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RESIST

*a call to resist
illegitimate authority*

21 June 1971 - 763 Massachusetts Avenue, #4, Cambridge, Mass. 02139 - Newsletter #54

FROM HANOI . . .

(Two women from the staff of the Liberation News Service (LNS), Karen Kearns and Anne Dockery, recently returned from a visit to the Democratic Republic of Vietnam. Their article puts a human face on the news dispatches from Southeast Asia to which we have become so accustomed and often so numbed. It also shows us one of the ultimate effects of U.S. policies such as those recently documented by the release of parts of the Pentagon report on decision-making in Vietnam.)

"Although numerous allegations about this product have originated in Hanoi there is no verifiable evidence that it has harmed the civilian population in any way."

---statement by Clayton Dicky, Public Relations Officer, Dow Chemical Co.
October 27, 1970

The "product" is Agent Orange, a herbicide whose components are manufactured by Dow Chemical. Agent Orange has constituted more than 95% of the defoliation program in South Vietnam since 1962.

Some "allegations" from the Vietnam War Crimes Commission:

**Between 1961 and 1969, 1,293,000 people were affected by plant killers. Those seriously contaminated suffer from such chronic ailments as blurred sight, intestinal and lung disease, and paralysis.

**In the same period U. S. herbicides destroyed 13,000 square kilometers of cultivated land and 25,000 square kilometers of forests.

**During 1969 and the first nine months of 1970, over 1,836,950 hectares of ricefields, crops, orchards and forests were destroyed by U. S. toxic chemicals. Over 650,000 persons were poisoned, of whom hundreds were killed.

**The villages of Long Dien Don, Long Dien Tay, and An Trach in Bac Lieu province were sprayed heavily with Agent Orange in 1969. Twenty-two women miscarried, most of them in their third or fourth month of pregnancy.

**Khanh Hoa, Quang Tri, Tay Ninh and Quang Nam provinces were all sprayed repeatedly in 1968-1969. Many women bore children that died one or two months later. Others gave birth to deformed babies - they had similar deformities, like distorted limbs, extra fingers or toes, and heads either too small or too large. Most of them died immediately. The rare surviving babies,

CRACKS IN THE JUSTICE SYSTEM

—Paul Lauter

Recent events in Black Panther Party cases in New York, New Haven, and Baltimore suggest two very important developments in the movement's struggle against government repression. One is the apparent collapse of the repressive strategy built on police informants and provocators; the other, the widening split between the attitudes of the people, as reflected in juries, and the assumptions of the government's agents, prosecutors, and judges.

As everyone by now knows, the New York jury freed thirteen Panther defendants in record time--- then many of the jurors stayed around to meet and congratulate the defendants, and to celebrate with them. In New Haven, though the large majority of the jurors could not convince one or two holdouts to acquit Bobby Seale and Erika Huggins, the judge threw out the charges on the grounds that another impartial jury could not be empanelled after all the publicity. More to the point, perhaps, it had become clear that no jury that could be empanelled would convict. In Baltimore, meanwhile, after one Panther in an alleged murder conspiracy, similar to the New Haven case, was convicted and given a life term, a second was acquitted and then six more had charges dropped. Three men remain to be tried, one on reduced charges, but their chances, which looked bleak indeed a few months ago, improve every day. The Baltimore charges were dropped because, the state's attorney said, Maryland law holds that convictions can not be obtained through the uncorroborated testimony of accomplices--i. e., through government stool pigeons alone. But again, it would appear that the prosecutor's sudden discovery of this legal fact had something to do with the jury's acquittal of Charles Wyche.

One of the government's primary strategies against the Panthers and other militant black groups has depended upon police informers and agents. These people, almost all men up to this point, have infiltrated local chapters, collected evidence, including even alleged conversations on tape, arranged for busts, and at least some of the time originated, helped carry out, or set up others for actions that would lead to busts. The government has not done all that much to justify these "undercover" operations, apparently assuming that their mod-squad glamor and the "self-evident menace" of the Panthers, the Harrisburg

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HANOI CONT'D.

in addition to their physical deformities, suffer severe mental retardation.

We met an "allegation" while we were in Hanoi. Her name was Hoang Thi Lam, and she was the only person we ever saw cry in Vietnam. She wept, not for herself and her own considerable pain, but for her baby, the misshapen little girl who sat on her lap, choking and spitting up while Lam told her story:

"I live in Quang Tri province near the mountainous area. The people there live by farming and making charcoal. But during the last few years, our native villages were sprayed with toxic chemicals. Every time the U.S. planes sprayed the chemicals the crops and the foliage were killed. A few days after each period of spraying all the livestock would die.

"The principal crops in my area are rice and manioc. When the manioc plants are affected by toxic chemicals all the leaves are killed and the roots turn rotten. If the people eat them they get diarrhea. Generally speaking the people have a very hard time, because they live on one staple food like rice, and the rice is destroyed.

"Most of the people in my area were affected by toxic chemicals, chiefly old people and children.

"I myself was affected three times by toxic chemicals. I remember very well the first time. The morning of August 15, 1968, our enemy shelled from their military post into our hamlet. After that four planes came over the area and sprayed toxic chemicals. After some time I felt dizzy, then nauseous, then tears came to my eyes. I had a very bad headache and was very dizzy. After that a rash appeared on my skin, then I got another headache and began vomiting.

"At two o'clock in the afternoon the same day, two other planes sprayed chemicals again. This time I also vomited and a rash appeared with a lot of itching and the hair came out of my scalp.

"Since then I have felt very ill. The third time that I suffered was in September, 1968 when I went to see my sisters near the Ben Hai River. I remember well - that time it was around eight o'clock in the morning and the plane sprayed a substance that was foggy all around. I was still sick and exhausted from the last two sprayings. This time I had the same symptoms - that is, nausea and vomiting - but my backbone was also affected, and I felt very seriously tired. This time I was pregnant.

"The first two of my children were very healthy. But during this third pregnancy the embryo was very weak because of the chemicals.

It didn't move like the others did. When I gave birth to the baby I recognized at once that the child suffered some defects. For example the forehead is low. And the two temples, you can recognize that - they go straight back. The shape of the skull is not normal. She has two thumbs and you can see the second toe is shorter than the first. The little toe of the left foot is like a branch. Only two weeks after her birth the tear ducts of her eyes were infected and now she is still undergoing medical treatment for that.

"Now my baby is in very bad condition. Sometimes she vomits and can eat very little food. Now she is 21 months old but she cannot walk. My first child could walk and talk a little at 11 months. And the other boy could walk and talk a little after 9 months. This baby, at 21 months, she cannot walk and she cannot talk.

"Formerly I was a woman of good health, and I could work very hard at farming. But since I was affected by toxic chemicals my health has been very bad. The NLF sent me here to have medical treatment. I've been here for quite a long time and all kinds of medicines have been used on me, but so far I have not recovered my health. Now the sight of my eyes is very bad, and sometimes when the weather changes all the joints in my body ache. Another thing is that now sometimes I cannot remember some things very well. That is all I have to say."

Severe restrictions were placed on the use in the United States of 2,4,5-T, a component of Agent Orange, on April 15, 1970. The U.S. Department of Agriculture disclosed that it might cause still-births or birth defects. The same day David Packard, Deputy Secretary of Defense, announced that the use of Agent Orange by the U.S. in South Vietnam would be discontinued.

But as late as last October, according to establishment press sources, the U.S. Americal Division was still using Agent Orange in South Vietnam.

The National Peace Education Division of the American Friends Service Committee has recently published Vietnam Oil: a Press Digest and Chronology--a wealth of historical and current information. Their first issue, drawing on records of Senate hearings and various business journals, traces the growing awareness and interest in the potential for profit which U. S. oil companies saw in the newly discovered fields.

Requests for copies of the first issue should be directed to the AFSC, 160 North 15th Street, Philadelphia, Pa. 19102.

"conspirators"; NPAC, and all the rest of us would be apparent to the right-thinking Americans that used exclusively to populate jury boxes.

But in fact that has not been the case. Increasingly, the traditional American repugnance for spies and stool pigeons and snoopers has been reasserted. The credibility, not to speak of the intelligence, of the FBI--and therefore of other spy agencies--has been undermined by operations like those of the Citizen's Commission to Investigate the FBI (which staged the raid on the FBI's Media office), as well as by the Bureau's inability to solve actions like the Capitol bombing or to find Rap Brown, the Weatherpeople, or Mary Moylan of the Catonsville Nine. Attacks from the Right against the FBI, Congressional hearings into military snooping on civilians, revelations about the extent of government surveillance of private civilians--all have contributed to a climate of scepticism about police methods and claims. The movement's counterattack against federal repression, in which the circulation of liberated FBI files is just one very useful tactic, has begun to bear fruit: it has helped undermine the capacity of repressive police agencies to make their spy operations pay off in court.

That has, however, depended upon a second parallel development. In describing the system of "justice" in the U.S.A. as a system of repression against the poor, the black, and the dissident, we have often overlooked the contradictions between different social forces that arise within any institutions--education and welfare, for instance, and now justice. The major one, though not the only one, is the jury system. From one point of view, it is only a democratic facade behind behind which judges and prosecutors set up and send off the government's victims. That's what happened at the Spock-Coffin-Goodman trial in Boston and at the Chicago Conspiracy. But a number of lawyers, notably Kenneth Cockrell in Detroit and Charles R. Gary on the west coast, had long since shown how tough and apparently hopeless political cases could be won in the very process of jury selection. It is striking that the Chicago Conspiracy jury was chosen in one day, essentially by the judge, Julius Hoffman, whereas the New Haven jury took four months to select. The most important factor, of course, is that there are now significant numbers of black people on juries, at least in the urban centers. The concentration of blacks in the cities and the concentration of courts there has meant--after struggles in place after place to break the old lily-white, middle-class jury system--that people whose class and racial experiences make them question the government's law and order assumptions cannot be kept off big-city juries. Another way of saying this--and it helps to explain the different approaches Bobby Seale took toward the New Haven trial and the Chicago trial--is that in New Haven, unlike Chicago, the people--at least some of them--

were seated in the jury box. And it cannot be said too often that while we must attack corrupt and repressive U.S. institutions, and those whom they mostly serve, we must maintain faith in the American people.

Of course, the government is already working out a strategy to return us to the subjection of judges, prosecutors, and the boxed-in system of injustice of the past. That strategy is illustrated by the grand juries in Tucson and Harrisburg and, to a lesser extent, in Seattle. These cities are smaller, have fewer blacks, militant working-class people, or hip middle-class whites. So if cases come to trial there, juries like those of New York, Baltimore, New Haven, or Detroit cannot be chosen. And the grand juries are more biased still. But more important, the device of jailing people for refusing to testify after grants of immunity has permitted the government to short-circuit trial juries out of the picture altogether. Judges can imprison "witnesses"--one of the new names for political prisoners--for the life of a grand jury on civil contempt if they refuse to testify; and then when a new grand jury is called, as in Tucson, the "witnesses" can be imprisoned all over again. Clearly, this new strategy must be combatted by attacking the Omnibus Crime Bill under which such "immunity" grants (which do not, in fact, guarantee immunity from prosecution) are given, by attacking the composition of grand juries, and by finding other ways to force the people's way back into the justice system.

There is a new book just out entitled Police On the Homefront, published by the National Action for Research on the Military-Industrial Complex (NARMIC). The authors describe it as being "about ways to control people--that is, some of the American Government's training programs, weapons, and equipment, psychological research and political strategies for controlling its own citizens..." The book includes a list of universities which maintain research contracts with the Department of Justice's Law Enforcement Assistance Administration, essays on methods of riot control and surveillance

methods of campus and urban riot control and surveillance, counter-insurgency research, and weapons used by local police departments. A special supplement was added after the book when to press consisting of the FBI files from Media, Pa. which NARMIC received from the Citizen's Commission to Investigate the FBI.

Copies can be purchased for \$1.35 from NARMIC/AFSC, 160 North 15th Street, Phila., Pa. 19102

MOVEMENT SECURITY KIT

RESIST has prepared, and will soon publish, a Movement Security Kit which is designed to provide activists, organizers, movement participants and others with a basic tool for their work. We hope that this latest publication will receive as wide a circulation as have our two previous kits, the High School Organizer's Kit and the Anti-Repression Kit.

The Kit gives an in-depth look at the nature and extent of surveillance, the investigative agencies involved, methods of police interrogation, and the role of undercover agents in our midst. The most important sections, if the events of the past months are any indication, will undoubtedly be those dealing with grand juries and Congressional committees. The discussion of legal right contained therein is invaluable. The Kit goes beyond a mere description of the American surveillance scene and considers how the movement should respond with intelligence and realism.

Orders can be placed by writing to RESIST, 763 Massachusetts Ave., Cambridge, Mass. 02139. The cost is \$1.00 for movement groups, more for those who can afford it (all surplus goes to support local organizing projects), and is exorbitant for all "law enforcement" agencies.

PCPJ CONFERENCE

The People's Coalition for Peace and Justice, strengthened by the success of militant actions during the Spring Offensive, has organized a conference to evaluate its direction and to plan for the summer and fall. Scheduled for June 25-27, it will be held in Milwaukee. A major priority of PCPJ is to build a decentralized movement characterized by continuity, long-range commitment and perspective, and grass-roots organization.

The proposed agenda includes caucuses for various constituencies - Third World, gay and labor people, women, G.I.'s and veterans, and students, as well as others. Besides the plenary sessions, time has been set aside for workshops around specific issues such as adequate income, unemployment, tax resistance, economic boycott, and implementation of the Peace Treaty.

This is an open meeting; all are invited to attend and to actively participate. The place is St. Michael's Church and School on North 24th and Cherry, phone 414-372-5478. For housing accommodations, direct requests to Steve Larson of the Milwaukee Peace Center (414-272-3040).

W. S. MERWIN DONATES PRIZE

RESIST was pleasantly surprised recently on being awarded the Pulitzer Prize. Well, we actually received half of the prize.

W. S. Merwin, in fact, was the actual recipient of the prize, in recognition of his work in the field of poetry. In the pages of the New York Review of Books, he wrote:

I am pleased to know of the judges' regard for my work, and I want to thank them for their wish to make their opinion public. But after years of the news from Southeast Asia, and the commentary from Washington, I am too conscious of being an American to accept public congratulation with good grace, or to welcome it except as an occasion for expressing openly a shame which many Americans feel, day after day, helplessly and in silence.

He concluded:

I want the prize money to be equally divided between Alan Blanchard (Cinema Repertory Theater, Telegraph Avenue, Berkeley, California) - a painter who was blinded by a police weapon in California while he was watching American events from a roof, at a distance - and the Draft Resistance.

The prize money which Merwin forwarded to RESIST will be used for continued support of local organizing projects throughout the U.S. During these summer months, when financial support is so hard to come by, his generosity is particularly felt and welcome.

MAY GRANTS

Military Research Group, Los Angeles: to cover costs of publishing a new manual on military intelligence.

The Society of Creative Concern, Boston: rent and printing costs to put on benefits for BPP.

JOMO, St. Petersburg, Fla.: to cover phone bills incurred during campaign to free Connie Tucker, a black organizer sentenced to five years for possession of marijuana.

People for Adequate Welfare, Patchogue, N. Y.: to cover operating expenses.

Black Lung Association, Kimball, West Virginia: travel expenses.

Free University Press, Dallas, Texas: finances to enable paper in transition from on-campus to off-campus underground.

League of Revolutionary Black Workers & International Black Workers Congress: travel expenses for group of black workers to travel to Hanoi

