

VICTORY! PONTIAC BROTHERS ACQUITTED!

What has been revealed so far about COINTELPRO is but the...

May, 1981

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Committee for the Suit Against Government Misconduct

CLARK PLAINTIFFS CONFRONT FBI

The FBI was forced to the witness stand at an April 1 evidentiary hearing about on-going FBI harassment of the plaintiffs in Clark et al. v. USA. The hearing before Judge Morris Lasker was won as part of a hard-fought battle to expose current COINTELPRO activities and to force the court to intervene to restrain the FBI. The testimony of two agents and the posture of the U.S. Attorneys at the hearing made it clear that the government is no longer particularly concerned with denying their illegal activities. Rather, they are moving full speed ahead to justify all such activities in the name of fighting terrorism. The hearing will continue on May 11 with further testimony from FBI agents and officials.

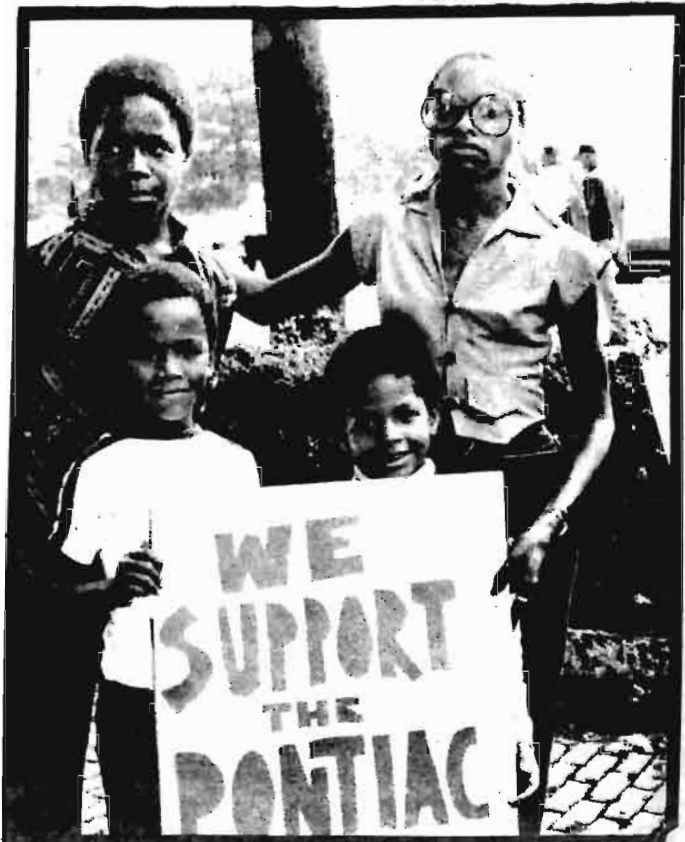
Two of the plaintiffs and a number of their friends and acquaintances have been harassed by members of the "Fugitive and Terrorism" Squad of the FBI. The FBI claims these "visits" are part of the investigations of the escape of Assata Shakur and of the FALN which are "totally unrelated to the pending law suit." The plaintiffs have always contended that they are targets of FBI harassment precisely because of their political activities in support of the Black liberation struggle, the Puerto Rican independence movement and other national liberation struggles. The government's justification of FBI harassment because of investigations of these movements only confirms this contention. These FBI visits are only the latest in a series of attacks on the plaintiffs since the law suit was filed. Since May, 1978 plaintiffs have had homes burned down and broken into; phones and mail tampered with; and have been subjected to various forms of harassment. All of these incidents have been

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VICTORY IN PONTIAC TRIAL - STATE'S STRATEGY DEFEATED

On May 9, 1981, in Chicago, a major victory was won in the struggle for human rights and against genocide: after deliberating for 2 hours, the jury returned a not guilty verdict in the trial of the first 10 Pontiac Brothers. The Pontiac case, in which 16 Black men faced the death penalty on charges stemming from the July 22, 1978 Pontiac prison rebellion, is the largest death penalty case in u.s. history, and one of the most significant political trials of this era (see Tip of the Iceberg, Feb. 1981). The acquittal is a serious blow to the u.s. government strategy to murder the

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credit: New Afrikan Prisoners' Organization

Editorial

U.S. "ANTI-TERRORISM": COUNTERINSURGENCY OF THE 80's

On April 20th, banner headlines in New York City launched a broadside attack on the Black liberation movement and Assata Shakur, fabricating evidence charging the Black Liberation Army with responsibility for the shooting of two cops in Queens. Day after day the official police story changed -- first Assata was at the scene, then she wasn't; first these two Black men were wanted in connection with her liberation from prison in November, 1979, then they weren't; and so on. But the media convictions of James York, Anthony Laborde and Assata were complete and the atmosphere set for a shoot-to-kill search for Assata Shakur and the BLA, justifying all levels of surveillance and terrorization of Black communities and revolutionary nationalist forces, including the early morning armed police raid into the home of a Black family on Staten Island. This is COINTELPRO 1981: the government targeting the struggle to consolidate revolutionary Black nationalist leadership by portraying revolutionaries as isolated criminals and "terrorists" to wage a full-scale offensive against them.

At the same time, the Senate Subcommittee on Security and Terrorism has opened its hearings with the explicit purpose of "molding" public opinion to define righteous struggles for national liberation and self-determination throughout the world as terrorist, and to call for an end to CIA and FBI guidelines that are considered "too restrictive and limiting." As reported in a New York Times article, Joel Lisker, Chief Counsel to the Subcommittee, said "we will do everything we can to modify and eliminate" the guidelines imposed in 1975 to restrict infiltration and surveillance of domestic groups of political dissidents. Along with this, the currently proposed FBI charter defines terrorism as "influencing or retaliating against the policies or actions of the

Government of the U.S. or of any State or political subdivision thereof or of any foreign state, by intimidation or coercion." (emphasis added) This broad operating definition allows for escalating COINTELPRO, widespread witchhunts, imprisonments and murders. The executive pardon of convicted FBI criminals Mark Felt and Edward Miller clearly sets the stage for the legitimization of high level counterinsurgency warfare for, as Reagan commented when granting the pardon, these two men "acted on high principle to bring an end to the terrorism that was threatening our nation."

The primary purpose of these actions is to enable the government to secure and revamp its intelligence and police apparatus to escalate its war against the struggles of Third World people within the u.s. for human rights and self-determination, and in particular to be able to target the leadership and fighting forces of those struggles. That is what is brought home by the most recent attacks on the Black and Puerto Rican struggles and on the revolutionary forces in particular.

But it is in fact FBI/CIA/u.s. government terrorism that is the real threat to human rights here and around the world. It is their military intervention into El Salvador, their arming of the South African armed forces occupying Namibia, their support for the brutal neo-colonial government of Mobutu in the Congo (Zaire), their continued colonization of Puerto Rico, their illegal seizure of the lands of the Native American nations, their subjugation and exploitation of the New Afrikan Nation within the borders of the u.s. that constitutes terrorism. It is a Reagan administration call for a special Senate Subcommittee on Security and Terrorism and a reconstituted House Committee on Internal Security that foster terrorism and deny people's basic

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Who We Are

The Committee for the Suit Against Government Misconduct works under the leadership of the National Task Force for COINTELPRO Litigation and Research as part of the growing movement against government counterintelligence. Members of the Committee are plaintiffs in Clark v. USA, a major civil law suit against the FBI, the Justice Department, Richard Nixon, John Mitchell and others. The plaintiffs were named as the targets of illegal activities for which ex-FBI officials Mark Felt and Edward Miller were convicted -- and then pardoned by Ronald Reagan.

U.S. GOV'T ESCALATES ATTACKS ON BLACK LIBERATION MOVEMENT

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In the last month the government has launched a major COINTELPRO offensive against the Black liberation struggle and the whole Black community. On April 20, 1981, screaming headlines in the NY Post about "mad dog executioners" told a story about an incident where two NYC cops were shot. Within days, the police and the media announced that the shooting was an attack by the Black Liberation Army and that Assata Shakur was driving the getaway car! Despite the fact that the police themselves quietly admitted a day later that there was no evidence of Assata's involvement, the impact had already been made. By the time the newspapers ran stories and pictures of two Black men, James York and Anthony Laborde, who the police were looking for, these two men had already been tried and convicted by the press and an outright shoot-to-kill atmosphere had been created endangering their lives and the lives of all Black people. This broadside attack on the entire Black community is exemplified by the raid by police into the home of a Black family on Staten Island, justified by the "hunt for the BLA."

The community responded to these attacks immediately. A Unity Demonstration was held by many organizations within the Black community protesting the media convictions of James York and Anthony Laborde. Their leaflet said "Anthony Laborde is not a mad dog . . . he was the person many people in the Bronx knew to call at the Legal Service office who would help them get an order to show cause to avoid an eviction. Abdul was the person who became a substitute brother, father and husband to many workers, tenants and welfare mothers who were being intimidated or physically abused by the agents of their oppression. Anthony Laborde was a community activist who defended us all against mad dogs . . ."

The attacks on the BLA are COINTELPRO 1981. They are part of the government's overall counterinsurgency war against Black and other Third World movements today. In 1981, the continuing murders of Black youth in Atlanta and the daily murder of Black and other Third World people by the police are exposing the fact that the struggle of Black and other Third World people for human rights and self-

determination is the waging of war in Amerika.

Eight years ago, on May 2, 1973, COINTELPRO struck a blow against the Black liberation struggle when New Jersey state troopers opened fire on a car on the New Jersey Turnpike. In the ensuing fight, Zayd Malik Shakur was murdered, Assata was wounded and captured and Sundiata Acoli captured a day later. This was part of an attack on the Black liberation struggle and the BLA that had left literally hundreds of freedom fighters and activists killed or in jail. After this, the police proudly announced that they had broken the back of the BLA. Yet, as Assata herself has said, "There is and will always be a Black Liberation Army until every Black man, woman and child are free." The proof of that was demonstrated six and a half years later. U.S. imperialism was struck a mighty blow when Assata Shakur was liberated from prison by the fighting forces of the Black liberation struggle on November 2, 1979, three days before thousands of Black people marched to the United Nations as part of Black Solidarity Day, demanding human rights and self-determination. A year later, on Black Solidarity Day 1980, Assata issued a taped message to her people, calling for Black people to build an army

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REAGAN PARDONS COINTELPRO CRIMINALS

On April 15, 1981, Ronald Reagan issued the first pardon of his presidency, overturning the conviction of Mark Felt and Edward Miller for COINTELPRO break-ins into the homes of plaintiffs in Clark v. USA and others. In pardoning Felt and Miller, Reagan not only put this administration's stamp of approval on illegal COINTELPRO activities of which Felt and Miller had been found guilty, but also honored these two criminals as American heroes -- an aggressive statement of the government's intention to expand and strengthen their secret counterinsurgency programs.

The pardon helps the government push forward the arguments it made at the trial itself -- arguments to convince masses of people that COINTELPRO is necessary to protect the u.s. from "subversive terrorists" under "foreign influence and control." Felt's response to the pardon was: "I'll be on the stump lecturing and doing radio and TV interviews now as much as possible. The guilty verdict stands but the pardon

means I can vote and still carry a gun. . . . That pardon is a shot in the arm to the FBI and all law enforcement people everywhere."

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'Jerry Ford was a piker. Reagan gives special citations with his pardons'

ATTACKS, cont'd from p. 3

and fight for the liberation of their land and people. As is being demonstrated by national liberation struggles throughout the world, the waging of people's war for land and liberation is the only solution to genocide. Atlanta exposes the life and death necessity for that call. Assata's continued freedom is a testimony to the strength and power in that call.

That is why the attack is taking place today, in response to the challenge of Assata's continued freedom and to the growth of revolutionary nationalist activity and the call within the Black liberation struggle for the strategy of people's war to free the land. And it is the government's response to the struggles of Third World communities against genocide perpetrated by killer cops. This is the meaning of Haig's statement that human rights was no longer a priority issue (as though u.s. imperialism has ever done anything other than attack human rights!) and now the priority was the fight against terrorism. The true meaning of this is that any fight by Third World people for human rights will be attacked as terrorist.

One of the lessons from this latest round of COINTELPRO is that COINTELPRO's attacks must target both the self-conscious

leadership and the whole Black community. Both aspects are based in and built on white supremacy. It is not an accident that the government launched its attack on revolutionary nationalists and freedom fighters with a defense of killer cops. Where are the screaming headlines about mad dog executioners when the police murder unarmed civilians? Yet every shooting of a cop is used to press for the reinstitution of the death penalty in New York State, and to demand automatic weapons for the police. It is in this context that the government's attack attempts to redefine the Black liberation struggle and revolutionary nationalists as a "small armed group" and its "supporters."

Only with firm and consistent support for the Black liberation struggle and for the building of a Black Liberation Army will the strategy of COINTELPRO be defeated. This must be based in the struggle against white supremacy and in full support of the right to self-determination of Third World people. The demand to "keep Assata free!" is a demand raised by hundreds of Black people in the fight for human rights and liberation. It is also a demand that must be raised by every person who opposes COINTELPRO.

ARAB STUDENT FIGHTS DEPORTATION

Elias Ayoub is an Arab student who faces deportation from the U.S. because he supports the liberation of Palestine. His case exposes how the Immigration and Naturalization Service (INS) -- like the FBI and other police agencies of U.S. imperialism -- functions as part of the government's counterinsurgency apparatus.

Because of his work with the Palestine Human Rights Campaign and as an activist for the liberation of Palestine, Elias Ayoub has been targeted as a "subversive" for investigation and harassment by the INS. In December, 1978 the INS notified the American Consulate in Tel Aviv that Elias Ayoub's student visa was being revoked because he was "a strong activist in the Popular Front for the Liberation of Palestine." At the same time, this was never the reason that the INS gave Elias for the revocation -- instead, they told him his visa was being revoked because of his failure "to establish a definite educational goal." (In fact, his educational record is outstanding).

It has only been through the fight that Elias Ayoub and his supporters have waged against deportation that the political repression behind the INS technicalities has been brought to light. For instance: the INS has a special book of codes, their "Investigator's Handbook," unavailable to the general public, which instructs INS officers on how to circumvent the civil and human rights of their targets -- how to function as a secret political police:

13. Carefully examine the subject for the purpose of ascertaining whether the subject is amenable to Service action on other than subversive grounds. If the alien is obviously amenable on a non-subversive basis, investigation should be initiated on the latter premise. When considered necessary, efforts should be made to obtain admissible evidence to overcome sympathetic features and to preclude the granting of discretionary relief.

(from the Investigator's Handbook)

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HEARING, cont'd from p. 1
documented and formal complaints filed with the U.S. Attorney, the FBI and the court. Yet there has been no way to place any restraints on these activities or even to get the facts of each incident. The Justice Department and the FBI have consistently lied and withheld information about their activities. They are trying to keep everything under a shroud of secrecy -- first, by denying any involvement, then by claiming "national security," and now by using the bludgeon of "hunting terrorists" to shield their actions.

From the opening round of the hearing it was clear that the government was trying to set new terms in the suit. No more apologies, no more concessions to what Judge Lasker called "a very bad history." They were clearly on the offensive -- justifying their present COINTELPRO activities and trying to turn around who, in fact, is on trial. The recent pardon of Felt and Miller puts the Presidential seal of approval on this aggressive stance.

The Reagan administration has been consolidating and revamping the government's counterinsurgency apparatus, stepping up the building of a fascist infrastructure. Some particulars of this began to be revealed at the April 1st hearing. For one

thing, the fact that the government was so adamant in its refusal to answer any questions relating to standard operating procedures of the Bureau indicates that there has been considerable revamping of those procedures since they were scrutinized in the post-Watergate period. Could it be that the wiretaps and black bag jobs of the 1970's, hidden away in secret codes and "do not file" files are the standard operating procedures of the 1980's? If not, why would the FBI refuse to reveal how they obtained addresses, phone numbers and other information about the plaintiffs? Direct examination of Special Agent Robert Cordier also exposed that the FBI is now working jointly with local police in secret "anti-terrorism" units. The FBI would not admit this, but when Cordier testified that he visited plaintiff Natalee Rosenstein accompanied by another man who was not an FBI agent, he left no room for any other conclusion. The New York City "Red Squad," which the city government would have us believe went out of business, is clearly very much alive, working hand-in-glove with the FBI.

Even more disturbing than some of the particular information was the way the Justice Department moved to bring the judge into line. John Martin, the U.S. Attorney

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ZAIREAN CIA AGENTS ACTIVE IN THE U.S.

The u.s. government supports and participates in counterinsurgency programs to maintain fascist governments around the world. Since 1960, when the CIA assassinated Patrice Lumumba and set up a neo-colonial government in the Congo -- changing the name of the country to "Zaire" -- the CIA has trained and aided agents of a Zairean CIA, the CNDI.

Two agents of the vicious CNDI are now living in New York City, and have been surveilling and threatening freedom fighters who oppose the repressive Mobutu regime. One of the two (Aka) has been identified as being responsible for kidnapping members of the Congolese National Liberation Front (the FLNC) in Zambia and Tanzania and bringing them illegally to Zaire for execution.

In 1960, the Congolese people ended years of colonial rule by choosing the revolutionary leadership of Patrice Lumumba's Nationalist Party. Lumumba was assassinated only months later by the u.s. because his revolutionary nationalist, anti-imperialist leadership represented the future of Africa: with power in African hands, free of imperialist domination.

Lumumba's democratically elected government was overthrown by a CIA-backed, mercenary-led coup, and the puppet Mobutu was installed to head a neocolonial government. Since then, the Congolese people have lived in extreme misery and oppression under the most brutal and fascistic regime, deprived of every basic human right -- while imperialist powers continue to steal the great wealth of the country.

Yet the Congolese people have never stopped struggling against imperialism and neocolonialism -- and in the recent period, this struggle has escalated and grown under the leadership of the FLNC, the revolutionary vanguard and fighting arm of the Congolese people. In the past year in particular, the FLNC has been building significant

international support and solidarity with their struggle. The presence of CNDI agents in the u.s. represents a direct threat to the u.s. representative of the FLNC who has been building support for the Congolese struggle within the u.s.

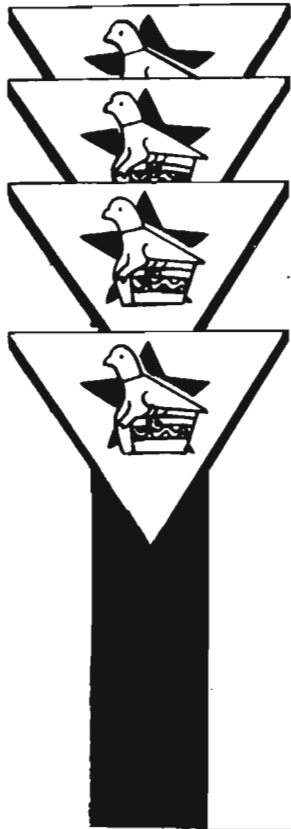
The two CNDI agents who are in the u.s., Aka and Makeno, are not the first foreign agents the u.s. government has permitted to operate here. The Shah of Iran's SAVAK terrorized and attacked Iranian students and activists for years before the Shah's overthrow. Chilean DINA agents murdered Orlando Letelier and Ronnie Moffitt in broad daylight on the streets of Washington, D.C. Despite the refusal of the Chilean junta to extradite the responsible parties, the Reagan administration recently lifted sanctions against Chile. The CIA backed and funded the 1973 coup which ended the socialist rule of Salvador Allende.

The presence of the CNDI agents in the u.s. represents both Reagan's foreign policy of aid to the most right-wing, fascist regimes (his explicit policy of 'to hell with human rights -- get out and fight communism') and the current consolidation of counter-intelligence and counterinsurgency on every level by the u.s. government. CNDI agents harassing members of the FLNC is international COINTELPRO -- covert war against national liberation, and in particular against the leadership of national liberation struggles.

To help build support for the struggle against the Mobutu regime and against u.s. intervention in Africa, we urge all readers of Tip of the Iceberg to participate in a letter writing campaign to protest the presence of CNDI agents in the u.s. We urge you to write to Congressmen Ronald Dellums, John Conyers and Steven Solarz in Washington, D.C. You can also arrange a speaking engagement for the FLNC representative in the u.s. Contact the New York Material Aid Campaign for ZANU, P.O. Box 1276, Stuyvesant Station, New York, New York 10009; or call 868-3330 and leave a message.



CELEBRATE ONE YEAR OF FREE & INDEPENDENT ZIMBABWE



PAMBERI NE ZIMBABWE
April 18, 1980 • April 18, 1981

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EDITORIAL, cont'd from p. 2

human rights. And it is the rise of killer cops, the Klan, Nazis and other white supremacist organizations that in fact threaten the lives and liberty of millions of Black and Third World people across the u.s.

There is a growing response among progressive people and organizations to the obvious growth of fascism and repression under Reagan. Yet the terms of that response on the part of white progressive forces has been to see the main danger as attacks on themselves and on "legitimate dissent," while still preserving and condoning the "legitimate" exercise of the intelligence and police apparatus. Any fight on these terms will only fuel the government's own counterintelligence war machine. Part of the consolidation of fascism by the government is the fight to draw the line between loyal and disloyal

americans and to raise the price of disloyalty. When anti-repression forces attempt to distinguish legitimate FBI/political police activity from illegitimate they are trying to walk the line and maintain the security of a loyal opposition. That loyalty is borne out in a refusal to support the struggle of Third World peoples at war in Amerika. Yet there is no way to fight fascism and repression without confronting its essence. The fight against COINTELPRO must be based in full support for the right of oppressed nations to self-determination. We must start with the struggle to support revolutionary Third World leadership under attack. Keep Assata free, and support the fighting forces of the Black liberation struggle! Keep William Morales free! Free the Eleven Puerto Rican Prisoners of War! Support the FALN and the struggle for independence and socialism in Puerto Rico! Fight COINTELPRO 1981!

Antoinette Ayoub, Elias' sister, has also had her student visa revoked -- solely as a means of further harassing her brother.

The total alliance of the u.s. government with the zionist state of Israel is the reason for the INS attack on Elias Ayoub. If the INS is successful in deporting Elias Ayoub, he will be immediately jailed by the fascist Israeli government. As the case of Sami Esmail and other Arab and Palestinian prisoners of Israel have made clear, imprisonment in Israel means torture and the threat of assassination.

The politics behind the INS harassment of Elias Ayoub became even clearer recently, when Judge Joseph Kinneary upheld the INS ruling that Elias has "no defined educational goal," and that he should be deported immediately. The Judge said that although it is true that there was political interference by the INS -- that the INS was "interested" in Elias' political views and that the INS worked with the FBI to "investigate" these views -- the INS had a "rational reason" to deport Elias because he switched his major in

school! The judge ordered immediate deportation.

This order is being appealed to the Circuit Court of Appeals. At the same time, people are asked to send letters of protest regarding this latest attack to:

President Ronald Reagan
White House
Washington, D.C. 20500

Attorney General Willima French Smith
Department of Justice
Washington, D.C. 20530

David Crosslind, Director
Immigration and Naturalization Service
Washington, D.C. 20536

As Elias Ayoub said in a recent speech, the ultimate resolution of his case will be in the freeing of Palestine. We urge everyone to support this important struggle. For more information, contact the Elias Ayoub Defense Committee, Dept. of Economics, New School for Social Research, 66 West 12 St., NY, NY 10011

pardon cont'd from p. 4

The pardon is a direct attack on Clark v. USA, in which the FBI and other government agencies and officials are being sued for their role in just such illegal activities as Felt and Miller were convicted of -- and then pardoned for. When Reagan pardoned Felt and Miller, he glorified these acts, saying they came out of the deepest "principles." So in 1981 the COINTELPRO acts that were vehemently denied and covered up in the 1970's -- and apologized for by the government after Watergate -- are now affirmed, applauded and encouraged by the President. Reagan's pardon makes clearer than ever the importance of Clark v. USA, because clearly the only way that COINTELPRO will ever be exposed and stopped is through a fight waged on an anti-imperialist basis -- and because the consolidation and justification of COINTELPRO make it all the more urgent that the fight

against it be heightened right now. The pardon was announced only a few days before the government announced its intention to repeal the Freedom of Information Act, the only avenue provided for people to see any of the files gathered on them by the FBI. Repeal of the FOIA would mean the removal of one more restraint on COINTELPRO.

The pardon is an insult and attack on the many Black revolutionary leaders and activists who remain in jail because of the frame-ups and military assaults engineered by Felt and Miller and other FBI officials. While these vicious COINTELPRO attacks were never even mentioned in the Felt/Miller trial, there was not an FBI agent or official who testified at the trial who had not been responsible for these criminal acts of war.

FREE GERONIMO PRATT, SUNDIATA ACOLI,
DHORUBA MOORE, SHASHA MALIK AND ALL
POLITICAL PRISONERS AND POWS!
JAIL THE REAL CRIMINALS!
SMASH COINTELPRO!

RED SQUAD SETTLEMENT CONTINUES COINTELPRO COVER-UP

Recently, attorneys in Handschu v. Division of Special Services, New York City's "Red Squad" suit, announced a potential settlement with the City. By the time a hearing into objections to the settlement began on April 17, dozens of groups and individuals had voiced opposition to it.

We strongly object to this proposed settlement because it legitimizes the political police. It serves to build the government's massive cover-up of COINTELPRO and vicious attacks on the Black liberation struggle.

The Red Squad settlement agrees to certain conditions which would allow the police to investigate political activities. In summary:

1. The Public Security Section will be solely responsible to investigate political activity.

2. They may commence an investigation if they receive information "that a person or group engaged in political activity is engaged in, about to engage in, or has threatened to be engaged in conduct which constitutes a crime."

3. Undercover personnel may be used where there is a showing of "good cause" or "essentiality."

4. The operations described here are to be overseen by an Authority to be composed of two high-ranking police officials and a third person to be appointed by the Mayor.

5. Certain files kept by the police will be destroyed if requests for them are not made within a certain time.

6. In order to get files, requesters must give the police certain detailed information.

7. The police may keep files on purely political activities with the written permission of the Authority.

The National Task Force for COINTELPRO Litigation and Research filed objections specifically to the fact that this is a class action, while the interests of Black people and their particular relationship to COINTELPRO attacks are not taken into account. They have asked that Black people who were targeted be made a subclass in order to define their own settlement.

The government has made no moves to settle any of the law suits brought on behalf of Black prisoners of war such as Geronimo Pratt or Dhoruba Moore. Rather, the government is moving to attack the Black liberation struggle and to brand

its leaders, like Assata Shakur, as terrorists.

Why does this settlement serve the state's interests? First, because it accepts the premise that the police are a legitimate force with a right to maintain intelligence information on political activities. Squads such as the Red Squad, Squad 47 of the NY FBI office (which carried out COINTELPRO activities against plaintiffs in Clark v. USA) and the recently formed joint anti-terrorist squad of the NYPD and the FBI, are formed for one main purpose: to wage counterinsurgency warfare against the Black and other Third World liberation struggles and to attack and disrupt progressive political activity. The most recent COINTELPRO media assault on Assata Shakur and the BLA makes it clear that shoot-to-kill is the order of the day.

This settlement legitimizes the very activities it was filed to redress! The police can launch investigations based on a potentiality of some nebulous criminal threat. And worse, it allows the police to police their own violations of the rights that the settlement allegedly protects.

The stance of the Black liberation struggle and of the Puerto Rican independence movement is in stark contrast to what is put forward in this settlement. While revolutionary freedom fighters like the Eleven Puerto Rican Prisoners of War fight for their right to struggle by any means necessary and refuse to acknowledge the jurisdiction of the U.S. government over them, the parties to settlements such as this one actively fight for the state's right to define what constitutes legitimate political activity.

It is precisely this type of view that the state seeks to foster, so that when the leadership of the struggle is under attack, the left withholds support and thereby collaborates with and participates in the state's attack.

The struggle against COINTELPRO at this time must be based on upholding the right to self-determination of Third World people and must be defined as the struggle to expose past and present attacks on the Black, Puerto Rican, Native American and Chicano/Mexicano national liberation struggles, and to free prisoners of war.

COMMITTEE TARGETS STRUGGLES FOR HUMAN RIGHTS

The u.s. government response to heightened struggles for human rights here and around the world is heightened counterinsurgency. Even before Alexander Haig had announced that "international terrorism will take the place of human rights" as the u.s.' number one priority, the Reagan administration was implementing its new COINTELPRO strategy, "anti-terrorism." Part of that strategy is the establishment of the Senate Judiciary Subcommittee on Security and Terrorism, with jurisdiction over national security (including the Intelligence Identities Protection Act, the "naming names law"), "terrorism," the FBI and the Drug Enforcement Administration (DEA). It is chaired by Sen. Jeremiah Denton, a Moral Majority candidate who made his fame as an anti-communist hero after having been held for several years as a prisoner of war of the Vietnamese.

The committee has a particular role to play in building mass support for the government's escalated COINTELPRO activities. The Chief Counsel of the committee has said that its role is to "alert, to apprise, to increase awareness by maximizing publicity." So-called "friendly witnesses" will be subpoenaed to identify organizations they believe should be targeted for investigation. The committee's current session (its first was on the FBI budget) will include testimony from Claire Sterling, author of The Terror Network and a chief propagandist for COINTELPRO. COINTELPRO has always relied on mass consciousness and participation for its effectiveness. The committee's role will be to generate publicity for a campaign to identify all national liberation struggles as "terrorist" and their supporters as part of a sinister "support network."

Besides building the government's propaganda campaign, the committee has the power to subpoena witnesses, and wields the threat of contempt charges to force them to testify. The Subcommittee is the HUAC of the 80's. In the late 40's and 50's, the government used HUAC (the House Un-American Activities Committee) effectively as a weapon of anti-communism: over 3,000 witnesses were called to testify and hundreds lost jobs and homes because of this exposure and attack. The Committee

was disbanded in 1975 because of public opposition and massive non-collaboration by witnesses.

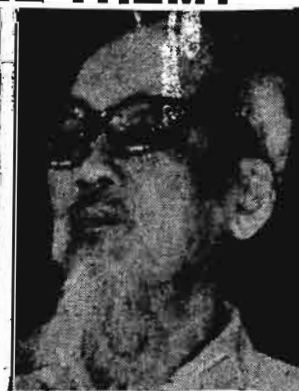
It is significant that Congress has moved now to set up this new committee to attack struggles for human rights and self-determination. It is clearly part of the overall escalation of COINTELPRO. The Subcommittee is well-staffed for that purpose: its Chief Counsel is Joel Lisker, a former FBI agent who worked in the Intelligence Division. A chief aide to committee member Sen John East is Samuel T. Francis, described in his official biography as an "expert" on international terrorism and on African affairs. Francis wrote the section of the Heritage Foundation report to Reagan which recommended that he remove all restrictions on COINTELPRO activities.

The government's strategy now is to define all dissension as illegitimate, to divide "loyal Americans" from "terrorists." Based on white supremacy, their success will rest on their ability to isolate revolutionary forces from progressive movements and people in this country. Only full support for struggles for human rights and national liberation, and particularly for the Black liberation struggle, can challenge and defeat that strategy. Fighting the consolidation of fascism means, first and foremost, supporting the right to self-determination of Third World people. Anything else collaborates with the government in its COINTELPRO offensive.

LIVE LIKE THEM!



Malcolm X
1925



Ho Chi Minh
1890

MAY 19th

for the Southern District, "assisted" the regular Assistant U.S. Attorney who has handled the case for three years. Martin continually reminded the judge during in-chambers conferences about what "sensitive issues" were involved and what lines of questioning would not be allowed. Denying the independent role of the judiciary and concentrating all power in the executive branch is a classic move towards fascism. This was being played out in Judge Lasker's courtroom, as Martin succeeded in making sure that many questions could not be asked.

Only the determination of the plaintiffs, their legal team and their supporters who filled the courtroom interfered with the government's scenario. Plaintiff Natalee Rosenstein, appearing pro se, questioned the FBI agent who is attempting to question her, turning around the intended intimidation behind the FBI visits. She challenged

the court at every point to justify its position, exposing the court's subservience to the Justice Department. Attorney Susan Tipograph forced SA Robert Halter, who had attempted to visit plaintiff Jennifer Dohrn, to contradict himself and tell many obvious lies.

The hearing was one battle in a long war. The plaintiffs have the right to pursue this suit without FBI harassment; the plaintiffs and the public have the right to know what current COINTELPRO activities the FBI is engaged in; and the hundreds of Black, Puerto Rican, Native American and Chicano/Mexicano political prisoners and POWs in jail as the result of FBI counterinsurgency have the right to be vindicated and released. Pursuing this hearing and putting the FBI on trial is part of how we can win those demands. The government will clearly concede nothing without a major fight. Your continued support is key.

Hearing Update

Round Two of the evidentiary hearings on the FBI's harassment of the plaintiffs in Clark et al. v. USA was held on May 11 before Judge Morris Lasker. This session focused on complaints ranging from vandalism to break-ins and arson which have been formally lodged with the FBI and the U.S. Attorney since the suit was filed in May, 1978. It was established through testimony from an FBI agent in the legal department that the FBI has done virtually nothing to investigate the plaintiffs' complaints and their charges of FBI involvement. In particular, the testimony and evidence introduced about the fire which destroyed the home of plaintiff Judith Clark in June, 1978 made it clear that the FBI was lying and/or covering up this incident. The FBI claims that only minor "smoke damage" had been done to Ms. Clark's apartment, while photographs the plaintiffs introduced showed the total destruction of the apartment. The FBI relied solely on reports from the Fire Department and did no independent investigation of charges that FBI agents were at the scene of the fire. Even the testimony of the fire marshal, called by the U.S. Attorney, bolstered the position of the plaintiffs that this was not just an

ordinary fire. He admitted on the witness stand that he had gotten "emotionally involved," and came close to arresting one of Ms. Clark's roommates (who he insisted was Ms. Clark) because she said the FBI was involved. He was also forced to admit that unburnt flyers (for the anti-COINTELPRO forum at which Ms. Clark was speaking when the fire occurred) lying atop burned rubble, could only have been placed there by someone after the fire.

Judge Lasker, visibly affected by the testimony about the fire, walked off the bench immediately following the fire marshal's testimony. In chambers he informed the parties that he would not continue the hearing in open court and that, if the plaintiffs wished to argue for further witnesses or evidence to be introduced, they could "write him a letter." It was clear that the unanswered questions and the contradictions in the FBI's testimony put the judge in a position he did not wish to be in. Rather than face the plaintiffs and their supporters in open court and take a public position, Judge Lasker simply ended the hearing, leaving the government's shell of secrecy around their illegal counterinsurgency activities intact.

David Truong Appeals Court Decision

David Truong, a Vietnamese patriot living in the u.s. will have his appeal heard by the Fourth Circuit Court of Appeals in Richmond, Virginia this spring and by the Supreme Court in the fall of 1981. He is appealing a recent court decision denying him a new trial. The upcoming hearings are a significant victory for David Truong in view of the fact that the u.s. government is heightening its COINTELPRO attacks against him. The government is not only demanding more secret proceedings on the appeal level, but has also orchestrated two attacks against him recently: one in Seattle in 1979 and another in Milwaukee in 1980. The attacks involved right-wing Vietnamese refugees who were part of the South Vietnamese military and military intelligence, who charged into places where David was speaking, swinging chains and wooden clubs. These attacks produced several fights that led to arrests.

The FBI/CIA conspiracy to convict David Truong is one of the most blatant examples of how the u.s. government is continuing to wage war on Vietnam. The frame-up of David Truong, which began in 1975 (see Tip of the Iceberg, February 1981) is also being carried out by the judicial system. Truong was convicted of leading a "foreign spy ring" and of passing u.s. government documents to Vietnam that were alleged to be vital to the national security. The documents in fact had no governmental classification marked on them. Trial judge Bryan and the prosecution have collaborated throughout the entire judicial process to deny David Truong the right to defend himself. Their collaboration has included conducting secret court proceedings; allowing information that was obtained through illegal electronic surveillance to be admitted as evidence; issuing motions that prevent David from reviewing documents made available to his defense attorneys; and, most recently, a motion that prevents David Truong from reviewing even his own defense motions. Judge Bryan stated that "David Truong does not need to read his motions or know anything about the case, as long as he has competent counsel."

It is critical that public support be generated for David Truong. His appeal is going to be heard by two of the most reactionary courts since the McCarthy era. In addition, the prose-

cutor will be Lowell Jensen, who as State's Attorney in Alameda County, California, prosecuted numerous members of the Black Panther Party on COINTELPRO false charges.

David Truong believes that the Justice Department is escalating its case against him because it would like to make his case a model for the prosecution of people in this country struggling for human rights. Your support is urgently needed.

For more information, write:

Vietnam Trial Support Committee
1322 18th Street N.W.
Washington, D.C. 20036

..... NEWSBRIEFS

AMIRI BARAKA . . . On June 3, Black revolutionary playwright Amiri Baraka will be re-sentenced for a conviction on charges of resisting arrest. The charge grew out of a NYC police attack on Baraka over a year ago on a Greenwich Village street. Massive public support and outrage at his original sentence of 90 days forced the court to reconsider its decision. We urge people to come to court (Judge Fried's courtroom, 100 Centre St.) and support Amiri Baraka.

YULANDA WARD . . . Grand jury subpoenas of four leaders of the Yulanda Ward Memorial Fund -- James Garrett, Nkenge Toure, Loretta Ross and Hope Young -- were finally dropped in Washington, D.C. District Attorney Evelyn Queen waited a full two weeks after four Black men had been indicted for the murder of Yulanda Ward to drop the subpoenas, stating at that time that it was "too much of a struggle" to get the four members of the Memorial Fund to testify.

The Memorial Fund is continuing its work to expose that the murder of Yulanda Ward is a COINTELPRO assault against the Black liberation struggle. They have recently uncovered the fact that Detective McCloskey, one of the D.C. police assigned to the investigation (read: cover-up) has connections with CIA activity and with mercenaries fighting against liberation struggles in Africa.

Pontiac Brothers in order to destroy the growing struggle of Black people for human rights and self-determination. It is a victory against the state's strategy to legalize mass lynchings of Black people in the 1980's.

The Pontiac Brothers should never have been on trial in the first place. The Pontiac Rebellion was a just struggle for human rights. In order to smash this struggle, to criminalize it, the state went to great lengths to try to win a conviction.

The first six weeks of the trial clearly exposed the nature of the frame-up against these men, the extent of government misconduct, the use of bribery and reprisals to gather testimony from other inmates, and the inability of the state to present concrete evidence against the Pontiac Brothers. The state's case consisted of putting 38 witnesses on the stand: prison guards and prison administrators, Illinois law enforcement agents, relatives of the prison guards killed in the rebellion, and other inmates whose testimony was bought by the state for over \$75,000. Most of these inmate witnesses also were given significant sentence reductions, parole and, in at least one case, executive clemency from the Governor in exchange for testimony against the Pontiac Brothers. Throughout the six weeks of testimony, the state's witnesses not only totally contradicted each other's stories, but not one of the prison guards, police agents or investigators was able to identify any of the Pontiac Brothers in connection with the actual murders themselves. Under cross examination by the Pontiac Brothers Defense lawyers, each of the inmate state's witnesses was forced to admit that their testimony was being given in exchange for a bribe, and in some cases, for the maintenance of their drug habits. Largely as a result of the witnesses' confused and bought-off testimony, the state was forced to cut short their case, dropping several of what had

previously been their "star witnesses" at the last minute to avoid the probability that they would further contradict previous testimony. Seven witnesses were not called, including the prison warden and several other inmates. Yet even with such a weak case the state was intent on going to any lengths to get a conviction. On April 23 Judge Miller flatly denied defense motions for dismissal of all charges against 9 of the 10 Pontiac Brothers. He did drop 14 or 15 charges against Albert Jackson, so that he faced only an attempted murder charge carrying a maximum 30 year penalty.

The defense rested its case after presenting four days of testimony. Then it took only two hours for the jury to decide that the Pontiac Brothers were innocent of all charges. Clearly, the acquittal in the first trial will undermine the state's attempt to railroad the remaining six Pontiac Brothers in their trial which begins on June 1.

The acquittal is a significant victory in the Black national liberation struggle and for all national liberation movements and anti-imperialist forces. With a clear understanding of the white supremacist nature of u.s. government repression, and with a strategy to mobilize tremendous support in the Black community and among progressive forces in Chicago and across the country, the state's most important death penalty trial was turned into an advance for the struggle for human rights. Based in the argument that the Pontiac trial represented the u.s. government's strategy for genocide against the Black nation in the 80's, the Pontiac Brothers and their supporters made the Pontiac trial an international issue of human rights violations committed by the u.s. government.

We urge everyone to rally to this victory by increasing support for the remaining six Pontiac Brothers, and for all political prisoners and prisoners of war.

FREE ALL THE PONTIAC BROTHERS!
PUT THE STATE ON TRIAL!

PUERTO RICAN P.O.W. KIDNAPPED BY STATE

Since April 30, Puerto Rican Prisoner of War Alfredo Mendez has been missing from his cell in Pontiac Prison. Alfredo is one of 11 Puerto Rican independentists imprisoned in Illinois, charged with being members of the Fuerzas Armadas de Liberacion Nacional (FALN) -- fighters in the armed struggle for independence and socialism for Puerto Rico. The National Committee to Free Puerto Rican Prisoners of War is calling for a national telegram campaign from organizations, institutions and groups. Telegrams should be sent to U.S. Attorney General William French Smith demanding: 1) that Alfredo Mendez be presented publicly; 2) that members of his family, of the Puerto Rican community and the legal consultants be allowed to see him; and 3) that the government guarantee his physical and mental health. As the November, 1979 assassination of Puerto Rican independentist Angel Rodriguez Cristobal in the Tallahassee, Florida

prison made most clear, the lives of the 11 are in danger as long as they are in the hands of the state. The 10 other POWs, along with Pablo Marcano and Nydia Cuevas, are on hunger strike demanding that Alfredo Mendez be produced.

The government is attempting to say that Alfredo Mendez is cooperating with the state -- but we know that this is not true. He has been and continues to be a firm fighter for his country's independence. This lie is clearly part of COINTELPRO's current attack on the Puerto Rican independence movement -- to threaten the life of Alfredo Mendez and to lead his supporters to believe that he has turned his back on his principles. The government has consistently denied writs of habeas corpus filed on his behalf in federal court. SEND TELEGRAMS TO WILLIAM FRENCH SMITH, U.S. ATTORNEY GENERAL, U.S. DEPARTMENT OF JUSTICE, WASHINGTON, D.C.

REMEMBER MALCOLM X! FIGHT COINTELPRO 1981!

May 19th marks the birthday of Malcolm X, El Hajj Malik Shabazz, a major revolutionary Black nationalist leader. He fought to place the struggle of Black people for human rights and self-determination in the international context as part of Afrikan liberation worldwide. His leadership defined the Black liberation struggle in the u.s. as a fight for land and political power, as part of the worldwide struggle for national liberation from u.s. imperialist domination. Because he was a leader, Malcolm X was targeted by COINTELPRO and assassinated on February 21, 1965.

We can best celebrate the birthday of El Hajj Malik Shabazz by waging struggle today in support of revolutionary nationalism and in solidarity with the struggle of the Black nation for self-determination.

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