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Recommended Citation

Resist, "Resist Newsletter, Dec. 2, 1970" (1970). *Resist Newsletters*. 24.
<https://digitalrepository.trincoll.edu/resistnewsletter/24>

RESIST

a call to resist
illegitimate authority

2 December 1970 - 763 Massachusetts Avenue, #4, Cambridge, Mass. 02139 - Newsletter #48

NO TRIALS NECESSARY: HOOVER HAS SPOKEN

Last week J. Edgar Hoover accused Philip and Daniel Berrigan and the East Coast Conspiracy to Save Lives of plotting to kidnap government officials and to blow up electrical and steam conduits in Washington, D.C. William Kunstler, an attorney for Phil and Dan, brushed off the charges by saying that Hoover was stooping "to use his immense powers for the aggrandizement of his own office and to carry on personal vendettas against his critics." The East Coast Conspiracy denied the charges in a press conference.

One can be sure that if Hoover had factual evidence connecting the people who, in March 1970, took responsibility for destroying draft files in Philadelphia and liberating records from General Electric's Washington lobbying office, warrants would have been issued immediately. Hoover is now in the position of having his integrity and pride challenged, and may feel that he must take further action.

The timing of the statement is worth examining. When Hoover made it, Ted Glick, a member of the East Coast Conspiracy, was on trial in Rochester, N.Y. for destroying draft records and invading FBI and other government offices, and the trial testimony had been embarrassing to the FBI. Hoover's charges probably eliminated the possibility of a fair trial for Glick. Also, the accusations were made just after the U.S. actions against North Vietnam, and served the purpose of isolating dissenters and branding prominent ones as criminals.

Whatever the motive behind Hoover's statement, he may now feel that he must prove his charges. To do this might, as in the case of the Panther 21, require fabrication of a conspiracy. In that case, police agents infiltrated the Panthers, set up a plot to bomb various sites, and then lied in court to substantiate their imaginary conspiracy and false evidence.

The controversy is going to continue for some time, and it is important that we understand the possible consequences of Hoover's accusations, for if they are not merely attempts to enlarge an appropriation, they could indicate a significant narrowing of the limits of tolerated dissent.

ALL 8 MEMBERS OF THE FLOWER CITY CONSPIRACY
HAVE BEEN FOUND GUILTY ON ALL 6 COUNTS. THE
JURY RECOMMENDED LENIENCY IN SENTENCING.

VICTORY FOR LOS SIETE DE LA RAZA

On November 7, 1970, after 17 months in prison, Los Siete de la Raza were acquitted of first-degree murder, assault with intent to kill, and burglary. Since May 1969, when San Francisco policeman Joe Brodник was killed, the state has been trying to railroad these Chicano brothers into the gas chamber. The evidence used against them by the prosecution was weak and confusing, with the chief prosecution witness, Paul McGoran, partner of Joe Brodnik, frequently contradicting himself on the stand.

In order to save the six brothers on trial (the seventh, Gio Lopez, went underground and was never apprehended), the defense lawyers and the Chicano community had to cope with numerous roadblocks thrown at them by the state. The original judge in the case, Joseph Karesh, withdrew. Defense lawyers had felt that he was the best judge available for the case, but couldn't dissuade him from disqualifying himself. Defense attorney Kennedy stated at the time that "He's watching out for his political life, instead of caring for the six young men on trial before him for their lives". One of the first actions of the new judge, Lawrence Mana, was to accept a motion by prosecutor Norman that barred all concerned with the case from speaking to the press. Charles Garry reacted by calling a news conference, where he stated, "I consider the so-called 'gag-rule' to be arbitrary and an infringement on my First Amendment rights to freedom of speech... I do not intend to live up to that order." Cont'd on p. 3

DRAFT BOARD RAIDERS ON TRIAL IN MINNESOTA

The Minnesota Eight, surprised by waiting FBI agents as they attempted to destroy selective service files early last summer, have come to trial in three separate proceedings. Suspicions that an informer was in, or close to, the group were confirmed as trial tactics have continually been reported to the prosecution. The identity of the informer (or informers as an FBI agent hinted on the witness stand) has not been revealed. In the first trial one defendant pled guilty and the other two were convicted and are now waiting sentencing. Just before Thanksgiving the second trial of three began, but the jury was dissolved when the mother of one defendant reported to the judge overhearing jury members discussing their prejudices against "hippies and other radical types". On Nov. 28 the trial continued with a new jury. The remaining two defendants will be tried at the conclusion of the present trial.

"I do not wish to kill nor to be killed, but I can foresee circumstances in which both these things would be by me unavoidable. We preserve the so-called peace of our community by deeds of petty violence every day. Look at the policeman's billy and handcuffs! Look at the jail! Look at the gallows! Look at the chaplain of the regiment! We are hoping only to live safely on the outskirts of this provisional army. So we defend ourselves and our henroosts, and maintain slavery."



"I am a non-resistant--a believer in the inviolability of human life, under all circumstances. . . . How many agree with me in regard to the doctrine of the inviolability of human life? How many non-resistants are there here to-night? (A single voice--"I.") There is one! (Laughter) Well, then, you who are otherwise are not the men to point the finger at John Brown, and cry "traitor"--judging you by your own standard. Nevertheless, I am a non-resistant and I not only desire, but have labored unremittingly to effect, the peaceful abolition of slavery, by an appeal to the reason and conscience of the slaveholder; yet, as a peace man--an "ultra" peace man--I am prepared to say, "Success to every slave insurrection at the South, and in every slave country." And I do not see how I compromise or stain my peace profession in making that declaration. Whenever there is a contest between the oppressed and the oppressor--the weapons being equal between the parties--God knows my heart must be with the oppressed, and always against the oppressor. . . . I thank God when men who believe in the right and duty of wielding carnal weapons are so far advanced that they will take those weapons out of the scale of despotism, and throw them into the scale of freedom. It is an indication of progress, and a positive moral growth; it is one way to get up to the sublime platform of non-resistance."

A Perspective on Revolutionary Actions

The first of the quotations above is from a speech about John Brown by Henry David Thoreau, author of "Civil Disobedience" and inspiration to Gandhi and Martin Luther King, Jr. The second, also about Brown, is by William Lloyd Garrison, long-time pacifist and non-resister, advocate of women's rights as well as of abolition. I read these passages as challenges not only to Americans of 1859 but also to us.

John Brown's raid marked the first clearly offensive action against slavery by armed whites. (Armed Black attacks on slaveholders go back to the beginnings of chattel slavery.) In effect, Brown's raid challenged the defining of slavery as a set of evil laws and customs to be changed through appeal, moral suasion, and legal processes or even simply to be resisted. It confronted slavery, rather, as a state of war against Blacks and their allies. That was indeed the case since, as in war, slaveholders used organized mass violence, prison camps, raiding parties (in the form of fugitive-slave seekers), and the law to maintain control over territory and to render their enemies helpless. Brown's raid cut through the snarl of laws, procedures, and property rights that gave continued legitimacy, and therefore power, to the slaveholders. It told them: you rule only by violence; and we will encounter your violence directly for what it is.

Like John Brown's attack, the Marin County Courthouse raid of last August marked a departure into an offensive pattern of action. Those who planned and executed it challenged the use of the American prison and legal systems as a cover for the continuing war on people of color: In effect, they said, "Your law serves violence, and is maintained by violence. We submit to it not because of justice or deference, but only so long as we are forced to." That a single Black Panther can obtain a relatively fair trial in New Haven contradicts that assertion no more than saying that some slavemasters were kind exculpates slavery. Consider the buy-your-freedom system called "bail"! Consider the impact of mainly white police on the ghettos! Who sits on juries? Who are the judges? The law favors wealth and established power, and the jails are concentration camps. One can quite legitimately conclude that all Black and Third World prisoners are political prisoners in a continuing war.

Reactions to Angela Davis, now charged as an accomplice for purchasing some of the weapons used in the raid, have not been unlike those to John Brown. People who called themselves abolitionists, and who had supported Garrison's right to speak freely, considered Brown "mad" and dangerous to their cause. Similarly, people who call themselves "liberal" supported Angela Davis' right to teach but immediately abandoned her when she translated her intellectual commitments into Black revolutionary action. They see as wrong her contribution to the raid rather than its failure, ignoring the fact that justice might well have been served, and no lives lost, had the attempt succeeded. And that it was the "authorities" who initiated the violence that resulted in the deaths of those who attempted the raid and of one of

MOVE-SPEAK

The Movement Speakers Bureau can provide radical speakers and theatrical groups for meetings or programs anywhere in the United States. Speakers representing every segment of the Movement are available for moderate and negotiable fees, part of which go toward the costs of political trials and other Movement actions.

Among the many speakers are Ralph Abernathy, Noam Chomsky, Dave Dellinger, Jane Fonda, Tom Hayden, Abbie Hoffman, Jesse Jackson, and William Kunstler. The Move-Speak Catalogue is available from MSB, 365 W. 42nd St., New York 10036, 212/245-3575.

VICTORY FOR LOS SIETE Cont'd. . . .

What actually happened the day of the murder? In the words of Charles Garry, one of the four defense lawyers, "McGoran was drunk, his conduct was abusive, as it always is when he deals with non-white people, his language was degrading. . . he pulled his gun on Gary Lescallet, shoved him against the wall, beat him, and. . . in the process of Lescallet's trying to defend himself, McGoran's gun went off killing Brodnick. Officer McGoran created the accusations against the defendants to hide his culpability and responsibility for his partner's death; he should be the one on trial for murder here."

The weakness of the state's case was obvious: At the time of the shooting, defendants Rudolf Martinez and his brother Mario were in another part of town; José Rios was inside his house, not out on the sidewalk where the murder took place; and Nelson Rodriguez was in a different county attending school. The six defendants were students at the College of San Mateo and active organizers in their community. Immediately after they were acquitted of the murder and other charges, armed robbery charges were filed against them: the police claim that the car they were captured in was stolen at gunpoint. On Monday, November 9, they were released on bail. While the latest charges marr the victory, Low Siete de la Raza would be facing the gas chamber now had the Chicano community and the Movement not rallied to their defense.

SOLEDAD BROTHER: THE PRISON LETTERS OF GEORGE JACKSON

An incredible book and must-reading for everyone who is trying to understand the events leading to Jonathan Jackson's raid on the Marin County courthouse. Available in paperback (\$1.50) from Bantam Books; profits go to the Soledad Brothers Defense Committee.

KUDZU HARASSED BY FBI

Several months ago RESIST funded The Kudzu, a Movement newspaper in Mississippi. This week the RESIST office received from the Kudzu staff the following letter:

"Dear RESIST: Recently we were raided by the police and eight people were taken to jail. The police wrecked the house and claimed that they found a bag of weed. The weed was obviously a plant - the FBI had searched the house that same day, claiming that they were looking for Mark Rudd. The FBI had been searching the house almost daily for three weeks because our names came up in their investigation of the alleged Brandeis bank robbers. They claim that they don't need a search warrant since they have arrest warrants for the people who have been associated with us in the past (Mark Rudd was in Jackson almost two years ago for a conference, and Kathy Powers of the Brandeis National Strike Center was here last spring). The FBI used to be fairly sophisticated, but lately they have broken one of our doors, pointed guns in our faces, told us that "punks like you don't have any rights", and threatened to shoot us on the street if they see us with our hands in our pockets.

"The weekend right before the raid (which occurred on a Monday night) we were hosts to a southern regional UPS conference. This was partly responsible for the increased harassment. Some of our old enemies on the vice squad joined the FBI on a couple of their "searches" of the house right before the conference.

"At any rate, our lawyer friends were very helpful and got us released on our own recognisance the day after the raid. The police could not prove who possessed the weed since we were all being held at gunpoint in a room other than the one in which the weed was "found". In a surprise move the judge at the preliminary hearing admitted that the evidence was insufficient for a conviction and he released us. The case was bound over to the grand jury for investigation so there may be indictments at some later date, although there could be no convictions.

"Your grant has helped us immensely. People who haven't been down here don't realize how much the poverty of this region handicaps the growth of the movement here. Your grant has freed us from our creditors enough to make several state-wide tours to build up contacts and distributors in the college towns and larger towns. We have temporarily cleared up most of our debt with our printer and are on our way to being able to purchase a used panel truck to use for deliveries and for sleeping in on trips. Our financial worries are by no means over and anything you can send our way in the future is still greatly needed. What you have given us already has gone a long way in helping our physical needs as well as in giving our spirits a boost. . . . We remain undaunted."

NEW REP LIT LIST

The Radical Education Project (REP), which distributes tons of radical literature every year, has just published a new literature list. To obtain the list, free of charge, write to REP, Box 561-A, Detroit, Michigan 48232.

REVOLUTIONARY ACTIONS Cont'd.

their hostages. The cases of John Brown and Angela Davis both suggest that those of us who are not, like Garrison and Thoreau, "ultra peace men" and whose lives are not devoted to a steady struggle against oppression -- that is, most of us -- need to figure out more complex responses to such actions than the simple total rejection of violence in any form.

Recent RESIST newsletters have run two articles on violence in the Movement. After the first, "The Political Effectiveness of Sabotage", we received a few negative letters and contributions fell off significantly. After the second, "Sabotage: Some Questions about Morality", we received a larger number of strongly positive responses and contributions increased. I am personally troubled by that response. I don't think the first article dealt sufficiently with the imperative to preserve human life. On the other hand, I think the standards Allan Brick proposed are too easily assented to, too seldom actually lived up to. William Lloyd Garrison earned the right to assert non-resistance because he devoted his entire life to combatting slavery and injustice. Allan Brick does the same in his work for the Fellowship of Reconciliation. But how many of us have ourselves earned the right to preach non-violence? How many of us are really "ultra peace" people?

The article on "The Political Effectiveness of Sabotage", while incomplete in crucial ways, at least points the way to using rational judgements to evaluate actions. It permits us to begin developing our own approaches to understanding under what circumstances, to borrow Thoreau's phrasing, killing or being killed might be by us unavoidable. It suggests why many of us, just as we would have supported and defended John Brown, now support and defend Angela Davis and why we do distinguish nearly ideal actions (like that of the Beaver 55 in destroying the Dow Corporation's computer core with a magnet -- only "nearly" ideal because they got caught) from good actions (like some burning of ROTC buildings) from wrong actions (like the Madison bombing that killed a person for little or no real gain). None of these judgements can be absolute, certain, or comfortable but we must begin learning how to make them.

--Paul Lauter

RECENT FUNDING GRANTS

In October RESIST made the following grants:

A Four-Year Bummer, Champaign, Ill.: toward the cost of a used bus

Community Information and Service Center, Wooster, Ohio: seed money for their liberation school

Rising Up Angry, Chicago, Ill.: help with the cost of sending Angry to GIs

Ozark Free Press Association, Fayetteville, Ark.: seed money for their new paper, the Ozark Mountain Times, and for operating the office

The Next Step, Frankfurt, Germany: continuing support for their GI organizing work and GI paper

Know, Inc., Pittsburgh, Pa.: toward a collator for this printer of women's liberation materials

Movement for a Democratic Military, North Chicago, Ill.: for their office and printing expenses

Legal Inservice Project, Cambridge, Mass.: seed money for their meetinghouse-bookstore near Fort Devens

Junta of Militant Organizations (JOMO), St. Petersburg, Fla.: for their newspaper, Burning Spear, and a black cultural festival

En la Brecha, Boston, Mass.: help with the costs of getting people to the October 30 march and demonstration for Puerto Rican independence at the United Nations

GI Regional Conference, Philadelphia, Pa.: toward the cost of organizing and holding this conference

LAST CHANCE!

Please continue to send me the RESIST newsletter!

NAME _____

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CITY _____ STATE _____ ZIP _____



Return to: RESIST, Room 4
763 Mass. Ave.
Cambridge, Mass. 02139