

TIP OF THE ICEBERG

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(formerly UPDATE) 35¢

Committee for the Suit Against Government Misconduct

NIXON'S THE ONE -- OR WHAT ARE THEY TRYING TO HIDE?

The battle to bring Richard Nixon to court is on. It entered a new phase on Tuesday, March 11th when the U.S. Court of Appeals for the Second Circuit agreed to hear Nixon's appeal of the lower court's denial of his motion to dismiss the complaints in Clark, et al. v. USA. In making this decision the court bowed to the U.S. Attorney's arguments that "presidential immunity" meant that Nixon should not have to stand trial. The plaintiffs had argued that, 1) there is no such right as absolute presidential immunity and 2) that the ex-president was not above the law and therefore should stand trial like all other defendants in the case. The U.S. Attorney also tried to have the appeal stayed until the Supreme Court rules on two other cases involving presidential immunity. The court denied this motion and the appeal will go forward on schedule. Once again, the issue to be decided on appeal is whether an ex-president is immune from suit for illegal and unconstitutional actions committed by him during his presidency. The hearing made it clear that the government will go to all lengths to keep Nixon out of court. To understand why, we have to examine what Jimmy Carter and the Justice Department are protecting when they defend Richard Nixon.

Richard Nixon is a war criminal--a champion of "law and order" and former commander-in-chief of the domestic war against the Black liberation struggle and all other oppressed nations within the U.S. Under Nixon's administration the COINTELPRO program was revamped, developed and refocused to try to destroy the national liberation movements, with a particular emphasis on the Black movement. During the "Nixon years" dozens of key leaders of the Black liberation struggle were targeted and set-up for assassinations, imprisonment or both; thousands of activists were harassed and jailed, and entire Black communities were subjected to massive counter-insurgency campaigns including chemical warfare, police brutality and attacks on community organizations. At the same time, many white anti-imperialists and the organizations they were active in, including the plaintiffs in Clark v. U.S.A were subjected to harassment, disruption and intimidation. While all the facts are not yet in and the cover-up not yet broken, one thing is perfectly clear--the widespread illegal activities and the intensity of the attacks came from the direct pressure and instigation of Richard Nixon.

In the current period, the Justice Department is spending its major time and energy de-

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FRAME-UP OF SHASHA MALIK ENGINEERED BY TOP OFFICIALS

Sha Sha Malik (Henry Brown) is an Afrikan Prisoner of War doing time in the Federal Penitentiary in Lewisburg, Pa. He is waging a struggle to get his Freedom of Information Act files as a basis to fight for his freedom, through exposing the COINTELPRO activities that led to his imprisonment. This fight for his files is critical because those files would reveal the multi-leveled nature of the counter-insurgency against the Black liberation struggle in the early 70's and the responsibilities for these attacks by the highest levels

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Sha Sha Malik

**GOVERNMENT CONTINUES RAILROAD OF
GERONIMO PRATT**

On January 18, 1980, Geronimo Pratt, Black freedom fighter and political Prisoner of War, was denied his right to a new trial, despite overwhelming evidence of his innocence and of the government's illegal activities to keep him in jail. Geronimo Pratt is a fighter for the human rights and liberation of all Black people. Because of this he has been a target of COINTELPRO from the days of his leadership of the Black Panther Party on through to the present. Judge Kathleen Parker, the same judge that tried, convicted, and denied an appeal to Geronimo, ruled against his motion demanding a new trial. The motion was based on new evidence that, as part of the long-term counterintelligence activities directed against Geronimo and the Black liberation struggle, the federal and state authorities know about and consciously hid the facts that would have proven Geronimo's innocence of murder charges. This evidence, uncovered as a result of the fight waged by Geronimo and the National Task Force for COINTELPRO Litigation and Research, included information:

--that the FBI lied about the fact that Geronimo was under surveillance at the time he allegedly committed the murder;

--that the state attorney general's office covered up this and other vital evidence and had to be held in contempt of court;

--that the FBI and state prison authorities set up and tried to entrap Geronimo in an attempted jailbreak;

--that an FBI informer infiltrated and worked on Geronimo's defense team.

Yet none of this evidence moved the wheels of injustice off the track that has railroaded Geronimo and kept him in jail for the last eight years. This ruling is an outrage that must be protested and responded to by all of us. And the only meaningful response is to commit ourselves to and to make very clear the fact that Geronimo Pratt must be free!

To effectively engage in that struggle to free Geronimo Pratt, we must learn some lessons from this most recent setback. Firstly, this ruling against Geronimo is further proof that he is a continuing target of COINTELPRO. In order to keep Geronimo in jail and to hide the true scope of the facts underlying the case, the government has been willing to have its own officials held in contempt of court for lying and withholding information. In addition, it has continued to threaten and harass Geronimo in an effort to undermine his struggle for freedom. And this ruling was based, not in the facts presented, but in a policy, made at the highest level of government and carried out by the court, prison authorities, and state and federal officials, including Judge Parker herself. Thus, we must be clear that the struggle to free Geronimo is truly a life and death issue, one for which there is no time to rest.

Secondly, the only winning strategy to fight to free Geronimo Pratt is based in the overall struggle to free all Afrikan political prisoners and prisoners of war and for the full human rights and liberation of the Black Nation. White people have too often fought to define other terms for their support for Geronimo and other political prisoners. Their position is one which projects Geronimo as an innocent victim and an isolated individual. For instance, many viewed the fight to expose new evidence as only a narrow issue of showing that Geronimo really was innocent, rather than recognizing that the files and information that are being revealed proved much more: that the U.S. government is at war with Black people struggling for human rights, and that to fight for Geronimo's freedom must mean taking a firm stand in support of Geronimo because he is a revolutionary Black freedom fighter. If it was a question of his guilt or innocence,

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Who We Are

The CSAGM works under the leadership of the National Task Force for COINTELPRO Litigation and Research as part of the growing movement against government counter-intelligence. Members of the Committee are plaintiffs in Clark v. USA, a major civil lawsuit against the FBI, Justice Department, Richard Nixon, John Mitchell and others. The plaintiffs had been named as the targets of illegal activities for which ex-FBI officials were indicted on criminal charges.

ASSATA AND SUNDIATA ON THE OFFENSIVE AGAINST COINTELPRO

Assata Shakur (slave name, Joanne Chesimard) and Sundiata Acoli (slave name, Clark Squire) are two Black revolutionaries imprisoned since 1973. They are serving life plus 30 year sentences as a result of the U.S. government's war against the Black Nation in struggle for land and independence. Their continuing struggle for freedom, for themselves and for all Black people, provides leadership in the fight to defeat U.S. imperialism and exposes the U.S. government's total denial of human rights of all Black people in the U.S.

Their freedom will be a great victory for the Black Nation and all anti-imperialist forces because it will represent the strength and determination of the Black liberation struggle as a whole to liberate some of its key leaders. Their freedom will be a severe blow to U.S. imperialism, as it continues to bring all its military and intelligence forces to bear to keep Assata and Sundiata imprisoned, because it will overturn the most profound effects of COINTELPRO on the Black liberation movement.

Assata and Sundiata were both members of the Black Panther Party (Sundiata was one of the N.Y. Panther 21) who were involved in community programs and struggles against the daily genocidal conditions faced by Black people. They are two of the many revolutionary nationalists who, in the face of the government's increasing warfare against Black people, fought for the survival of Black

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FREEDOM OF FOUR PUERTO RICAN NATIONALISTS ADVANCES STRUGGLE AGAINST POLICE TERROR

On Sept. 10th four of the world's longest held prisoners of war were released from U.S. prisons -- Lolita Lebron, Oscar Collazo, Rafael Cancel Miranda, and Irvin Flores Rodriguez. On the same weekend, the National People's Moratorium Against Police-INS-BIA-FBI Repression was convened in New York City under the leadership of the Movimiento de Liberacion Nacional (MLN), a revolutionary Marxist-Leninist Puerto Rican and Chicano/Mexicano organization inside the U.S. borders. The victory of the freedom of the four Puerto Rican Nationalist POWs established the framework for the convening of this national conference -- called together to forge a united strategy among Third World peoples inside the U.S. in the struggle against police terror. The struggle to expose and end government counter-insurgency activities and police terror has its highest expression in the struggle to free POWs -- liberation fighters captured and held by the enemy.

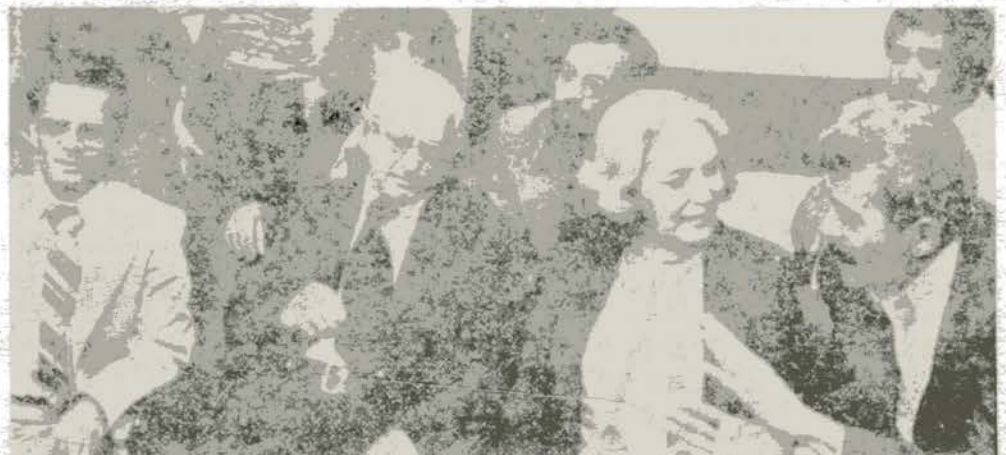
The Four are free today as a result of the heightening of the armed struggle for Puerto Rico's independence, the mobilizing of the Puerto Rican people against U.S. imperial-

ism, the growing international pressure and the increasing exposure of the U.S. as the greatest violator of human rights in the world today.

The Four are leaders of the Puerto Rican independence struggle because they have fought and have risked their lives in defense of their homeland. They have maintained a position of "retramiento" -- a stance of non-collaboration with the institutions of imperialist control: elections, plebiscites, courts, etc. and in fighting for the right of oppressed peoples to engage in armed struggle to win liberation. This is the stand taken by the 21 Puerto Ricans recently arrested in Vieques, Puerto Rico, in the struggle to end the U.S. military occupation of their land. And it is the stand of the RNA 11 in asserting that Black people are citizens of the sovereign nation of the Republic of New Afrika, and as such can only be tried as prisoners of war and must be treated according to the Geneva Accords governing the treatment of POWs.

It is this leadership which guides the struggle for human rights and against genocide --

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The Four Nationalists (from l-r): Irvin Flores Rodriguez, Oscar Collazo, Lolita Lebron, Rafael Cancel Miranda.

FBI FORCED TO RELEASE MORE FILES-THOUSANDS OF DELETIONS HIDE CRIMES

Just as "information" is the basis of any counter-intelligence operation, information is at the heart of Clark v. USA. The government gathers information in order to better "disrupt, discredit and neutralize" the national liberation struggles and progressive movements in this country. We need information about those activities in order to better understand the history of our movement, the overall functioning of COINTELPRO in the present and to nullify or weaken the impact of the government's counter-intelligence programs in the future. Information is key to countering the counter-intelligence war.

The bulk of that information is contained in volumes of files compiled and maintained at FBI headquarters and field offices. Control over these files is a critical part of the FBI's ability to conduct illegal activities in secret and to cover up the extent and responsibility for such activities when they are revealed. Outright destruction of files by FBI agents has been one of the main obstacles to the prosecution of former officials Gray, Felt and Miller. Geronimo Pratt is in prison because the FBI refuses to release files which would conclusively show his innocence. In our case, FBI files are the main source of information about the extent and depth of the illegal activities conducted in the name of "protecting the national security".

The Freedom of Information Act passed in 1974 is the main legal avenue through which the FBI's absolute control of its files can be challenged. The Act provides for a simple letter writing procedure

through which an individual can obtain all the relevant files that government agencies may have. It is designed to be a curb on invasions of privacy and abuse of government intelligence gathering powers. On the one hand, thousands of people have received files as a result of the FOIA; on the other, it clearly has been ineffective in controlling either invasion of privacy or abuses of government authority. The FBI is currently trying to reduce its effectiveness even further through amendments to the FOIA which would severely limit the scope of what has to be released and also allow for massive destruction of files through "routine" administrative procedures.

In our case, the "simple administrative procedures" produced virtually no files and we were forced to institute a collateral FOIA suit (Biberman et al. v. FBI) to the main Clark v. USA. Only when we took the FBI to court for failing to meet the requirements of the law did we receive any substantial files.

Currently, the FBI maintains that they have released all the files they intend to or are required to. They maintain this despite the fact that all of the files are heavily "redacted" (i.e., blanked out or deleted); contain huge gaps in time periods—most have virtually no information about 1972-1974, the years cited in the indictments of FBI officials, or the present; and no information about illegal activities. The FBI has filed documents

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VICTORY NEARS FOR GERONIMO PRATT: GOVERNMENT COVER-UP EXPOSED

Pressure is mounting daily in the struggle to free Geronimo Pratt. It is exposing the government's frantic criminal cover-up of its attacks on Geronimo and the Black movement and is bringing Geronimo closer to freedom each day. As reported in the last UPDATE, Geronimo Pratt, a Black revolutionary fighter, who has been imprisoned for the last eight years, has been waging an intense battle, along with his supporters and the National Task Force for COINTELPRO Litigation and Research that has forced the government to admit that he was being kept in solitary confinement on false charges and was a target of daily harassment and attack before and after his imprisonment; that has led to an attorney general in the case being held in contempt for lying to the court and that is fast exposing the fact that

the government has actively withheld evidence from their own surveillance records for all these years that prove Geronimo's innocence. The government's continuing cover-up has forced both the public and the judge to raise questions about what else about their COINTELPRO activities they are so desperately trying to hide.

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Geronimo Pratt

FBI SEEKS EXPANDED SECRET POLICE POWER

Since Watergate, the FBI and entire U.S. intelligence community has come under attack for its criminal activities, including the COINTELPRO program. The fight to expose the scope of those crimes and to free the political prisoners and prisoners of war imprisoned as a result has been led by Black and other Third World peoples. In response to the public exposure and losses suffered at home and throughout the world, the intelligence community is fighting to recoup its defeats and to consolidate its strength.

In this attempt, the FBI has argued that COINTELPRO is ended and that its ranks have been cleaned of the few "bad apples". The truth, however, is quite the contrary. Despite overwhelming evidence of FBI involvement in murders, assaults, break-ins and false imprisonment, no agents have been punished, while these activities have continued. Along with the government's refusal to prosecute those known FBI agents guilty of criminal activities, legislation is now before Congress which would legalize criminal and unconstitutional activities of the FBI while revoking what has been an effective tool for their exposure.

The proposed FBI Charter currently before Congress, in the name of limiting and defining FBI powers, gives the FBI virtually unlimited rights in combatting domestic "terrorism." What would define "terrorism", however, would encompass a wide scope of individuals and political organizations, but would particularly attack the national liberation movements organizing within the U.S.

Rather than criminalize break-ins and burglaries, FBI agents are instructed that "investigations are conducted

with minimal intrusion consistent with the need to collect information or evidence in a timely, effective manner." Further, violations of the law merely must be approved by a higher official. Informants and agents will be authorized to engage in criminal activities with FBI approval, as long as the potential benefits of such activities "outweighs the seriousness of the conduct involved." Lawyers and doctors are authorized to be recruited as informants for the FBI. The FBI would have virtual unlimited access to a person's telephone, bank, tax and credit records.

Enforcement of these guidelines for FBI powers would be left entirely to the FBI and the Department of Justice. These agencies' history of condoning and rewarding the criminal actions of their agents forecasts continued approval of FBI violations of the law.

Coupled with the Charter, the FBI has proposed "revisions" of the Freedom of Information Act. The Act has been a valuable tool in the struggle to expose COINTELPRO. Complaining that the FOIA has been used by organized crime to discover the names of informants (highly improbable since the FBI zealously guards their identities), the FBI would:

1. Make the Act unavailable to "convicted felons". Thus, people such as Geronimo Pratt would be unable to obtain the information necessary to expose the FBI frame up of him.

2. Separate information into two categories. The Act would not apply to intelligence information, COINTELPRO, political surveillance or other

documents on the FBI's criminal and unconstitutional activities.

3. Make FBI documents unavailable until 7 years after the completion of an investigation, or never if the investigation is continuing.

4. Leave the determination of what documents are able up to the discretion of the FBI, revoking even the limited powers of the Court to make an independent judgment.

These two proposals, rather than serving to guide the FBI, serve to confer unlimited and unchecked powers upon the intelligence community. The dangers are clear.

The FBI's strategy to win over the Congress and the public in support of these changes in the law is equally as clear. By attempting to define the targets of these changes as "felons", "terrorists", and "extremists", the impression is given that American citizens engaged in lawful political activity would be unaffected. The strategy of COINTELPRO was similar: isolate and destroy the leading progressive struggles of Black and other Third World peoples in the U.S. by labelling them as "terrorist" and "criminal". Because of its own white supremacy, the Left and other social movements of white people accepted these definitions, thus giving the FBI the power and legitimacy to extend its counter-intelligence programs far beyond their original targets.

EXPOSE COINTELPRO!

DEFEAT THE FBI CHARTER!

FREE ALL PRISONERS OF WAR!

Assata/Sundiata cont'd

Nationalism by escalating the struggle to a higher level, away from the eyes of the state.

The government's murders and imprisonment of revolutionary nationalists escalated in the name of the hunt for the Black Liberation Army. A vicious police-directed media campaign, labeling numerous Black revolutionaries as terrorists and cop killers, helped create a climate that organized mass white support for the government's attempt to exterminate the BLA.

Assata was the target of a nationwide hunt with a \$50,000 reward offered for her capture, dead or alive. The police had shoot-to-kill orders when they attacked her, Sundiata and Zayd Malik Shakur on May 3, 1973 on the N.J. Turnpike. Zayd was murdered, and Assata and Sundiata were severely wounded and arrested. One N.J. trooper was killed. They were convicted in separate trials in N.J. in counties where the majority of the population is white and believed them guilty before the trial. All attempts by the defense to bring evidence related to COINTELPRO were denied.

Under the direct leadership of Assata and Sundiata, a concerted struggle for their release is being waged by the Black Liberation movement. This campaign is one of the major focuses of the National Task Force for COINTELPRO Litigation and Research, whose work is finally breaking open the government's conspiracy by forcing production of documents about COINTELPRO against Assata and the Black Liberation movement as a whole.

Sundiata has been kept in maximum security units since the time of his arrest. Because of his involvement in the struggle that is forcing the state to close down the M.C.U. behavior modification unit at Trenton State Prison, he has recently been transferred out of that institution to the Federal Prison in Lewisburg, Pa. That behavior modification unit houses men in cells considered too small for dogs—cells that are in reality modern day torture chambers, designed to isolate and destroy revolutionaries. He is fighting the transfer, as another attempt to further isolate and possibly kill him.

Assata is appealing the 1977 conviction for felony murder—accused of being present at the scene of someone's death. She is currently in maximum security in Clinton, N.J., having fought continuously against being kept in isolation, often in men's prisons, and being sent to a maxi-maxi control unit in the Federal Prison in Alderson, W.Va. Her appeal is based on the government's counter-intelligence conspiracy against her. She has fought to gain access to her FOIA files, denied her throughout her trials. These documents show



Assata Shakur

WAR IN A THE STRUGGLE TO

A Forum To

Assata Shakur and The Rep

Speakers:

Dara Abubakari--President
Republic of New Afrika
Ahmed Obafemi--National
Afeni Shakur--National
tion and Research

May 19th Communist Org
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Cultural Event

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an inter-agency effort to kill or imprison her. Between 1973 and 1978 Assata stood trial 8 times in N.Y.C. She was never convicted of any of the charges. The trial in N.J. was a racist railroad in every way, judge, jury and prosecution all worked together to convict her. She is challenging that and the legal irregularities that occurred.

The Black Liberation movement's current efforts to free Prisoners of War challenges the white left's attempts to make Assata and Sundiata "acceptable" to white people, a position which only furthers the government's attempts to isolate them. As the Black Liberation Army has explicitly argued, support for Assata can not stand above full political support for the Black Liberation Struggle.

PROTEST THE TRANSFER OF
SUNDIATA!
SEND CONTRIBUTIONS!

For more information:

National Task Force for COIN-
TELPRO Litigation & Reserach
P.O. Box 65
Bronx, N.Y. 10473

AMERICA: FREE THE LAND

Benefit

Public of New Afrika 11

, Provisional Government of the

NA 11 Defense Committee
Task Force for COINTELPRO Litiga-

Organization
Against Genocide

- - 7:30 p.m.

h St. & Broadway, NYC

Childcare

Organization

RNA cont'd

In 1971, the RNA moved its headquarters to Mississippi to concentrate the struggle to free the national homeland and organize to win the reparations due the descendants of slaves. The key aspect of the work was organizing a plebescite demanding the United Nations oversee an election in the national territory, as to whether Black people choose to be citizens of the U.S. government or the newly formed government of the Republic of New Afrika.

Shortly after they arrived, RNA cadre tried to purchase land to establish the capital. But State Attorney General A. F. Summer declared, "There will be no independent nation set up in Mississippi" and intervened to prevent the legal purchase.

The United States attacks on the RNA culminated with a full scale military attack on the leadership and government workers in the RNA's Jackson, Mississippi government center on August 18, 1971. In a classic counter-insurgency operation, the FBI installed a

paid secret informer, Thomas Spells, in an RNA government center who facilitated the association with RNA personnel of a man only he and the FBI knew to be a fugitive. Instead of arresting the fugitive, the FBI allowed him to travel to Mississippi for an RNA convention. Shortly thereafter, the FBI issued a warrant for the fugitive and under this pretext carried out the military attacks on the government center and residence of RNA president Imari Obadele. After 75 seconds warning, using a floor plan provided by the informer, police fired into the home, demanding that the sleeping residents surrender. Though the attack was executed much like the attack which murdered Fred Hampton and Mark Clark in Chicago 2 years earlier, the RNA cadre were prepared for such an attack and were able to escape to a tunnel.

During the shoot-out, a Jackson police lieutenant was killed and an FBI agent wounded. Seven people were arrested and charged with murder, treason and waging war against the State of Mississippi. At the RNA government center, no shooting occurred, but four others were arrested, including President Imari Obadele, subsequently convicted of conspiracy to assault federal officers, though he was not present at the shooting.

An FBI teletype right after the raid urged federal prosecution of Imari because "if Obadele can be kept off the street it may prevent further problems involving the RNA" (from Jackson FBI to Hoover, 9/8/71). As Jackson's mayor, Russell Davis proclaimed, "every legal possibility for forcing the RNA out of Jackson has been exhausted." Although the frame up and attacks on

the RNA represented a classic example of counter-insurgency, the white left basically denied the existence of the case and participated in the isolation of the RNA 11 by labeling them extremists or ultra-nationalist.

All of the information available about these COINTELPRO operations is a result of a fierce battle waged by the RNA and the National Task Force for COINTELPRO Litigation and Research to expose and document COINTELPRO's conspiracy. Before any specific information on COINTELPRO was ever forced public, the RNA 11 demanded their FBI files and filed a motion to dismiss the case because of denial of civil rights of RNA citizens.

The judge denied the motion and the FBI denied having any files on the RNA until the RNA 11 exhausted all legal appeals. Since then, 73,000 pages of evidence have been released exposing the clear strategy to sabotage the political impact of the RNA.

As COINTELPRO's conspiracy against the RNA continued, threats were made to RNA lawyers in an attempt to sabotage their representation of RNA citizens. News releases were planted by the FBI in Detroit and in Jackson as part of a major media assault to portray the RNA as terrorists. In the face of the federal government's reluctance to pursue the prosecution of the RNA 11 due to lack of evidence, the Jackson FBI and Senators James O. Eastland and John Stennis exerted political pressure on the Department of Justice "to remove whatever obstacles are blocking the orderly procedure of this case ...for trial" (FBI memo, 7/12/73).

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RNA cont'd

Today, five targets remain in prison: four, Offogga Quduss, Karim Njabafudi, He-kima Ana and Imari Obadele in federal and state penitentiaries, and a fifth, Addis Ababa in a half-way house. One of the 11, Tawwab, was never captured.

In the face of the impact of the attacks and losses suffered at the hands of COINTELPRO, the Black liberation struggle is now intensifying and overturning COINTELPRO's impact, escalating the struggle to free the land and free POWs. Because the RNA 11 never separated the struggle for its freedom from the struggle to free the national territory, it has

consistently exposed the fundamental illegitimacy of the U.S. empire.

Because the RNA workers represent Black people in the day-to-day struggle for human rights and against genocide all over the country, the government attack had a profound impact on the entire Black movement. By refusing to support the struggle to free the land and by boycotting the case of the RNA 11, the white left never challenged U.S. imperialism's attack on Revolutionary Black Nationalism.

The RNA 11 always fought to define themselves and other imprisoned Black freedom fighters as Prisoners of War. In 1973, the RNA organized a demonstration in the South explicitly demanding freedom

for POWs, which was attended by 2000 people!

The National Task Force for COINTELPRO Litigation and Research and the RNA 11 are appealing their convictions. They have instituted suits to gain access to the files, as part of the fight to reopen their case and intensify the political and legal battles for their freedom. The struggle to free the RNA 11 fundamentally challenges all white people because it means that revolution is based in the total transformation of U.S. boundaries. The fight to defeat COINTELPRO can never be separated from the struggle to free the land and for total liberation of the Black Nation.

Geronimo Pratt cont'd

Recent developments since our last newsletter have included:

—the government's Vaughn affidavit - their index of materials they hold in Geronimo's case and their reasons for withholding some—was ruled insufficient by the judge, challenging the FBI's claim that they have disclosed all information necessary.

—Congressman Paul McCloskey, moved by Geronimo's case to take action, wrote public officials, including William Webster, about a possible cover-up of Geronimo's files. When Webster wrote back denying any misdeeds by the FBI or Justice Department, McCloskey was incensed enough to make this letter public. Webster, caught in the act, was forced to respond that he had never sent the letter and would personally look into Geronimo's case!

The media and public have had to respond to all of this growing evidence. One dramatic example of this was the act of a famous English mountain climber, who climbed to the top of Grace Church in San Francisco and unfurled a banner saying, "Governor Brown, when are you going to free Geronimo Pratt?"

Geronimo is finally getting some accurate press. This in itself is a defeat of COINTELPRO strategy that utilized the media to portray Black revolutionaries, such as Geronimo and Assata Shakur, as terrorists and criminals and that helped create the atmosphere in which people were gunned down and railroaded to prison.

For most of the years of Geronimo's imprisonment, most white leftists and progressives would have assumed that he would remain in jail forever. "Free Geronimo Pratt" was a slogan with little meaning and no imperative. Many, in fact, concurred with the state's line

that Geronimo was a terrorist and certainly guilty as charged. Yet the unrelenting struggle led by Geronimo and the Black movement has put his freedom and the freedom of all POWs on the agenda for now. Geronimo will be free, and his freedom will be a major victory in the struggle to free all POWs and to counter COINTELPRO. The lessons for all of us involved in this fight are clear: that the struggle to free Afrikan Prisoners of War is concretely leading in exposing COINTELPRO and undermining the government's attempts to both rewrite the history and reconsolidate and secure its intelligence operations today. For national liberation is the strategy to defeat COINTELPRO.

FREE GERONIMO PRATT!
FREE ALL PRISONERS OF WAR!
DEFEAT U.S. IMPERIALISM!

Black Nation cont'd

care. With the slogan, "human rights is the fight for self-determination, the NBHRC is pointing to the basic denial of human rights that defines Black people's continued enslavement by imperialism and is pushing forward the 400-year struggle of Black people against genocide and for liberation.

The demonstration at the United Nations culminates months of struggle and organizing that has included demonstrations in response to police murders and attack, such as the murders of Luis Baez in Brooklyn and Emory Robinson in New Rochelle. The NBHRC has also begun the massive task of documenting the names of and data concerning the thousands of political prisoners held captive by the United States. The longer term plans of the NBHRC after the UN mobilization include holding a National Black Convention on Genocide on September 13, 1980, the ninth anniversary of the Attica uprising.

The UN demonstration and the ongoing struggle led by the NBHRC represent and reflect the resurgence and heightening of the Black liberation struggle in this period. The Black movement has emerged from the heavy blows it suffered at the hands of imperialism that much stronger. For imperialism's counter-insurgency program against Black people's liberation. These advances in the Black Nation's struggle for land and political power come at a time of intense crisis for U.S. imperialism, as the tide of national liberation achieves victory after victory around the world. The impending victory in Zimbabwe, where people's war is defeating white settler colonialism and imperialism represents a profound blow against the

rule of world wide white supremacy. In the face of decline and crisis, imperialism intensified its exploitation of Third World people inside its borders and heightens its attacks against Third World people's struggles. Continuous attacks and murders by the police, and the consolidation and escalating terror of the KKK and other white supremacist organizations are COINTELPRO—imperialism's counter-insurgency program—for the 1980's. They operate, along with imperialism's "war against terrorism" through which the government is reorganizing and consolidating its attacks on revolutionary nationalists in the U.S. and internationally. As stated by the NBHRC, "The oppression of Black people in this country has always been an accurate barometer of the right-wing trend of the U.S."

The Committee for the Suit
Against Government Misconduct

recognizes that these conditions, and the struggle for human rights by Black people, represented by the National Black Human Rights Campaign define the content and direction for our work and the involvement of all white people who are struggling against COINTELPRO and to free Prisoners of War. To fight COINTELPRO we must support the struggle of the Black Nation for self-determination, and fight the rise of white supremacy. This special double issue of our newsletter is dedicated to the struggle for Human Rights, and in particular the UN mobilization on November 5th. For we understand that the struggles to free Afrikan Prisoners of War will be key short term victories in the protracted struggle for full human rights and self-determination of the Black Nation. We are enclosing pledge cards, which we strongly urge people to fill out to contribute to the National Black Human Rights Campaign.

FREE ALL AFRICAN POWs: THE FIGHT AGAINST COINTELPRO

SUNDAY, NOVEMBER 18 - - - 7 p.m.

5655 S. UNIVERSITY (blue gargoyles), CHICAGO

The Committee for the Suit Against Government Misconduct is participating in this important event as part of the continuing fight against COINTELPRO. This event, sponsored by the May 19th Communist Organization, will include speakers from the National Task Force for COINTELPRO Litigation and Research, the National RNA 11 Defense Committee, the May 19th Communist Organization, and the CSAGM.

Chicago, as a leading center of the struggles of Black and Puerto Rican people for liberation, has been a major focus of U.S. government attack on nationalist leadership.

On December, 4, 1969, the FBI and Chicago police staged a military assault, murdering Black Panther Party leaders Fred Hampton and Mark Clark. Their families and the survivors of the assault have fought a 10-year battle to expose these COINTELPRO assassinations.

Today, 29 Black and Latin men will go on trial, 17 facing the electric chair, for charges resulting from a prison rebellion in Pontiac, Ill. in July, 1978. Central to the struggle against COINTELPRO is the fight to free political prisoners and Prisoners of War.

FBI Releases Files cont'd

known as "Vaughn Affidavits" for two of the plaintiffs which are supposed to state reasons for any files that have been withheld. We are challenging both specific exemptions and their right to withhold pages in the name of "national security" with no further explanation or because they contain the name of an informant. Additionally, the law provides no basis for withholding information as to illegal activities—activities which the government itself admits have occurred—yet no such information has been released.

Clearly, we have not learned much about the specific break-ins, burglaries, bugging and other illegal acts which could be used as evidence in Clark v. USA. But in what has been released, as well as what has been omitted, we have already learned a great deal about COINTELPRO. We have learned about the massiveness of the counter-intelligence activities--plaintiffs whose lives were recorded on a minute-to-minute basis for days on end; about constant buggings of private conversations in the assumed "privacy" of one's home; about the widespread use of infiltrators and informants who fed information about virtually every political meeting, demonstration, benefit we ever attended; and about FBI "visits" to dozens of relatives, friends, employers, etc. of each of us, asking questions, showing pictures, implying that we were involved in "something illegal" without ever saying what or offering any proof.

The files we have received also show the self-conscious attempts of the FBI to use and create dissension and splits

in the movement--in particular the SDS/PL split and any contradictions between SDS and the Black Panther Party. The files also reveal the FBI's active interest in our personal contradictions and difficulties. There are reports on arguments between plaintiffs; that one plaintiff reduced her political activity and might therefore be willing to talk to the FBI; and even a report that one plaintiff was supposed to be entering the hospital and that that would provide a good opportunity for the FBI to try to interview her.

Interspersed throughout the files is the FBI's justification for heightening counter-insurgency activities in general and illegal activities (though not by name) in particular. Practically every page ends with the notation "armed and dangerous" or "known to be involved in terrorist activities" without any evidence to support this and even when the content of the memo says exactly the opposite. People are moved from one security index to a "higher priority" one based on their "association" with known Weathermen or Weatherman sympathizers and we have read in the files that we were "suspects" in numerous criminal investigations about which we were never informed, never indicted or tried.

The files show the FBI's focus of attention on our work and our relationships with Third World movements and organizations. This begins with pages of description of the Black Panther Party and the work that we engaged in in support of their programs and in defense of Black activists and revolutionaries harassed and imprisoned by the police and FBI--

the New York Panther 21, Bobby Seale and Erica Huggins in New Haven. The files continue in recounting our work in defense of other political prisoners and prisoners of war--in support of Assata Shakur, Sundiata Acoli and numerous other alleged members of the Black Liberation Army; in support of prison struggles at Attica and elsewhere. What the files very self-consciously don't reveal is any of the FBI COINTELPRO illegal operations in relation to those political activities detailed in the files. Basically they have only released what is already public information--an arrest at one of Assata Shakur's trials, a grand jury investigation around the BLA, for example.

While we have already received thousands of pages of files we are just at the beginning of the fight for information. We know that the FBI will not voluntarily release information about its illegal activities (in large part because these activities are not just a "thing of the past"). We have also been able to see the impact of some of our errors, the lack of self-consciousness about our relationship to the state which allowed us to make personal contradictions and differences accessible to the FBI as well as not being able to see the hand of the government in many political struggles. Finally, we can understand even more sharply from the files that the political justifications and rationalizations as well as the massive infrastructure which has been created mean that as long as it has the power the U.S. government will never end COINTELPRO.

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Geronimo never would have been tried and imprisoned to begin with. All the work around his case, based in his suits, has made the reality of that all the more clear. It has stripped away all the trappings of bourgeois law to keep him in jail, and thus the illegal basis of his confinement has been exposed. Therefore, reliance at this stage on proving his innocence, or on the government's willingness to acknowledge that they did wrong, is a losing strategy at best and at worst, works counter to the strategy that is being shaped and led by revolutionary nationalists.

To recognize this must move all of us to step out from the sidelines and change a wait-and-see stand to an active, committed stand that truly is based in the absolute resolution that Geronimo must be free!

Finally, another and related lesson in this fight is that the struggle to free Afrikan prisoners of war is the highest point of contradiction in the fight to stop COINTELPRO. Geronimo's continued incarceration is further evidence of how much is at stake for the government in their fight to deny him his freedom and in their commitment to use every means at their disposal to keep him imprisoned. This means continued and stepped-up COINTELPRO attacks and activities. Thus, the only way to fight to expose and defeat COINTELPRO is to participate in the struggle to free all Afrikan POWs. It is this principle that has been the basis for Clark v. U.S.A. and the work of the Committee for the Suit Against Government Misconduct to win the victories and have the impact it has had in the overall fight against COINTELPRO.

The denial of the motion for a new trial for Geronimo Pratt is definitely a defeat and an attack. But we must also be clear that the fight has only begun. The National Task Force for COINTELPRO Litigation and Research is developing the continuing fight--both for a new trial and for further exposure and release of information from the government. And the National Black Human Rights Coalition has taken on the campaign to free Geronimo Pratt, as well as Dhoruba Moore, Sundiata Acoli, and the RNA 11.

People can support and participate in this work:

--expose the case of Geronimo Pratt and the continued violations of his human rights;

--demand his immediate release;

--make financial contributions to the cost of his appeal of Parker's ruling. Send contributions to the National Task Force, PO Box 65, Bronx, NY 10473.

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movement and also the role of the highest government officials in designing and leading that program. In the early 70's, Sha Sha's case became a blueprint for renewed attacks against the mass struggles of Black people. Today, as genocidal attacks on Third World communities are increasing, the government's attempt to justify murders by police, and attack the growing Black liberation struggle through tactics similar to those used against Sha Sha, can be exposed and understood through this fight. It is more imperative than ever that we support the Task Force in its fight to expose and defeat COINTELPRO. Sha Sha Malik and all Afrikan Prisoners of War must be free!

SUBSCRIBE

For the last few months, you have been receiving UPDATE, now TIP OF THE ICEBERG, free of charge. It is the bi-monthly publication of the CSAGM, and publishes information about Clark v. USA and about other lawsuits and struggles to expose and end COINTELPRO -- and focuses on the struggle to free POWs as the strategy to fully expose government counterintelligence programs. To support the work of the Committee, WE URGE YOU TO SUBSCRIBE NOW. We can no longer continue to send it free of charge.

A one-year subscription costs only \$2.50 (incl. postage). Back issues are 50¢ each.

Enclosed is \$_____ for a _____ year subscription.

I am interested in having someone speak to my group or organization.

I would like to contribute \$_____ to the CSAGM. (Make checks payable to Committee for the Suit Against Government Misconduct.)

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fending Nixon in Clark v. USA. Why is the Justice Department defending Nixon? One, if Nixon can be brought to court and subjected to full discovery, then the chances are much greater that the full scope and real content of the counter-intelligence program of the late 60s and early 70s would be brought to light. This evidence would refute the Justice Department's position that the problem is the excesses of a few ex-FBI officials and "renewed" agents. It also would have direct bearing on the current struggles to free Afrikan POWs such as Geronimo Pratt, Richard Dhoruba Moore, Sha Sha Malik, Sundiata Acloi, and the RNA-11, who are still incarcerated as a result of COINTELPRO.

Secondly, in defending Nixon, the Justice Department is fighting for the right and power of the current president to carry on exactly the same activities that Nixon did. The fight to keep Nixon out of court is part and parcel of the efforts to repeal the Freedom of Information Act; to take all restraints off the CIA; to enact an FBI charter which takes all the previously covert activities and writes them into law;

and, generally speaking, to authorize and justify all manner of illegal and unconstitutional activities in a rising tide of jingoism and war fever.

Why else would a Democratic administration be working so hard to defend one of its long time adversaries? Why else would the Justice Department which is charged with and claims to be prosecuting to the fullest those former officials responsible for illegal COINTELPRO activities be representing Nixon? And, why else would the second highest court in the U.S. be more concerned about the rights of an ex-president who left office in disgrace, under articles of impeachment, than the rights of people who had been the targets of years of government misconduct?

The answer in each case is that COINTELPRO has not ended, but in fact is being revitalized and reconsolidated after the set-backs of the past period. All of the above parties--the President, Justice Department, and courts--have a common interest in defending the counter-insurgency programs of the U.S.

government. It is this reality that makes the battle to bring Richard Nixon to court so critical and so hard fought. Only a legal and political strategy which targets Nixon for who he is and what he represents can possibly achieve victory. And only the support of many, many people can make that strategy work. Support is needed on many levels--coming to court, getting the word out and, very particularly, financial contributions. Right now is the critical moment to stop the government's cover-up and bring Nixon to court.

The Committee is distributing the following items:

Tape/speech by Assata Shakur, CSAGM Forum, 5/4/79, Women and COINTELPRO. 25 ¢.

Speech by Judith Clark, CSAGM Forum, 5/4/79, Women and COINTELPRO. 25 ¢.

How to file for your FOIA file 50 ¢.

Silk-screened T-shirts: Human Rights By Any Means Necessary, with photo of Malcolm X. \$5.00.

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