can. "Y canto a mi, canto a mi pueblo, tal como siento mi pueblo, no lo canto por ofender, solo canto mi deber, mi grito rompe cadenas, mi canto caricia las nenas nacidas en muchas arenas, mis llantos brotaron aqui, vitales desde cuando nací, mis lagrimas son mis montañas, mi cuna, mi nopalera. Ay pueblo Chicano mio, el chiste es tu canto en mi, sonriente y lleno de vida. Ay pueblo, te canto a ti."

Yes, we shall win ultimately. Humanity, our sense of our sacred wonderful, mutual humanity, and I mean mutual, across the board, will be with us, and this pernicious, monstrous government, predicated on profits, will topple, will fall apart. Our human spirit demands it. No nos pueden quebrar, they cannot break us that easily. Thank you.

**Guillermo Suárez:** Thank you, Dr. Sánchez. Just a few quick statements. I know that we are running out of time. To the Tribunal, on pages 1 and 13, under the caption “Past Political Prisoners,” you will find a description of various Mexicanos, Chicanos, who have been incarcerated from the 1960s until recent times for a variety of actions, refusing to testify to the Grand Jury, for allegedly burning a store in El Paso, Texas, for bombings, etc. You will see the prisons in the United States have been used to try to contain, to arrest, to isolate leadership potential, to contain the Mexican Revolution within the Southwest. As we were preparing for the Tribunal, we were asked whether or not there were Mexican political prisoners, prisoners of war being held by the U.S. government. At the time we answered in the negative, and we still believe in the negative, but we are investigating certain cases. There is a brother in Arizona, His name is Roy Rodríguez, who was supposed to be doing time for killing a state trooper after he had escaped, and there are some cases in Texas that we’re still investigating.

The question of whether one is political outside or becomes political inside the prison is not totally clear. But there are a lot of Mexicanos, Chicanos, who develop a conscious-

ness, just as we are familiar with other cases with individuals who have developed a political consciousness, and recognized what happened to them because they were part of a colonized nation who had faced a series of things, and they resorted to a particular act and got arrested. We thought about it more and more, even though today we are concentrating on the US, we need to state that in Mexico, in the dependent, capitalist southern half of our country, there are thirteen prisoners of war. There are eleven men, and two women held in the Reclusorio Norte Feminino and Reclusorio Norte Masculino in Mexico City. These men and women are accused of participating in the ongoing guerilla struggle in Mexico. They are accused of being members of the PROCUP, which is the Partido Revolucionario del Obrero Clandestino Union del Pueblo, the Revolutionary Party of Workers and Campesinos, a United People, who have been carrying out an armed struggle in Mexico for the last twenty-six years, who believe in the concept of prolonged people’s war. Because we do not recognize the border, it is a necessity that I at least present that case, that situation, and to say there are Mexicano political prisoners and prisoners of war in the southern half of our nation.

There is also the question of the thousands of disappeared individuals, people who were picked up off the streets because their last name happened to be Cabañas or Vázquez, two names associated with the guerillas in Mexico. There are countless numbers of disappeared in Mexico, as there are throughout all of Latin America. FEDEFAM, which stands for the Federation of Families of the Disappeared, Politically

Exiled, Assassinated and Persecuted, has documented those cases, so we can make that information available. I'll leave you for now. Thank you.

**Rachel Lederman:** Our next witness is Carlos Ortíz. Mr. Ortíz, can you tell us something about yourself?

**Carlos Ortíz:** I'm a teacher in Chicago. I work in a primarily Puerto Rican high school. I'm the coordinator of the National Committee to Free Puerto Rican POWs and Political Prisoners. I'm a Black Puerto Rican, who is an independentista and happens to be gay. I want to mention something related to who I am, because all the people that came before me, they talked about their experiences in prison, and they had the right to express that. I have never been in prison, but as a gay Puerto Rican, I've been in a different kind of prison, a prison in which I've been denied the right to be like everybody else, because I've been oppressed for being a Black Puerto Rican, and I've also been oppressed for being gay. In that respect, I have the right to sit here in front of you and talk on behalf of all the Puerto Rican POWs and political prisoners, and on behalf of all the people that went to prison and struggled for national liberation and self-determination. I'm here representing 500 years of our history that has been denied to the world. I'm here representing the symbols of our struggle for national liberation and self-determination.

**Rachel Lederman:** Are there Puerto Rican independence activists who are being held captive in US prisons?

**Carlos Ortíz:** Yes. We have nineteen Puerto Ricans in US prisons at this moment. I wish they were here to express how they feel about the struggle, and speak about their convictions. But because of the system, they are unable to be here. As I said before, I'm representing people like Pedro Albizu Campos and Juan Antonio Corretjer, Marianna Bracetti, Lola

Rodríguez del Tío, Lolita Lebrón, Rafael Cancel Miranda, and other prisoners that have spent time in the cells of this system that wants to destroy them, that wants to destroy our identity as Puerto Ricans.

We have nineteen Puerto Ricans imprisoned in different parts of this country. They are far from their families, and living under conditions, that day by day, torture them, physically and mentally. The system wants to destroy them. People that are in jail because of an act by this country, a military intervention on July 25, 1898, where the US government declared war on us, and we Puerto Ricans have defended ourselves. That's why they call themselves prisoners of war. And, according to United Nations Resolution 2621, passed in 1970, which declared colonialism an international crime, along with other United Nations resolutions and the different protocols of the Geneva Convention, which declared that people who are captured for struggling for national liberation, self-determination and independence, should be accorded the status of prisoners of war. Under that law we, the Puerto Rican people, recognize them as prisoners of war.

**Rachel Lederman:** Has the US government recognized any of these prisoners as POWs?

**Carlos Ortíz:** No. The United States treats them as common criminals. They do not recognize they are political prisoners or prisoners of war. But the treatment that they receive and the situation in the prisons — shows the world they

are really receiving the treatment of political prisoners and prisoners of war. When they were arrested, the charges were “Seditious Conspiracy.” In South Africa, Nelson Mandela was charged with the same crime, and he was imprisoned for close to 25 years. And the United States of America — so-called America — supported him and gave him a hero’s welcome. But we have Puerto Ricans that are charged with the same crime, and they are denied the status of Political Prisoners or Prisoners of War.

**Rachel Lederman:** Tell us something about some of the individual POWs and why they are in prison.

**Carlos Ortíz:** I want to start by talking about Oscar López Rivera. He is a prisoner of war incarcerated in Marion federal penitentiary in Illinois. We know about Marion. We know that Amnesty International declared Marion one of the worst prisons in the world, and the worst in the United States. Oscar has been in the same unit there for the last six years. He is not allowed physical contact with anybody, his family, friends or anybody. Visits are very limited, and so are the number of people who can visit him. We have prisoners like Alicia Rodríguez. She’s at Dwight, Illinois, a state prison. For Alicia to move around in the prison, she must have two guards monitor her movement. The prison administration denies her the right to wear the Puerto Rican flag or to have the Puerto Rican flag in her cell. We have situations like Alejandrina Torres in the Lexington Control Unit. We know about the Lexington Control Unit, we know what happened there, how the system wanted to destroy not only Alejand-

rina Torres, but Silvia Baraldini and Susan Rosenberg. People like us, committed to defend and protect our prisoners, were able to achieve a goal, to move them out of Lexington Kentucky and close the control unit. But that doesn’t mean that they stop the harassment, that the conditions change. They’re still the same.

In Alderson, West Virginia, a federal prison, a control unit, Davis Hall, was created especially for two Puerto Rican women, Lucy Rodríguez and Haydeé Beltrán. That is the reality of our people, some examples of their situation and experiences while incarcerated. When you see the length of their sentences, you understand clearly why the United States is doing this. For example, Carmen Valentín, a woman that comes from the same community where I live, who struggled for a better education for our children, for our people, gets 98 years in prison for her beliefs. On the other hand, Richard Nixon gets away with what he did, Oliver North gets away with what he did. Then we really understand what kind of system we fight, full of contradictions, trying to destroy the Puerto Rican nation.

**Rachel Lederman:** What kind of medical treatment have some of the prisoners received?

**Carlos Ortíz:** People familiar with the prison system in the United States know that medical treatment is a joke. For example, Haydeé Beltrán, who is now at Pleasanton Federal Correctional Institution in California, has experienced a lot of illnesses as a consequence of her situation at Alderson, West Virginia. When you see Haydeé, you see the result of

suffering, the result of that situation, the medical problems she has, and the lack of medical treatment. When you see people like Oscar López, who as I said earlier is imprisoned at Marion, who for years has to drink contaminated water containing PCBs, a cancer-causing chemical, and received no treatment for the result of that contamination, then you see what kind of medical treatment they are getting in the prison.

We all know, it is important to feel good and healthy in order to survive on the outside. Just picture them trying to survive day by day, inside the prison, being sick and not getting any treatment, and at the same time having to deal with that situation, and still keep themselves alive to continue the struggle, to give us the energy and power to struggle for national liberation and self-determination. For that I respect them. Every time we visit a prisoner, we see who they are and understand what they have been through on a daily basis. It is amazing. After I visit them, I realize they give me more support than I give them. I left the prison more committed, with more strength to fight for my country and for their freedom. And that is the experience they give us under the circumstances they are living.

**Rachel Lederman:** Can you tell us some of the actual sentences the prisoners are serving?

**Carlos Ortíz:** It is a combined sentence, a federal and state sentence. Luis Rosa is serving 105 years, Ricardo Jiménez 98 years, Elizam Escobar 68 years, Carmen Valentín 98 years, Carlos Alberto Torres 78 years, Dylcia Pagán 68 years, Ad-

olfo Matos 78 years, Alicia Rodríguez 85 years, Ida Luz Rodríguez 83 years, Oscar López Rivera 78 years, Alejandrina Torres 35 years, Edwin Cortés 35 years, Alberto Rodríguez 35 years. But then you have to understand that other common criminals are given completely disparate sentences. For example, Orlando Bosch, who was indicted and sentenced for blowing up a plane against the Cuban government, the US government recently gave him parole, for a crime that he committed that is much worse than what the Puerto Rican independentistas are in jail for. That is the system.

We see that a rapist gets less than 10 years for his crime, for raping a woman and Carmen Valentín or Lucy Rodríguez, women who helped our community and struggled for us to keep our identity, receive 98 or 85 years, it is clear to us that we have to destroy this system, we have to bring this system down by any means possible.

**Rachel Lederman:** Is there still a problem with control units that political prisoners are held in?

**Carlos Ortíz:** Marion is still open and the government is in the process of establishing a prison in Florence, Colorado as a control unit which will be more sophisticated, more alienating than Marion.

**Rachel Lederman:** Do you have a closing statement?

**Carlos Ortíz:** Yes. I would like to read a statement that Oscar López Rivera made at his trial to the jury. It reads, "I have marched, I have demonstrated, I have asked and I have begged. I have marched with Black people in this country

for their rights, I have marched for jobs. There is a history of that. I have marched for housing and there is a history of that. I have marched against the war in Vietnam and there is a history of that. The prosecutor doesn't know how it feels to be Black in this country, he doesn't know what it feels like to be Puerto Rican in this country. He doesn't feel the indignity when a policeman, the man who is supposed to uphold law and order, calls us spic and nigger. And after being called these things, people spit in my face in this country. People have spat in my face, yes and I have been arrested for demonstrating, peacefully and legally. If I stand here, it is not because I have lacked the courage to fight. It is because I have the courage to fight." Thank you.

**Marilyn Kalman:** The case of the white North American political prisoners is being presented this evening at the invitation of the Indigenous peoples and other oppressed nations that have testified here earlier. We are humbly grateful for the invitation. We charge that the US government has acted as an international criminal conspiracy and a criminal organization with regard to the political incarceration and commission of human rights violations against white North American revolutionaries and activists. Based upon the Nuremburg and Tokyo Tribunals as well as other international principles of law, we take the position that the white North Americans not only have a right, but a duty to resist the illegal policies and practices of the US government.

We have submitted a brief with attached appendices, I hope you have all received them. Based on that submission and the testimony that is about to be presented, we hope to show this esteemed Tribunal that the white North American freedom fighters, although charged and convicted of domestic crimes, are indeed political prisoners. We hope to prove, that in every phase of contact with the conspiratorial entities of the US government, from the police to the FBI, the prosecutor to the judge to the prison administration, that the US government has committed egregious human rights violations against the North American political prisoners. I would now like to call Rita Brown to the stand.

Would you state your name for the record please? Would you please tell the members of the Tribunal about the work you are involved in and what qualifies you to testify here

today?

**Rita Brown:** My name is Rita D. Brown. I make my living as a highway maintenance worker, and my political work is with the Out of Control Lesbian Committee to Support Women Political Prisoners, and with a group called Revolting Lesbians. I am honored to be at this Tribunal which condemns 500 years of genocide and celebrates 500 years of resistance. I am here to speak about the nearly 35 white political prisoners presently being held in US prisons and jails, many of whom are imprisoned because of their solidarity with oppressed nations and peoples in the US and around the world. I speak with deep feeling, based on personal experience, because I am a former political prisoner. I spent 8 1/2 years in federal prisons around the country because of my actions as a member of the George Jackson Brigade.

**Marilyn Kalman:** Would you tell the Tribunal something of the history of the resistance of white people in the US, of which the freedom fighters currently in prison are a part?

**Rita Brown:** In those years, I was moved from prison to prison. During that time I spent almost a year in a control unit at Davis Hall at Alderson, West Virginia. This was the first special control unit for political women in the Federal system. Sister Assata Shakur and I were held there along with reactionary and Nazi prisoners. The government's threat to us was very clear. I was also kept for extra long periods in isolation and threatened and harassed specifically because I am a lesbian. This was not all that unusual treatment however, for my experience mirrors that of all the political prisoners. Yet, our

very existence is still denied by the US government and not seen or understood by most people in this country.

The strategy of the US government towards political prisoners and POW's held in prisons is to criminalize them, to disguise their political identities under the rhetoric of criminal activity. But they are not criminals. All of these white North American political prisoners have been convicted of, and imprisoned for, activities which are strictly political in nature. These political prisoners and POWs are not a new phenomenon but are part of the history of the resistance in the Americas.

Under international law, as well as the Constitution of the US, people not only have the right but the absolute responsibility to resist the illegal activities, policies and practices of the oppressor and colonizing nation. And that's what they have done. They draw on a history of white resistance which includes the anti-slavery / abolitionist movement, those who helped in the Underground Railroad, women's rights activists, labor and working class organizers and supporters of anti-colonialism and anti-militarism. Some of their names are familiar: John Brown, Emma Goldman, Eugene Debs, Ruth Reynolds and Ethel and Julius Rosenberg; but most of the names of our herstorical grandmothers and grandfathers remain unknown to us because the historians don't want us to know about them. Some of these political prisoners come from working class or poor communities, some were already ex-cons, and still others were college students. But a common thread runs through all of their stories: the decision to

take action. Action in support of self-determination; action against racism; action against US military and nuclear policy; action against apartheid in South Africa and action in solidarity with workers and poor people around the world.

In order to understand them and their situation, we have to go back a little in recent history. If you were living in this country in the 60s and 70s you were affected by the struggles for freedom and social justice. The women and men who are in prison today are no exception, and are the products of these times. Many of them were active in support of the Civil Rights movement and influenced by Malcolm X's demand for self-determination and the organizing of Martin Luther King, both of whom would be assassinated by 1968. Others worked with the Black Panther Party, often in defense of its members who were imprisoned for political activities. Many came to work also with Puerto Rican, Native American, Mexicano/Chicano and other Third World liberation struggles. Along with millions of others, they consistently opposed US policy in Vietnam and were part of the anti-war movement.

This was also the period when women began to be more conscious about their own oppression and started to demand liberation and when lesbians and gay men came out of the closet and went into the streets demanding an end to gay oppression.

During these years, a prisoner's rights movement developed led mostly by Black prisoners with close ties to the Black Panthers and other community groups. Many of these white

political prisoners worked with these organizations and thus came to better understand the integral part that prisons play in this society. They came to see that this country needed to control its people and would criminalize, jail or kill those it couldn't control, or didn't need.

The government's response to this legitimate protest and sense of empowerment was swift, repressive and violent. COINTELPRO, the FBI's counter-intelligence program was responsible for the destruction of the BPP and the disruption of the American Indian Movement. This period also saw the killing of students at Kent and Jackson state universities and the widespread use of grand jury witch hunts which were designed to further disrupt legal organizations.

Out of these experiences came the understanding that US society is based on the rape and plunder of Native lands, the expropriation of life and labor of African slaves and the class exploitation of European, Asian and Mexican workers. People were enraged at the racism so basic to this country and were determined not to be part of it. Many began to see that there was a connection between the colonialism here at home and the war of imperialism in Vietnam.

It was during this time that activists, including white people, in various parts of the country independently decided to begin armed resistance, expropriations and sabotage. These were difficult steps to take, but were all carried out in pursuit of their vision for change. This vision and spirit of resistance continued to move North Americans to action during the 70s and 80s.

**Marilyn Kalman:** Are there any doubts in your mind that the acts for which the North American prisoners were convicted were politically motivated and in response to the illegal policies and practices of the US government?

**Rita Brown:** Absolutely not. First there are prisoners who consider themselves to be revolutionary anti-imperialists. The Jonathan Jackson-Sam Melville Brigade and United Freedom Front were armed clandestine organizations which emerged from the experiences of working class people in poor communities, in the military and in prison. The Jackson-Melville Brigade was held responsible for a number of anti-imperialist bombings of government and corporate offices in the mid to late 70s. The UFF operated from the early to mid-80s and had similar targets.

Today, the people charged with these acts are known as the "Ohio 7." Five of them remain in prison: Raymond Levasseur, Thomas Manning (both Vietnam veterans and ex-convicts), Jaan Laaman, Carol Manning, and Richard Williams.

Other North American anti-imperialists are imprisoned for their direct aid to armed clandestine Black organizations in the early 80s. Judy Clark, David Gilbert and Kathy Boudin are serving life sentences in prison. They are charged with aiding an attempted expropriation. This action was claimed by the Revolutionary Armed Task Force. Marilyn Buck was also charged as result of this action, as well as for assisting in the escape of Assata Shakur.

Susan Rosenberg and Timothy Blunk were captured in 1984

on charges of conspiracy to possess explosives. Later, they along with Alan Berkman, Laura Whitehorn, Linda Evans and Marilyn Buck were charged with a number of bombings claimed by the Armed Resistance Unit and the Red Guerrilla Resistance. Included in these is the 1983 bombing of the Capitol in Washington, DC.

Once again I come to my own background as a former member of the George Jackson Brigade. We were a multi-racial armed organization which operated in Northwest in the 70s. We took our name from George Jackson, the Black revolutionary who was assassinated in prison on August 21, 1971. We were composed mainly of working class ex-convicts and engaged in acts of armed resistance in solidarity with the struggle of Native people for sovereignty, in support of various labor strikes, and in support of struggles by Washington State prisoners. My comrades, Mark Cook, a Black prisoner and Ed Meade, a white prisoner remain in prison to this day. This is their 16th year in prison.

Anti-authoritarian revolutionaries Bill Dunne and Larry Giddings have been in prison since 1979 for participating in expropriations and the liberation of a comrade from jail. Richard Picariello has been in prison since 1977 for armed actions against US oppression and imperialism. Due to be released after 15 years, the state is scrambling to extend his sentence because he's dared to continue struggling while inside.

There are also those people who consider themselves part of the Ploughshares. These anti-nuclear and anti-military

activists come from a religious conviction and tradition that insists they must not sit by while weapons of destruction are being made and used. Over the last ten years, many have entered military bases and destroyed military property directly, while others have born witness and engaged in symbolic acts.

Throughout the 80s the government also prosecuted members of the Sanctuary movement. These include clergy, church workers and lay activists who have “illegally” provided refuge to Central and South American refugees fleeing US sponsored repression in their homelands.

Following a historic tradition, there are also military resisters who refuse to register for the draft, or to serve in imperialist wars.

The US legal system is also used to serve the government’s allies in effecting their own counter-insurgency programs. In doing so, it echoes and enforces US foreign policy. Along with Haitians, Central and South Americans and other Third World people there are several European nationals being held in US prisons. Silvia Baraldini, a citizen of Italy, received a 40 year sentence for aiding in the escape of Assata Shakur. Although the Italian government has said that it wants her back in Italy to serve her time in an Italian prison (in accord with the Strasbourg Convention), the US justice department has refused to let her go, claiming the Italians will not be harsh enough.

There are also 9 alleged members or supporters of the Irish

Republican Army, IRA, held in US prisons by the US government.

The same counterinsurgency tactics that have been detailed in other presentations have been used against white political prisoners. This includes the preventative detention of Laura Whitehorn, who was held without bail for 4 years before going to trial.

**Marilyn Kalman:** I would, in further support of the contention that these prisoners are indeed political prisoners, ask the Tribunal to refer to Appendix B of the brief we have submitted, which are detailed dossiers presented by these prisoners talking about their motivations for these acts. We would like to speak for a moment briefly, as our time is nearly up, to the political and human rights violations committed against these prisoners. Again, I would ask the Tribunal to review our brief. In it, there are a number of appendices, including a treatise developed by another attorney, Mary O’Melveny, regarding the disparate sentencing and treatment of all political prisoners in the US, as well as a statement by four prisoners currently imprisoned in a control unit in Marianna, Florida and a prison discipline study regarding torture in US prisons. Ms. Brown, I would now ask you, what happens to these prisoners once they are incarcerated?

**Rita Brown:** Because they are political prisoners, they receive some of the longest sentences in the world. Their political beliefs are used as a basis to impose sentences that are, in many instances, equal to life in prison while KKK members and abortion clinic bombers do next to no time by compari-

son. Prisons are a horrible experience for everyone in this country.

This was well documented in the Prison Discipline Study Report, issued in 1991. This national survey revealed that both physical and psychological abuse, so severe that it approaches the internationally accepted definition for torture, is the norm in maximum security prisons throughout the United States. That's the case for all prisoners.

In this context, the North American prisoners — like political prisoners everywhere — are systematically singled out for particularly severe sentences and constant harassment. This includes particular abuse directed at the women and lesbians, including sexual assault and threats, often at the hands of male guards.

One of the most brutal weapons in the government's arsenal is the control unit prison: a special maximum security unit based on total physical and sensory deprivation. Control unit prisons are currently the trend in new prison construction. Their goal is to reduce prisoners to a state of submission where it becomes possible to destroy their bodies, their spirit, their will and ultimately their resistance.

While officials claim that these units are only for the most violent disciplinary problems, more and more political prisoners are being placed there solely for their political beliefs. For instance, Alan Berkman, Raymond Levasseur and Tom Manning were all sent directly to Marion Control Unit after sentencing. Silvia Baraldini and Susan Rosenberg, along

with Puerto Rican POW Alejandrina Torres were sent to the Lexington High Security Unit for two years in 1986, and now, along with Marilyn Buck, are held in Marianna, Florida, the new control unit for women.

In addition to isolation in control units, all political prisoners are more frequently subjected to cruel and inhumane punishment. These include torture, sexual assault, strip and cavity searches (including those by male guards on women prisoners), punitive transfers, censorship and denial of medical care, like the case of Silvia Baraldini and Alan Berkman who both have cancer.

Imprisonment doesn't mean the end of these revolutionaries' organizing and political work. They continue once they're inside. For many of them, this has meant organizing resistance to oppressive prison policies, publishing prison newsletters, becoming jailhouse lawyers, participating in work stoppages and hunger strikes. For others it's also meant becoming AIDS activists. In fact some of the women prisoners are responsible for developing the most comprehensive models (like ACE at Bedford Hills and PLACE in Pleasanton) for AIDS education and peer counseling in prisons in the country.

Political prisoners are punished for being too successful in their work. For instance, Ed Meade, who organized Men Against Sexism at Walla Walla was prevented from continuing his work organizing against prisoner on prisoner rape. Bill Dunne was kept at Marion for years for publishing a newsletter there and David Gilbert was moved from place to

place for developing work on AIDS in prison. Quite recently, Laura Whitehorn was transferred from Lexington to Marianna after she participated in the first women's uprising in a federal prison in 20 years.

**Marilyn Kalman:** In your closing comments, I would like you to address this question if you will. Why does the government so determinedly continue to attack and repress these women and men once they are incarcerated?

**Rita Brown:** The government needs to break their spirits, our spirits any spirits they can break. It needs to prevent them from continuing to educate and mobilize from inside the prison walls. On the one hand, these prisoners are used as examples to intimidate whole movements and communities from continuing their resistance. The government wants it made clear that the one can pay a very high price for being a white person willing to take a stand against this racist and inhuman system. On the other hand, they need these revolutionaries to be buried away and forgotten. I say we won't let that happen.

In closing, I would like to say that I speak for all the white political prisoners when I say that it's been a great honor to be able to speak here today. All of us pledge to continue our resistance to the crimes outlined by today's speakers and commit ourselves to continue our work until there is a world where everyone can have true justice and freedom.