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RESIST

*a call to resist
illegitimate authority*

22 July 1970 -- 763 Massachusetts Avenue, Room 4, Cambridge, Mass. 02139 -- Newsletter #44

FACTS ON WAR CRIMES

(Recent reports on the treatment of political prisoners in South Vietnam are similar, though less extensive and detailed, to that made more than a year ago by a delegation of prominent Americans - the U.S. Study Team on Religious and Political Freedom in Vietnam - who toured South Vietnamese prisons. No changes were made as a result of their report. Nor will the U.S. government insist, as they are currently implying, that the Vietnamese make any changes now. This is because our government has always been, in the least, aware of what was happening and willing for it to continue. A revealing look at the U.S. approach to the war in Southeast Asia was given in an article printed in Counterdraft, An Information Exchange for Draft Counselors and Resisters, Vol. II, No. 8 (P.O. Box 74881, Los Angeles, Calif. 90004). It is reprinted below.

On July 14, 1969 the U.S. District Court for Maryland decided the case of Reitemeyer vs. McCrea (302 F. Supp. 1210). The case was merely one of several recent cases which have granted relief to Army personnel who claimed discharge as conscientious objectors. However, during the course of the proceeding a document was filed by the attorney for Lt. Reitemeyer in which he disclosed that the U.S. Army was deliberately and methodically training special Army personnel in the "Phoenix Program" to commit war crimes and atrocities in Vietnam. The following is a part of that document; the full text of the statement may be obtained from: William H. Zinman, Attorney at Law -- 8th Floor, Tower Bldg. -- Baltimore, Maryland 21202. Readers should take special note of the final paragraph of the material quoted below as it pertains to defenses under the Nuremburg Trials. The most significant portion of the statement reads as follows:

Your Petitioner was required to attend a training program in final preparation for his specific duties in Vietnam. This training was received at the "combat intelligence school" located at Fort Holabird, Maryland, from October 18, 1968 to December 6, 1968. Your Petitioner was officially instructed that he was to be "an American Adviser" in the "Phoenix

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MORE DRAFT FILES RIPPED OFF

In recent weeks draft boards in Wilmington, Dover, and Georgetown, Delaware and New Haven, Connecticut have had their files disrupted by theft and destruction. In yet another action, about which we have very little information at this time, draft records were destroyed on July 10 in a Selective Service office in Wabasha, Minnesota. On the same night in Alexandria, Little Falls, and Winona, Minnesota eight persons were arrested, allegedly for breaking into draft board offices, by FBI agents who reportedly were waiting for them inside the draft boards in those cities.

New Haven - July 9 or 10: Employees arriving at New Haven Selective Service offices housing Local Boards 8, 9, and 10 on the morning of July 10 discovered that many of their 1-A files had been stolen during the night. Most of the records were taken from the files of Local Boards 9 and 10, which cover portions of the city of New Haven as well as suburban areas, rather than from Local Board 8, which covers only the suburbs. The Selective Service security officer for Connecticut said the theft would probably hinder the draft call for August - pre-induction procedures, such as testing and physical examinations, will be disrupted - but he claimed that the files could be reconstructed from duplicate records stored elsewhere.

Delaware - June 17: At Selective Service offices in Dover, Georgetown, and Wilmington draft records were destroyed by various means. In the Dover office, records were strewn about and dumped into wastebaskets filled with water and ink. The records from the Georgetown office were placed in a shower and sprayed with a water and chlorine mixture. The Selective Service office in Georgetown is in the same building as the supply office for the 2119th Transportation Company of the Delaware National Guard, and the draft board raiders also entered this office and rendered much of the military equipment there inoperable. Records from State Selective Service headquarters in Wilmington were removed to an office of the Du Pont Corporation in the same building. There they were dumped into portable wading pools and wastebaskets filled with a bleach solution.

Program" when he arrived in Vietnam. The "Phoenix Program" was described to him as a policy of the U.S. Government which sought the elimination and destruction of the Communist "infra-structure" in South Vietnam. Your Petitioner was informed that he would be one of many Army Officers designated as an Adviser whose function it was to supervise and to pay with funds from an undisclosed source eighteen mercenaries (probably Chinese, none of whom would be Officers or enlisted men of the U.S. military) who would be explicitly directed by him and other advisers to find, capture and/or kill as many Viet Cong and Viet Cong sympathizers within a given number of small villages as was possible under the circumstances. Viet Cong sympathizers were meant to include any male or female civilians of any age in a position of authority or influence in the village who were politically loyal or simply in agreement with the Viet Cong or their objectives. Officers, who actually recounted from their own experiences in the field, said that the Petitioner, as an American Adviser, might actually be required to maintain a "kill quota" of fifty bodies a month.

Your Petitioner was further informed at this Intelligence School that he was authorized to adopt any technique or employ any means through his mercenaries which was calculated to find and ferret out the Viet Cong or the Viet Cong sympathizers.

Frequently, as related by the lecturing Officers, resort to the most extreme forms of torture was necessary. On one occasion, a civilian suspected of being a sympathizer was killed by the paid mercenaries and thereafter decapitated and dismembered, so that the eyes, head, ears and other parts of the decedent's body could be and in fact were prominently displayed on his front lawn as a warning and an inducement to other Viet Cong sympathizers to disclose their identity and turn themselves in to the Adviser and the Mercenaries.

Another field technique designed to glean information from a captured Viet Cong soldier, who was wounded and bleeding, was to promise medical assistance only after the soldier disclosed the information sought by the interrogators. After the interrogation had terminated, and the mercenaries and advisers were satisfied that no further information could be obtained from the prisoner, he was left to die in the middle of the village, still bleeding, and without any medical attention whatsoever. On the following morning, when his screams for medical attention reminded the interrogators

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HIGH SCHOOL KIT - SECOND EDITION

The long-awaited second edition of the RESIST high school kit is now available. Since it cost us quite a bit to reproduce or purchase copies of the articles in it, we are asking \$2/kit, if you can afford it. (We will, of course, send it free to anyone who can't send the \$2 or some fraction thereof. Contributions toward the cost of doing this would be most appreciated.)

The second edition of the high school kit contains the following items:

Cover letter with bibliography of recent books and information sources

High School Women: Oppression and Liberation - Jenny Bull (15¢)

A Draft Law Primer - John Reints (20¢)

An Enemy of the People: How the Draft is Used to Stop Movements for Social Change - SCEF (Southern Conference Educational Fund) (20¢)

Getting and Keeping People Together - SCEF (25¢)

Review of the Movie High School - Pauline Kael (The New Yorker) (5¢)

How to Start a High School Underground - John Schaller (of the Cooperative High School Independent Press Service) (15¢)

The Right to Distribute Leaflets at High Schools - Jerry Gordon (10¢)

Pattie's Paper (on alternatives to the system's schools) - Pattie Stein (10¢)

Huey Newton Talks to the Movement (10¢)

How the School System is Rigged for Failure - Florence Howe and Paul Lauter (10¢)

Birth Control, Abortion, Venereal Disease - Linda Thurston (25¢)

The Plague (capitalism + dope = genocide) - Michael Catewayo Tabor (10¢)

Vietnam: A Thousand Years of Struggle - Terry Cannon (50¢)

The articles can also be ordered individually. However, people are encouraged to reproduce any articles they want to use in quantity, since we have a limited number of each.

GROUPS FUNDED RECENTLY BY RESIST

The Spark, Maine: help with the expenses of establishing this newspaper as a state-wide, non-university-based organizing tool

The RAP, Brooklyn: toward the cost of re-establishing in New York City this radical newsletter for VISTA volunteers and organizing a national VISTA volunteers' conference

Southwest Ohio Women's Liberation: seed money to help set up a women's center in southwest Ohio

Cleveland Women's Liberation Movement: seed money to establish an office

Mother Jones Collective, Baltimore: toward the expenses of local community organizing

American Veterans for Peace, Syracuse: toward the cost of telephone, printing, and buttons

Vietnam GI, Chicago: toward the cost of printing their next issue

Wildcat, Chicago: toward the printing costs of the next issue of this paper used for labor organizing

A Different Drummer, Little Rock, Arkansas: seed money toward a movement and community center

Alabama Movement Press, Oneonta, Alabama: toward the expenses of moving their press to Birmingham, where it can be used by more organizing groups

BLACK SIX ACQUITTED IN LOUISVILLE

The two-year battle of the "Black Six" to defend themselves against conspiracy charges (placed against them by the state of Kentucky following rioting in Louisville in May of 1968) finally came to an end on July 7. When the prosecution rested its case against the Six on the ninth day of their trial, the judge ordered the jury to return a verdict of "not guilty" because he felt the prosecution had failed to present sufficient evidence to support its charges. The Six were accused of conspiring to destroy private property during the May, 1968 rioting; their supporters charged that Louisville officials were using the Six as scapegoats to avoid facing the real grievances that had resulted in the rebellion. The prosecution had asked for repeated delays in the trial and, in the face of much support for the Six in the black community in Louisville, had the trial moved to Munfordville. It was subsequently moved back to Louisville after two supporters of the Six, Martha Allen and Mike Honey, were charged with jury tampering for sending a letter protesting the trial to everyone in the Munfordville phone-book. (Their case has not yet come to trial; see newsletter #41 for a report on it.)

Beacon Hill RAG, Boston: for their newspaper and literature expenses

Vocations for Social Change, Canyon, California: toward the printing costs for their special 24-page tabloid on existing social institutions and possible alternatives

THE PHONY METHODS USED TO GET THE WORKERS INTO THE HARD HAT PARADE

(From the Baltimore Defense Committee comes the following information about the interesting methods used to recruit construction workers to march in the Hard Hat Parade held there recently.)

"Don't let the large turnout of workers in the Hard Hat Parade concern you too much because this march in Baltimore was achieved in a threatening and dictatorial manner as follows:

(1) All the local construction union halls had prominent posters instructing all members of the union that there would be no work on Monday, June 15, and everyone must march in the Hard Hat Parade

(2) On the Friday before the march several people telephoned the WAYE talk show and complained to the talk master that they received letters from their respective unions that each member must march in the parade for two reasons: (a) There would be no work on Monday and no pay.

(b) Anyone who did not march in the parade would be assessed (fined) an additional half-day's pay. This meant the worker would be fined about \$25 or \$30 if he did not march.

We wonder how many workers would have marched if it had not been compulsory and they had to march on their own time. In our opinion, if this march had been on a Sunday there would probably not have been more than 500 workers in the parade."

FACTS ON WAR CRIMES cont'd. . . .

of his presence, he was unsuccessfully poisoned and finally killed by decapitation with a rusty bayonet. The American Advisers, who were having breakfast forty feet away, acquiesced in these actions, and the death of this soldier was officially reported "shot while trying to escape".

Another field instructor suggested that the advisers would not always be engaged in such macabre ventures, and cited an incident on the "lighter side". The instructor recounted the occasion when a group of advisers together with South Vietnamese soldiers surrounded a small pool where a number of Viet Cong soldiers were attempting to hide themselves by submerging under water and breathing through reeds. The advisers joined in saturating this pond with hand grenades; at this juncture, the instructor remarked to his students, which included your Petitioner, "that, although this incident might appear gory, while you listen to it in this classroom, it was actually a lot of fun to watch the bodies of the Cong soldiers fly into the air like fish", as the hand grenades exploded in the pond. This instructor was subsequently described by another instructor as "one who no longer cared whether we win or lose, as long as we have a war to fight".

The Petitioner was officially instructed that the purpose of the "Phoenix Program" to which he was assigned was not aimed primarily at the enemy's military forces, but was essentially designed to eliminate civilians, political enemies, and "South Viet Cong Sympathizers". Your Petitioner was further informed that the program sought to accomplish through capture, intimidation, elimination and assassination what the United States up to this time was unable to accomplish through the conventional use of military power, i.e., to win the war.

Your Petitioner was warned that loss of the war and/or his personal capture by the enemy could subject him personally to trial and punishment as a war criminal under the precedents established by the Nuremberg Trials as well as other international precedents such as the Geneva Convention.

(The Report of the U.S. Study Team on Religious and Political Freedom in Vietnam (50c) and "Imprisonment and Torture in South Vietnam", by a former South Vietnamese journalist who was a political prisoner for four years before escaping into exile, (50c) are available from The Fellowship of Reconciliation, Box 271, Nyack, New York 10960.)

PRESIDIO MUTINY CONVICTIONS THROWN OUT

On July 2 the Army Court of Military Review completed its review of the cases of 24 of the "Presidio 27". (The remaining three have deserted and are presumed to be in Canada.) The Court threw out one of the cases and upheld the conviction in another case where the charge was willful disobedience of an order from a commissioned officer. In the other 22 cases the Court reversed the mutiny convictions but upheld the convictions for willful disobedience. The Court also reduced the penalties of those whose mutiny convictions had been reversed. They now face only bad conduct discharges, forfeiture of pay and all allowances, and imprisonment at hard labor for up to one year! The 24 had been convicted of mutiny for having a sit-down demonstration at the Presidio in protest against the murder of a fellow prisoner by a guard, other mistreatment by guards, poor food, unsanitary living conditions, and overcrowding.

DISLOYALTY CONVICTIONS REVERSED

Among the first GIs to speak out against the Vietnam war were Marines William Harvey and George Daniels, who were court-martialed for their views in 1967. On July 10 the Court of Military Appeals reversed their disloyalty convictions. Private Daniels had been prosecuted for telling other blacks that they should not be fighting the U.S. "white man's war" in south-east Asia; Private Harvey, also black, was accused of making disloyal statements in order to promote disloyalty. While reversing the disloyalty convictions, the Court found both men guilty of lesser offenses; the cases were sent back to lower military courts for reassessment of sentences. Daniels had been sentenced to a dishonorable discharge and 10 years confinement, later reduced to 4 years. Harvey's sentence was a dishonorable discharge and 6 years in the brig later reduced to 3 years. Daniels is now at the Marine Corps Correctional Center in Quantico Virginia. Harvey disappeared while out on bail pending appeal.

GI ALLIANCE FOUNDED

Representatives of GI groups across the country met recently to determine how they could better work together in their struggle against the military machine. The result of this meeting was the founding of the GI ALLIANCE (P.O. Box 9087, Washington, D.C. 20003, 202/544-1654), which will provide GI organizations with much-needed support services - information, financial and legal assistance, material for political education - and will help coordinate activities.