

# WORKERS WORLD

VOL. 9, NO. 23

NOVEMBER 16, 1967

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## Black Leaders Support Armed Self-Defense

Rap Brown Says, "We'll Do Anything to Free LeRoi Jones"; CORE to Test Right to Bear Arms



H. Rap Brown

NEW YORK, Nov. 11 — Floyd M. McKissick, national chairman of CORE, told the press today that his organization would carry the legal-lynching case of LeRoi Jones to the higher courts and test the right of Black people to bear arms.

This is "despite my belief based on what Mr. Jones told me, that (Mr. Jones and his friends) had no weapons" when police arrested them during the Newark uprising last June.

Mr. McKissick seemed to recognize that the case of the victimized playwright and freedom fighter is in essence the case of the whole Black people's right to armed self-defense.

"We'll not sit idly by and see the rights of Black militants taken away," declared Mr. McKissick in discussing the recent trial of the framed-up Jones at a news conference in the Harlem YMCA.

He was backed by H. Rap Brown, national chairman of SNCC, who said: "We'll do anything to free Mr. Jones—

He's a patriot of the Black people.... However, there is no such thing as justice in the legal process for a Black man."

LeRoi Jones himself, who is out on an appeal bond after being convicted by an all-white jury of illegally carrying guns, was also present at the conference.

He told reporters about his case and called it "the testing point for Black people throughout the nation."

"If they can rough us off in Newark, where we are in a clear majority, we are in terrible shape throughout the country," he said.

Mr. McKissick added that the appeal would test the constitutionality of an all-white jury sitting on Mr. Jones' case.

"In the light of the ancient right of  
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Rob Williams

## Huge NY Police Guard Fails To Stem Militant Protest

Police Brutality and 46 Arrests As 6,000 Protest Rusk War Speech

NEW YORK, Nov. 14 — The anti-war movement took a big leap forward here last night. It showed that last month's Washington slogan, "From Dissent to Resistance," is nation-wide and here to stay.



LeRoi Jones

In spite of police clubbings and 46 arrests, thousands of anti-war youths surging against barricades, struggling with cops, stopping traffic and chanting "Hell no, we won't go!" almost took over the streets of midtown New York City and continued their protest until nearly midnight.

Continuing, and in some ways surpassing, the high militancy which jarred Washington on the weekend of October 21 at the Pentagon, the five to ten thousand young demonstrators had turned out to greet Secretary of State Dean Rusk and tell him their feelings about the war in Vietnam.

Rusk himself had to sneak into the Hilton at Sixth Avenue and 53rd St., where he was scheduled to speak to the Foreign Policy Association.

He got in through a garage door off 53rd St. at 4:55 p.m. while there were still only a few pickets on Sixth Avenue, and nearly a hundred uniformed police in the hotel lobby along with an unknown number of plainclothesmen.

It was 10:30 before he could slink out, and so much time was lost in his elaborate maneuvers to escape the masses that he had to miss or postpone an appointment with visiting Premier Sato of Japan.

In Times Square, after many of the demonstrators had marched there, blocking traffic and chanting slogans against the war, they shouted a unanimous answer to the Johnson Big Lie.

As the ticker tape flashed the news along the side of the Allied Chemical Tower high above them, "Johnson Says Hanoi Rejects U.S. Peace Offer," the thousands of youths below answered in unison: "Bullshit, Bullshit, Bullshit!"

The pro-war news commentators referred to this only as the "shouting of obscenities."

The youthful crowd, with sprinklings of older people, began to assemble before 5 p.m. along Sixth Avenue. Cops were already busy ordering groups to move and in general harassing them. But the thousands poured in.

Near the pool and fountain at 51st and Sixth one group of members of Students  
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## Black GIs Hit Naval Hospital Brass and Defy Pres. Johnson

The following is a copy of a speech by a Black GI stationed in San Diego which was forwarded to the Committee for GI Rights, together with a copy of the petition, by another anti-war GI stationed in Oakland.

\* \* \*

Racial discrimination is thought of as something that has been and something that will always be. This thought is widespread in America with no areas uncovered from its ugliness.

I am Edward R. Lynn (with the military label: HN 1390152) stationed at the United States Naval Hospital, San Diego Calif. This being the largest military hospital in the world, it should be the one to set examples and instill improvements, also, it should be the one, more so than others, to satisfy

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## Indonesian Counterrevolution Faltering As Upsurge Begins Against U.S. Fascist Puppets

By PETER STORCH

Despite the herculean efforts of U.S. big business to bolster its puppet regime in Indonesia, the CIA-sponsored fascist military junta has begun to falter under the impact of student demonstrations against rampant inflation and rising unemployment, and is facing a resurgence of revolutionary guerrilla warfare.

The junta is so unstable that the ultra-right-wing New York Daily News sent its Washington correspondent to Jakarta to look into the situation and he wrote back a feature article filled with alarm and entitled "It's Touch and Go With Indonesia."

"After Vice President Humphrey left Jakarta last week," wrote Stan Carter

on Nov. 12, "some 4,000 students marched to the office of acting President Suharto with banners and signs demanding that the government take drastic action to lower rice and kerosene prices."

"Military cars and tanks with 50-caliber machine guns moved in between the youths and Suharto's office."

This anti-government demonstration, the first since the junta's reign of terror began two years ago, was confirmed in a UPI dispatch of the same date stating:

"Major General Amir Machmud, the commander of the Jakarta military district, announced today that mass meetings and demonstrations had been banned here, Antara, the official news

agency, reported. The order appeared to be aimed at students who demonstrated last week for lower prices."

The capitalist press has recently been full of reports about the U.S.-engineered anti-China demonstrations in Jakarta but was quick to hush up the news of this highly significant demonstration against the military dictatorship which was correctly regarded by Carter as one of the "indications that many are already growing impatient with ... additional belt tightening...."

The "belt tightening" which this ultra-right reporter refers to is the result of inflation which is running at 100 per cent a year (the price of rice and other vital commodities is up 500

per cent) and a rise of almost 50 per cent in unemployment in the past year, from 2.1 million to 3 million.

Carter also confirmed recent reports about guerrilla activity when he referred to a "war in Borneo" in which a resurgent Communist movement has "launched a guerrilla campaign against the new Indonesian regime."

Meanwhile, just two weeks ago, 70 of Western imperialism's leading financial and industrial executives met in Geneva with the U.S. puppets of Indonesia to map out new plans for huge foreign investments in Indonesia. The conference, sponsored by Time Inc., and dominated by the big U.S. corporations, was attended by no less

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# WORKERS WORLD

Founded March, 1959

Editorial office:

46 W. 21st Street, New York, N. Y.

Telephone: AL 5-0352

Editor: Vincent Copeland

Manager: Dorothy Ballan

VOL. 9, NO. 23 — November 16, 1967

Published Twice Monthly



## Buffalo Youth Tell Militarists To Stay Out of Junior High

By F. REED

BUFFALO, Nov. 9 — The Army National Guard and the Veterans of Foreign Wars, in collaboration with the Buffalo school system, failed this afternoon in their attempt to bring militarism to Genesee-Humbolt Junior High School.

A schoolyard display of army trucks and jeeps from the neighboring armory was met with massive indifference by the students at this predominantly Afro-American school. The pupils brushed past the military to mass at a side fence where 15 students from the University of Buffalo were picketing in protest.

The demonstration, called on several hours' notice by Youth Against War & Fascism, opposed the pro-war indoctrination of the junior high school students. Picketers carried placards with the slogans, "J.H.S. Students Today — Cannonfodder Tomorrow," "Don't Train the Kids to Be Killers," "Get the Tanks Out of School," "U.S. Bombs Killed 20,000 Viet Children," and "Big Firms Get Rich — GIs Die."

At first the demonstration brought shouts of "Hippies Go Home" from a few of the more brainwashed youngsters. (Inside the school, an Army Major had been feeding an audience of Veterans of Foreign Wars and captive 8th and 9th-graders such pro-war goodies as "the doves are actually chickens" and "what we need are flag-wavers not flag-burners.")

However, the demonstrators soon won the support of many of the high school youths by chanting "Long Live the Champ — Hell No, We Won't Go!" Several youngsters shouted, "We don't want to fight no Vietnamese," and "That's right, our fight is here." A demonstrator answered "— and these guys" (pointing at the Army) "bring their trucks and guns into your neighborhoods when you fight back." Another

J.H.S. student called out agreement with the demonstration, adding that she had a brother in Vietnam.

The students of Genesee-Humbolt scrambled eagerly for buttons which demanded "Stop the War Against Black America" and "Bring the GIs Home Now," and for anti-war literature: Soldiers Against the War, and Diary of an Anti-Draft Activist. Teachers and guardsmen were seen ordering the students to tear up this material, but many youths simply hid it in their pockets.

Some snowballs had been thrown at the demonstrators at first, but as the line continued, other students begged the picketers to stay after school so they could join the line. One girl thrust an arm across the fence. Told by a YAWF member that there was no more literature or buttons, she replied, "I've already got a button — I just wanted to shake your hand."

Several passersby on the little-travelled street expressed shock at the militarist indoctrination of 12-year-olds, and supported the demonstration. An Afro-American youth watched for a while, then took a sign and began marching. He later told a member of the group that he would reach draft age next year.

Teachers at Genesee-Humbolt were reported to have been apprehensive about the military display from the start. The failure today may make Buffalo's pro-war patriots think twice before staging similar invasions of working-class schools.

## It's Tough to Be a Cop

DETROIT — Policemen here are beginning to develop nervous and emotional difficulties. Some have had to be transferred to assignments which are thought to cause less tension.

Psychiatrists say that these unfortunate cops get that way because they "feel unloved."



(The following is the New York Post caption, Nov. 9) Woman Viet Cong suspect is questioned while U. S. paratrooper presses his M16 rifle against her head in village near Tam Ky, South Vietnam.

## Black Power and Parliamentary Illusions

The Nov. 7 elections undoubtedly registered important new developments throughout the country. They showed to some extent the growing opposition to the war, as in the San Francisco referendum. But above all, they dramatically catapulted Black men into the mayors' offices of Gary, Indiana, and Cleveland, Ohio.

What is the meaning of this as far as Black Power is concerned?

First and foremost, it confirms what every revolutionary felt in his bones about Newark, Detroit, and the 124 other Black uprisings that took place this year: namely, that they would produce a change in the relations between oppressor and oppressed.

This change has now been registered at the capitalist election polls. It has begun to be registered in the actual personnel who administer the financially bankrupt cities, although they may only be in control of the liabilities, rather than the assets.

The change could be seen in the carefulness of the cops and the caution of the big rulers. Now it can also be seen in the fact that the Black voters have been permitted to elect some of their own people in Gary and Cleveland. (Under other conditions, Black candidates would never even have gotten on the ballot!)

It would be utterly wrong to see the Black election victories as much more than a parliamentary reflection of the titanic struggle of the Black people.

The bourgeoisie cannot control the Black masses the way it used to. It must now give — here and there, and where it is absolutely compelled to give — a semblance of the same phony democracy it gives to the more fortunate white workers, but without the same social and economic rights for the Black — the rights to better jobs, etc.

Of course an election can have good results for the oppressed. But there is nothing the ruling class wants more at this time than to divert the rebellious masses from the streets to the elect-

oral arena, exclusively. It is attempting to convince the Black people to conform to typical city hall politics and to depend on the promises of capitalist politicians rather than on further revolutionary struggle against the capitalist oppressors.

All through modern history, the bourgeoisie has labored to transform the class struggle into an electoral opposition and then maneuver even that into a blind alley. It now has high hopes of doing the same thing with the Black freedom struggle.

At one time the idea of an Afro-American being mayor of a big U.S. city like Cleveland would have been in itself revolutionary. Now, however, because an actual revolution is in the wings, the election of a Black mayor is mainly a proof that Black freedom is coming, not that it has arrived.

Naturally, some concessions will now be given. But they will only appear to have come from the election, and will in reality be owed to the heroic stand of those hundreds who died and the hundreds of thousands who fought against the age-old slavery last summer.

The importance of this is tied in with the importance of the continuing struggle.

The capitalist ruling class is still firmly in charge of the city police in Gary and Cleveland. It still commands the National Guard and can send it into a city, even against a mayor's will. The capitalist white supremacists still own the big steel mills of Gary, the auto plants and foundries of Cleveland, and it is they who decide how many jobs there will be, and who gets them.

Carl Stokes and Richard G. Hatcher are in office, but not in power.

It is necessary to challenge the present political machines in the name of the oppressed. But to assume that these machines really run the country or possess the decisive state power is another thing entirely. Black Freedom, like socialism, grows in struggle, declines in bourgeois parliamentarism.

## "Brainwashing"

Now that more and more Americans are finding out the truth about the U.S. war against the Vietnamese people, the charges of "brainwashing" are flying thick and fast.

Most recent are the claims that three sergeants in the U.S. Special Services, who were captured by the NLF several years ago, must have been "brainwashed" before they would oppose the U.S. war, as they did upon their release last week.

Considering that a large number of soldiers in the U.S. are now opposing the war, and considering that a number of civilian "pacification" workers in Vietnam recently expressed themselves against the war and their more highly-paid director resigned for the same reason — it would seem that three U.S. soldiers in Vietnam, two of whom are Black, might also be able to recognize injustice when they see it!

But tremendous pressure will now be put on the three soldiers by the U.S. military brass and the whole multi-

billion dollar propaganda machine. This pressure will be even greater than that exerted on Sgts. Smith and McClure in 1965, because imperialism is now more desperate to keep the awakening masses in line.

If the three soldiers succumb to this pressure then it will appear to many that the Vietnamese did "brainwash" them, whereas the servants of the billionaires merely "reconditioned" them, for normal subservience in the United States.

Whatever the personal fate and future politics of Sgts. Jackson, Pitzer and Johnson, they should be roundly applauded today for freeing themselves of twenty years of brain-dirtying by the master class.

And above all, the National Liberation Front should be commended — not merely for returning three captives to their loved ones — but for their unshaken belief in the ultimate power of the human brain to resist its capitalist corrupters.

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## Why Saigon Vote Had to Be So Carefully Rigged

# S. Viets Oppose U.S. Under Noses of Occupiers!

By VINCENT COPELAND

The majority of the people in the U.S.-occupied part of South Vietnam are opposed to the U.S. war and want the U.S. out of their country.

In the rest of South Vietnam—the vast interior, where the National Liberation Front stands and fights 464,000 U.S. soldiers, the U.S. Air Force and the Seventh Fleet—it is all too obvious that the majority are against the U.S.

But in the part where the U.S. has the greatest influence, where it has given the most bribes, where it exerts the most military pressure, where its "pacification" experts operate and where its puppets reign supreme—in Saigon, Danang, Hue, and other such cities and towns—the majority are also against the U.S. and want it to get out of their country.

This is clearly demonstrated by the case of Truong Dinh Dzu, the leading "peace" candidate against the Thieu-Ky presidential ticket on September 3.

Dzu is a wealthy Saigon lawyer, probably involved in the same corrupt racketeering practices as the members of Ky's clique, and is now under house arrest, but not for his alleged financial peccadillos.

Dzu was arrested and detained because he held a news conference without obtaining a police permit, as required by the "democratic" South Vietnamese laws.

What he said in the news conference may be more important than the technical violation of a police state law.

He announced the formation of a political opposition to the U.S. puppet government, along with five other defeated presidential candidates. Together with these other candidates, Dzu, who ran with the sign of the dove of peace on his campaign material, got

nearly two-thirds of the vote.

(Thieu-Ky, who got only 35 per cent of the vote were not required to stand for a run-off, since the obliging Constituent Assembly, although knowing that Thieu-Ky would not get a majority, decided to make no provision for a run-off.)

Considering that Thieu-Ky were the fair-haired puppets of the U.S., with unlimited campaign funds, and were repeatedly accused of forcing their U.S.-

establish what the masses really want or need. Ruling class control of information as well as repression, nearly always determines that some section of the ruling class will win. And the South Vietnam puppet rulers can go in for even more open rigging than the experts in the U.S. Thus Dzu's showing is all the more important.

Dzu and his friends are not Communists, of course, and they do not really represent the masses of Saigon any

That is why they got more votes between them than Thieu-Ky, in spite of their lack of sufficient organization, and their inability to dispense political favors or rig the soldiers' vote.

On September 21, they called on the U.S. "to cease its interference in South Vietnam's internal affairs."

This was not really equivalent to telling the U.S. to get out of Vietnam altogether. But that is how the masses must have interpreted it.

### THE "BUDDHIST" OPPOSITION

The New York Times observed editorially on November 10 that, "A widespread view in Saigon is that Mr. Dzu is being kept incommunicado precisely to prevent him from joining Buddhist and other leaders to organize an effective opposition."

The Times understands just as well as Thieu-Ky and the U.S. State Department that the word "Buddhist" is, in this case, a label for many tons of political dynamite, as well as dozens of effective booby traps for U.S. policymakers in South Vietnam. The "Buddhist" opposition is simply the most popular of the various bourgeois oppositions to the war.

Since then Premier Ky put down the mass Buddhist anti-U.S., anti-war movement last year, (with tacit U.S. help); many leading Buddhists have been in jail. But many others, although long intimidated, have been waiting to raise their heads the moment they could be reasonably sure not to get them shot off.

Dzu's ill-fated attempt to create a legal opposition, however, indicates that the climate is not right—that is, that the U.S. will not stand for such a thing, regardless of the sotto voce complaints of the New York Times and other bourgeois opponents of the war.

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Unarmed youths face guns and bayonets of puppet troops during one of the first large Saigon demonstrations against U.S. imperialist occupation.

paid soldiers to vote twice for them, their poor showing at the polls was a clear repudiation of the U.S. and the war.

### BOURGEOIS OPPOSITION REALLY WON!

Counting noses in the capitalist parliamentary arena can never by itself

more than the U.S. puppets do. They are just the home-grown exploiters, who don't have the inside track with the U.S. militarists, contractors, banks, etc. But for that very reason, they make some attempt to give voice to the aspirations of the Vietnamese people.

## Wallace Speaks (Behind Armor) Cleveland Militants Protest

CLEVELAND, Nov. 10—The appearance of Alabama Governor George Wallace was picketed tonight by over 100 angry protesters.

The demonstration, called by the Direct Action Committee of the Cleveland Area Peace Action Council, had been announced in a letter sent to Cleveland participants in the Oct. 21 Washington anti-war mobilization. The notice said in part:

"(the) ... arch-racist from Alabama ... is a candidate for President of the U.S. and he stated that if elected, he would throw all opponents of the war into jails. He and all his rabid supporters, who are the greatest enemies of the Black liberation struggle, are also against the Vietnamese fighting for self-determination."

Wallace has called opponents of the war traitors and "the scum of the earth."

Signs carried by the picketers labelled Wallace "Ku Klux Klansman Without a Robe," "Wallace Is A Strikebreaker," and demanded "Stomp Out Racist Wallace." Placards signed by the Committee Against War & Fascism carried the slogan "Fight Wallace's White Power With Black Power." Demonstrators chanted "Wallace, Hell No!" "Down With Fascist Wallace," "Racist Wallace Go Home," and "Stop Wallace Now!"

The Wallace talk had been billed as a public meeting. Admission was denied, however, to Afro-Americans and to all long-haired or casually dressed whites.

A line of 40 helmeted Cleveland police in leather jackets stood between the demonstrators and the Public Music Hall entrances. Apparently under orders

from the Wallace sponsors, they used their batons to repel attempts to get in.

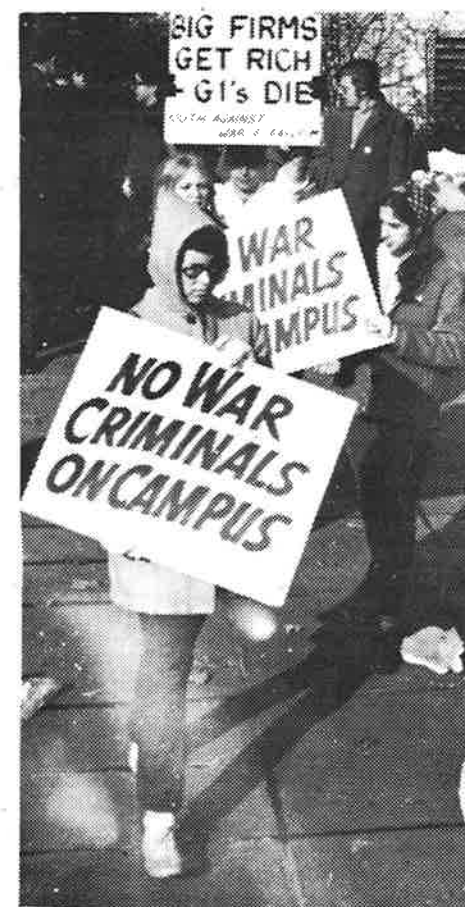
One Afro-American youth, Ron Lucas, a member of Blacks Against the Draft, was sprayed with "pepper gas" by the police when he tried to push past the baton barrier. Picketers coughed as the gas spread for a short distance. The youth was treated on the spot by a woman demonstrator who came prepared with eyedrops. The picket continued.

The closed-door policy of the meeting came in response to earlier demonstrations on two stops of the Wallace campaign tour. On November 8 at Akron, 50 Afro-American Akron University students disrupted the Alabama racist's delivery. The following night, a group of 100 at Toledo heckled Wallace continuously for 15 minutes. A fight broke out between Wallace-for-President supporters and the demonstrators after a police lieutenant interrupted the proceedings to read an Ohio ordinance. Nine arrests resulted.

Wallace, who has been accompanied on his tour by Alabama state troopers, spoke from behind a specially-designed armored podium, which covered most of his body. He promised his supporters in this city, where a Black man has just been elected Mayor, that he would come back in '68 and "stir something up politically in Ohio."

Hundreds of passersby on St. Clair Avenue saw the picket line, which dispersed at 8:15. A sound truck in front of the Music Hall, from which martial music and, later, Wallace's talk blared, carried the Confederate flag of slavery.

When the demonstrators left, the hated banner left with them.



City College students demonstrated and sat in to keep war criminals from Dow Chemical from recruiting students on campus, Nov. 13, despite punitive threats from the school administration, a previous police invasion of the campus and mass arrests and a heavy police guard for Dow recruiters. Police had to sneak Dow representatives in through a back door under escort.

## Dow War Criminals Promise To Confess-If They Lose!

"If history should later judge Lyndon Johnson as a mass murderer or another Hitler," says Herbert Doan, president of Dow Chemical Co., "then we too would gladly stand trial for having believed our country was moral."

This statement was made to Newsweek Nov. 13 when Doan complained, "It bothers us terribly to be smeared across front pages the way we are." Newsweek was most sympathetic to poor, maligned Dow.

How generous! After hundreds of thousands of Vietnamese (and an unknown number of GIs) have been burned to death or horribly mutilated by napalm the producer of this genocidal weapon agrees to debate the "legal" aspects of napalm use.

Agrees, that is, if his class loses the war and loses power. Because neither Mr. Doan nor Johnson nor any of the other accused war criminals showed up to present their case at the International War Crimes Tribunal held in Sweden last spring.

Yet, even Doan's hypocritical statement shows the impact of the anti-war movement. Doan has to accept the label of war criminal put on him and his fellow murderer-profits by the opponents of the war. Only he doesn't expect to ever really stand trial for his crimes.

But, Mr. Doan, neither did Eichmann!

### Whose Puppet?

The Political Committee of the UN General Assembly adopted a resolution today requesting United States military forces to remain in South Korea under the flag of the United Nations.

The resolution was sponsored by — the U.S.!



# Huey Newton Supporters Tell Cops Whole Community Will Protect Him

OAKLAND — Jim Nabors of the Afro-American Students Union told the press in front of the central police headquarters here: "Huey P. Newton will be protected by the Black community.... We intend to overthrow the police state by any means, including violence."

Leaders of five Black Power and anti-draft organizations had come to the police to demand that they free both Black Panther leader Newton and the anti-draft protesters arrested in the October 16-21 anti-war demonstrations.

They also demanded, according to the Berkeley Barb, that Police Chief Charles Gain "publicly confess that his

policemen provoked and assaulted Huey P. Newton and leaders of the Stop the Draft Week."

Newton is being framed in the shooting of two Oakland cops, one of whom, John Frey, subsequently died. Newton himself is in San Quentin Hospital, wounded and awaiting trial.

Representatives of the five organizations had marched through the streets to police headquarters, and there presented their demands in Chief Gain's office.

The groups were the Black Panther Party for Self Defense, the Afro-American Students Union at UC, the Soul Students at Merritt College, the

Black Union at San Francisco State, and the Steering Committee for Stop the Draft Week.

Black youth of the city are aroused over Newton's arrest and seem to be well aware of the frame-up character of the charges. Jim Nabors's statement hardly exaggerates the basic feelings of the community.

Newton had been stopped by a police car while driving, refused to get out of his car when improperly asked to do so, and then suddenly was confronted by another police car immediately called to the scene.

One of his attorneys, Beverly Axelrod, says he had a legal right not to

get out. The gunfire was obviously started by the cops in their frustration at his refusal to get out. Newton, if he shot them, fired in self-defense.

An official of the Panthers told reporters that "Huey had contacts with Frey before. Frey was rousting people. Huey pointed out to them that they didn't have to follow his orders. Frey didn't like that."

The statement of the five organizations said:

"We know Huey P. Newton to be a courageous leader in the struggle against oppression and, further, we know that, despite the long-standing and undeniable grievances that all Black people have against occupying forces like the Oakland police, Huey P. Newton would not have confronted cops in the manner described by the Oakland police."

"Our own experience with the same Oakland police strengthens our conviction that Huey P. Newton is a victim of police assault and is now being held as a political prisoner."



Members of the Black Panther Party for Self Defense as they paraded through the California state capital last May to dramatize the right of Black people to bear arms.

## Fight to Free Martin Sostre, Framed Black Leader, Continues

BUFFALO — The defense of Martin Sostre continues as this militant Black freedom fighter begins his fifth month in jail. Sostre faces 30 years imprisonment on a phony narcotics and assault charge. His real "crime," in the eyes of Buffalo's racist rulers, is that he made his Afro-Asian Bookstore an information center and an inspiration to the ghetto's rebellious youth.

The Martin Sostre Defense Committee has been engaged, since the frame-up, in disseminating literature about the case, and in raising money for his defense. Thousands of pieces of literature

were distributed and some money was contributed at a Nov. 9 meeting for Martin Luther King at Kleinhans Music Hall.

The film "Come Back Africa" was shown on October 26 at the University of Buffalo. The benefit was attended by 250 students and friends, and \$125 was raised from admissions and sales of African art objects.

Bail has now been lowered for the second time through Sostre's own efforts. It had originally been set at the astronomical figure of \$50,000 then lowered to \$25,000. Sostre conducted a survey among his fellow prisoners, then told the judge that none of the others, including those facing much more serious charges, such as murder, were subject to such a high bail. Martin Sostre has acted as his own attorney since the firm handling the case ran out under pressure. The firm has yet to return \$550 which it did nothing to earn. However, even that amount would not end Sostre's incarceration, since the current bail stipulations are for \$12,500 in cash or in mortgage-free property as collateral, and the judge is further demanding no fewer than six signatures for his release.

Sostre's supporters continue to find him in good spirits, despite the wretched conditions at Erie County Jail. Prisoners here, most of them Black, are put into solitary confinement nude. Friends can only see the eyes of the prisoner with whom they "visit," through a narrow opening. Sostre's visitors particularly are subjected to prolonged political interrogation by jail officials when they try to get permission to see him.

But Martin Sostre continues his struggle from behind bars and looks to the future. In a recent letter to the Defense Committee, he says that he is working on an application for a writ of habeas corpus to have the bail reduced, and that when he gets out:

"... one of the first things I am going to do is to establish a Defense Fund for Freedom Fighters in this area for both black and white activists who are framed up or jailed by the power structure for their activities or stand against oppression at home and abroad. We must protect our own, particularly now that the rising tide of protest and dissent against racial oppression, the unjust war in Vietnam and the drafting of our youth to make of them hired killers of innocent people--and to be killed in return--is bringing about greater repressive measures from the frightened but die-hard power structure."

Contributions may be sent to the Martin Sostre Defense Committee, P.O. Box 382, Ellicott Station, Buffalo, N.Y. 14205.

## — Right of Black People to Bear Arms

Continued from Page 1:

trial by jury of one's peers," the CORE leader asserted, "(we are going to test whether) 12 white men can be the peers of three Black men."

The realistic position of these leaders on the capitalist "legal process" shows that the forces which made the 1967 uprisings are not going to rely on the permission of the ruling class to bear arms, necessary as it is to fight the case in the courts.

The oppressed are going to assert that right, with or without the consent of the oppressor.

### Jones Convicted in Frame-Up

By ELLEN PEIRCE

MORRISTOWN, N.J., Nov. 6 -- An all-white jury took less than an hour today to bring in a guilty verdict against Black playwright LeRoi Jones and two co-defendants, Charles McCray and Barry Wynn, for alleged illegal possession of three pistols during the Newark rebellion (when thousands of National Guardsmen and cops, armed with tanks, machine guns and carbines

were sent into the Afro-American community of Newark).

Presiding judge Leon Kapp was so anxious to send Jones to jail that he couldn't even wait for sentencing -- set for Nov. 28 -- but summarily imposed a 30-day prison term on Jones for "contempt of court." This stemmed from an exchange earlier during the trial in which Jones branded the proceedings as a "kangaroo court" and told the court "You are my oppressors, not my peers." He had also used some earthy, but accurate, language to describe the frame-up against him and two associates.

As attorney Irvin Booker approached the judge to protest the contempt sentence, Kapp rapped his gavel and declared "Court dismissed."

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The racist motives of the New Jersey authorities in trying to make an example of the militant Black author and his co-defendants were obvious.

District Attorney Zazzali told the jury, "Ladies and gentlemen, you have been demeaned by the trash brought into this courtroom. The defendants have used the courtroom as a forum to attack police.... Just say police are liars and you've got to call them beasts, animals and killers."

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## St. Louis Against Black Poor

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This little child needs special care from trained people. Because of being home this makes a hardship on this mother being that he needs her most of the time, and the other children needing her too.

Anyone wanting to help this family may write to

the mother Mrs. Cora Bardley at 5628 A Greer, St. Louis, Mo., or call her at (761-2545). Sign this statement and mail it to Mrs. Delores Richardson, 5721 Etzel, St. Louis, Mo., President of the Committee Of The People St. Louis, Mo., or call her at EV 2-0972.

Signed \_\_\_\_\_

Signed \_\_\_\_\_



## Why Saigon Vote Had to Be So Carefully Rigged

# S. Viets Oppose U.S. Under Noses of Occupiers!

By VINCENT COPELAND

The majority of the people in the U.S.-occupied part of South Vietnam are opposed to the U.S. war and want the U.S. out of their country.

In the rest of South Vietnam—the vast interior, where the National Liberation Front stands and fights 464,000 U.S. soldiers, the U.S. Air Force and the Seventh Fleet—it is all too obvious that the majority are against the U.S.

But in the part where the U.S. has the greatest influence, where it has given the most bribes, where it exerts the most military pressure, where its "pacification" experts operate and where its puppets reign supreme—in Saigon, Danang, Hue, and other such cities and towns—the majority are also against the U.S. and want it to get out of their country.

This is clearly demonstrated by the case of Truong Dinh Dzu, the leading "peace" candidate against the Thieu-Ky presidential ticket on September 3.

Dzu is a wealthy Saigon lawyer, probably involved in the same corrupt racketeering practices as the members of Ky's clique, and is now under house arrest, but not for his alleged financial peccadillos.

Dzu was arrested and detained because he held a news conference without obtaining a police permit, as required by the "democratic" South Vietnamese laws.

What he said in the news conference may be more important than the technical violation of a police state law.

He announced the formation of a political opposition to the U.S. puppet government, along with five other defeated presidential candidates. Together with these other candidates, Dzu, who ran with the sign of the dove of peace on his campaign material, got

nearly two-thirds of the vote.

(Thieu-Ky, who got only 35 per cent of the vote were not required to stand for a run-off, since the obliging Constituent Assembly, although knowing that Thieu-Ky would not get a majority, decided to make no provision for a run-off.)

Considering that Thieu-Ky were the fair-haired puppets of the U.S., with unlimited campaign funds, and were repeatedly accused of forcing their U.S.-

establish what the masses really want or need. Ruling class control of information as well as repression, nearly always determines that some section of the ruling class will win. And the South Vietnam puppet rulers can go in for even more open rigging than the experts in the U.S. Thus Dzu's showing is all the more important.

Dzu and his friends are not Communists, of course, and they do not really represent the masses of Saigon any

That is why they got more votes between them than Thieu-Ky, in spite of their lack of sufficient organization, and their inability to dispense political favors or rig the soldiers' vote.

On September 21, they called on the U.S. "to cease its interference in South Vietnam's internal affairs."

This was not really equivalent to telling the U.S. to get out of Vietnam altogether. But that is how the masses must have interpreted it.

### THE "BUDDHIST" OPPOSITION

The New York Times observed editorially on November 10 that, "A widespread view in Saigon is that Mr. Dzu is being kept incommunicado precisely to prevent him from joining Buddhist and other leaders to organize an effective opposition."

The Times understands just as well as Thieu-Ky and the U.S. State Department that the word "Buddhist" is, in this case, a label for many tons of political dynamite, as well as dozens of effective booby traps for U.S. policymakers in South Vietnam. The "Buddhist" opposition is simply the most popular of the various bourgeois oppositions to the war.

Since then Premier Ky put down the mass Buddhist anti-U.S., anti-war movement last year, (with tacit U.S. help); many leading Buddhists have been in jail. But many others, although long intimidated, have been waiting to raise their heads the moment they could be reasonably sure not to get them shot off.

Dzu's ill-fated attempt to create a legal opposition, however, indicates that the climate is not right—that is, that the U.S. will not stand for such a thing, regardless of the sotto voce complaints of the New York Times and other bourgeois opponents of the war.

Continued on Page 8



Unarmed youths face guns and bayonets of puppet troops during one of the first large Saigon demonstrations against U.S. imperialist occupation.

paid soldiers to vote twice for them, their poor showing at the polls was a clear repudiation of the U.S. and the war.

### BOURGEOIS OPPOSITION REALLY WON!

Counting noses in the capitalist parliamentary arena can never by itself

more than the U.S. puppets do. They are just the home-grown exploiters, who don't have the inside track with the U.S. militarists, contractors, banks, etc. But for that very reason, they make some attempt to give voice to the aspirations of the Vietnamese people.

## Wallace Speaks (Behind Armor) Cleveland Militants Protest

CLEVELAND, Nov. 10—The appearance of Alabama Governor George Wallace was picketed tonight by over 100 angry protesters.

The demonstration, called by the Direct Action Committee of the Cleveland Area Peace Action Council, had been announced in a letter sent to Cleveland participants in the Oct. 21 Washington anti-war mobilization. The notice said in part:

"(the) ... arch-racist from Alabama ... is a candidate for President of the U.S. and he stated that if elected, he would throw all opponents of the war into jails. He and all his rabid supporters, who are the greatest enemies of the Black liberation struggle, are also against the Vietnamese fighting for self-determination."

Wallace has called opponents of the war traitors and "the scum of the earth."

Signs carried by the picketers labelled Wallace "Ku-Klux Klansman Without a Robe," "Wallace Is A Strike-breaker," and demanded "Stomp Out Racist Wallace." Placards signed by the Committee Against War & Fascism carried the slogan "Fight Wallace's White Power With Black Power." Demonstrators chanted "Wallace, Hell No!" "Down With Fascist Wallace," "Racist Wallace Go Home," and "Stop Wallace Now!"

The Wallace talk had been billed as a public meeting. Admission was denied, however, to Afro-Americans and to all long-haired or casually dressed whites.

A line of 40 helmeted Cleveland police in leather jackets stood between the demonstrators and the Public Music Hall entrances. Apparently under orders

from the Wallace sponsors, they used their batons to repel attempts to get in.

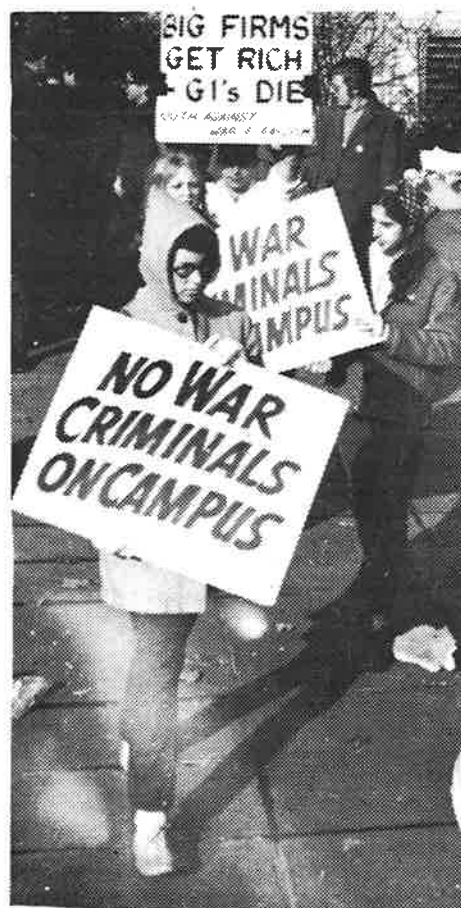
One Afro-American youth, Ron Lucas, a member of Blacks Against the Draft, was sprayed with "pepper gas" by the police when he tried to push past the baton barrier. Picketers coughed as the gas spread for a short distance. The youth was treated on the spot by a woman demonstrator who came prepared with eyedrops. The picket continued.

The closed-door policy of the meeting came in response to earlier demonstrations on two stops of the Wallace campaign tour. On November 8 at Akron, 50 Afro-American Akron University students disrupted the Alabama racist's delivery. The following night, a group of 100 at Toledo heckled Wallace continuously for 15 minutes. A fight broke out between Wallace-for-President supporters and the demonstrators after a police lieutenant interrupted the proceedings to read an Ohio ordinance. Nine arrests resulted.

Wallace, who has been accompanied on his tour by Alabama state troopers, spoke from behind a specially-designed armored podium, which covered most of his body. He promised his supporters in this city, where a Black man has just been elected Mayor, that he would come back in '68 and "stir something up politically in Ohio."

Hundreds of passersby on St. Clair Avenue saw the picket line, which dispersed at 8:15. A sound truck in front of the Music Hall, from which martial music and, later, Wallace's talk blared, carried the Confederate flag of slavery.

When the demonstrators left, the hated banner left with them.



City College students demonstrated and sat in to keep war criminals from Dow Chemical from recruiting students on campus, Nov. 13, despite punitive threats from the school administration, a previous police invasion of the campus and mass arrests and a heavy police guard for Dow recruiters. Police had to sneak Dow representatives in through a back door under escort.

## Dow War Criminals Promise To Confess-If They Lose!

"If history should later judge Lyndon Johnson as a mass murderer or another Hitler," says Herbert Doan, president of Dow Chemical Co., "then we too would gladly stand trial for having believed our country was moral."

This statement was made to Newsweek Nov. 13 when Doan complained, "It bothers us terribly to be smeared across front pages the way we are." Newsweek was most sympathetic to poor, maligned Dow.

How generous! After hundreds of thousands of Vietnamese (and an unknown number of GIs) have been burned to death or horribly mutilated by napalm the producer of this genocidal weapon agrees to debate the "legal" aspects of napalm use.

Agrees, that is, if his class loses the war and loses power. Because neither Mr. Doan nor Johnson nor any of the other accused war criminals showed up to present their case at the International War Crimes Tribunal held in Sweden last spring.

Yet, even Doan's hypocritical statement shows the impact of the anti-war movement. Doan has to accept the label of war criminal put on him and his fellow murderer-profits by the opponents of the war. Only he doesn't expect to ever really stand trial for his crimes.

But, Mr. Doan, neither did Eichmann!

### Whose Puppet?

The Political Committee of the UN General Assembly adopted a resolution today requesting United States military forces to remain in South Korea under the flag of the United Nations.

The resolution was sponsored by — the U.S.!



# Huey Newton Supporters Tell Cops Whole Community Will Protect Him

OAKLAND — Jim Nabors of the Afro-American Students Union told the press in front of the central police headquarters here: "Huey P. Newton will be protected by the Black community.... We intend to overthrow the police state by any means, including violence."

Leaders of five Black Power and anti-draft organizations had come to the police to demand that they free both Black Panther leader Newton and the anti-draft protesters arrested in the October 16-21 anti-war demonstrations.

They also demanded, according to the Berkeley Barb, that Police Chief Charles Gain "publicly confess that his

policemen provoked and assaulted Huey P. Newton and leaders of the Stop the Draft Week."

Newton is being framed in the shooting of two Oakland cops, one of whom, John Frey, subsequently died. Newton himself is in San Quentin Hospital, wounded and awaiting trial.

Representatives of the five organizations had marched through the streets to police headquarters, and there presented their demands in Chief Gain's office.

The groups were the Black Panther Party for Self Defense, the Afro-American Students Union at UC, the Soul Students at Merritt College, the

Black Union at San Francisco State, and the Steering Committee for Stop the Draft Week.

Black youth of the city are aroused over Newton's arrest and seem to be well aware of the frame-up character of the charges. Jim Nabors's statement hardly exaggerates the basic feelings of the community.

Newton had been stopped by a police car while driving, refused to get out of his car when improperly asked to do so, and then suddenly was confronted by another police car immediately called to the scene.

One of his attorneys, Beverly Axelrod, says he had a legal right not to

get out. The gunfire was obviously started by the cops in their frustration at his refusal to get out. Newton, if he shot them, fired in self-defense.

An official of the Panthers told reporters that "Huey had contacts with Frey before. Frey was rousting people. Huey pointed out to them that they didn't have to follow his orders. Frey didn't like that."

The statement of the five organizations said:

"We know Huey P. Newton to be a courageous leader in the struggle against oppression and, further, we know that, despite the long-standing and undeniable grievances that all Black people have against occupying forces like the Oakland police, Huey P. Newton would not have confronted cops in the manner described by the Oakland police.

"Our own experience with the same Oakland police strengthens our conviction that Huey P. Newton is a victim of police assault and is now being held as a political prisoner."



Members of the Black Panther Party for Self Defense as they paraded through the California state capital last May to dramatize the right of Black people to bear arms.

## Fight to Free Martin Sostre, Framed Black Leader, Continues

BUFFALO — The defense of Martin Sostre continues as this militant Black freedom fighter begins his fifth month in jail. Sostre faces 30 years imprisonment on a phony narcotics and assault charge. His real "crime," in the eyes of Buffalo's racist rulers, is that he made his Afro-Asian Bookstore an information center and an inspiration to the ghetto's rebellious youth.

The Martin Sostre Defense Committee has been engaged, since the frame-up, in disseminating literature about the case, and in raising money for his defense. Thousands of pieces of literature

were distributed and some money was contributed at a Nov. 9 meeting for Martin Luther King at Kleinhans Music Hall.

The film "Come Back Africa" was shown on October 26 at the University of Buffalo. The benefit was attended by 250 students and friends, and \$125 was raised from admissions and sales of African art objects.

Bail has now been lowered for the second time through Sostre's own efforts. It had originally been set at the astronomical figure of \$50,000 then lowered to \$25,000. Sostre conducted a survey among his fellow prisoners, then told the judge that none of the others, including those facing much more serious charges, such as murder, were subject to such a high bail. Martin Sostre has acted as his own attorney since the firm handling the case ran out under pressure. The firm has yet to return \$550 which it did nothing to earn. However, even that amount would not end Sostre's incarceration, since the current bail stipulations are for \$12,500 in cash or in mortgage-free property as collateral, and the judge is further demanding no fewer than six signatures for his release.

Sostre's supporters continue to find him in good spirits, despite the wretched conditions at Erie County Jail. Prisoners here, most of them Black, are put into solitary confinement nude. Friends can only see the eyes of the prisoner with whom they "visit," through a narrow opening. Sostre's visitors particularly are subjected to prolonged political interrogation by jail officials when they try to get permission to see him.

But Martin Sostre continues his struggle from behind bars and looks to the future. In a recent letter to the Defense Committee, he says that he is working on an application for a writ of habeas corpus to have the bail reduced, and that when he gets out:

"...one of the first things I am going to do is to establish a Defense Fund for Freedom Fighters in this area for both black and white activists who are framed up or jailed by the power structure for their activities or stand against oppression at home and abroad. We must protect our own, particularly now that the rising tide of protest and dissent against racial oppression, the unjust war in Vietnam and the drafting of our youth to make of them hired killers of innocent people--and to be killed in return--is bringing about greater repressive measures from the frightened but die-hard power structure."

Contributions may be sent to the Martin Sostre Defense Committee, P.O. Box 382, Ellicott Station, Buffalo, N.Y. 14205.

## — Right of Black People to Bear Arms

Continued from Page 1:

trial by jury of one's peers," the CORE leader asserted, "(we are going to test whether) 12 white men can be the peers of three Black men."

The realistic position of these leaders on the capitalist "legal process" shows that the forces which made the 1967 uprisings are not going to rely on the permission of the ruling class to bear arms, necessary as it is to fight the case in the courts.

The oppressed are going to assert that right, with or without the consent of the oppressor.

### Jones Convicted in Frame-Up

By ELLEN PEIRCE

MORRISTOWN, N.J., Nov. 6 -- An all-white jury took less than an hour today to bring in a guilty verdict against Black playwright LeRoi Jones and two co-defendants, Charles McCray and Barry Wynn, for alleged illegal possession of three pistols during the Newark rebellion (when thousands of National Guardsmen and cops, armed with tanks, machine guns and carbines

were sent into the Afro-American community of Newark).

Presiding judge Leon Kapp was so anxious to send Jones to jail that he couldn't even wait for sentencing -- set for Nov. 28 -- but summarily imposed a 30-day prison term on Jones for "contempt of court." This stemmed from an exchange earlier during the trial in which Jones branded the proceedings as a "kangaroo court" and told the court "You are my oppressors, not my peers." He had also used some earthy, but accurate, language to describe the frame-up against him and two associates.

As attorney Irvin Booker approached the judge to protest the contempt sentence, Kapp rapped his gavel and declared "Court dismissed."

The prosecution's case rested entirely on the word of five Newark cops -- whose versions of the arrests differed. Furthermore, they didn't even try to prove that the guns "found" in a car with the three defendants belonged to the accused. While police conceded that the defendants had been injured, they denied having beaten them.

The racist motives of the New Jersey authorities in trying to make an example of the militant Black author and his co-defendants were obvious.

District Attorney Zazzali told the jury, "Ladies and gentlemen, you have been demeaned by the trash brought into this courtroom. The defendants have used the courtroom as a forum to attack police.... Just say police are liars and you've got to call them beasts, animals and killers."

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## St. Louis Against Black Poor

ST. LOUIS, Mo. Nov. 6—Retarded child, 3-1/2 year old Willie Bardley, was taken off the Missouri State Welfare Disabilities. Mrs. Cora Bardley, the mother of four other children, says her welfare worker, Mrs. Nancy Lasper, told her they don't have a place for retarded Black children that young, but cut off welfare for this little boy. Mother of the child has called hospitals, institutions, and many places, but was turned down everywhere. She says, with all these organizations raising money for these children they won't do anything for her little Willie. She knows other Black mothers who are having the same trouble and their children have been cut off welfare also.

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Signed \_\_\_\_\_

Signed \_\_\_\_\_



# Highest Unemployment in 2 Years for Workers 80-Month "Boom", Record Profits for Bosses

By NAOMI WERNER

Unemployment reached its highest level in two years this October when it increased sharply for the second straight month, the Labor Department reported November 7. At the same time that unemployment was increasing, corporate profits were setting records for the third quarter of 1967.

According to the Labor Department figures, 2,951,000 workers were unemployed in October. (This, of course, is only the number Washington admits to. There are many more unemployed workers who have given up looking for jobs and therefore are not included in the statistics.) It was also disclosed that there was an increase of about 200,000 in the number of workers looking for jobs and only 5,000 new jobs available, i.e. for each new job available there were 40 new workers looking for employment.

As more and more workers are replaced by automated machinery, the ratio of jobs available to workers looking for jobs is falling. In September and October the number of jobs available declined by 88,000 while there was an increase of 300,000 in the number of workers looking for jobs.

The hardest hit by the increased unemployment are Afro-Americans, the most oppressed and discriminated against to begin with. While unemployment among white workers was 3.8 per cent, the rate of unemployment for Afro-Americans was 8.8 per cent,

or considerably more than double that for white workers.

Obviously, all the anti-poverty programs and "Great Society" hoaxes set up as a liberal front for the ruling class have not made the slightest dent in the crucial problem of unemployment for the masses. In addition, under the tremendous pressure of the Black rebellions in Newark, Detroit and more than 100 cities all over the country, the big corporations made a lot of noise about finding jobs for the oppressed. But the bosses can't give away jobs they don't have. They hire wage slaves for one reason alone—to make profits. And the bosses are getting their record profits without those 3 million unemployed workers.

While the workers were suffering the highest unemployment rate in two years, the corporations were not straining under any similar economic hardships.

Profits for the third quarter of 1967, July through September, went up steadily. In September and October alone unemployment increased by .5 per cent. (150,000 more workers out of jobs). But companies like General Motors, which reported profits for the third quarter of \$148,805,000, an increase of 49.5 per cent over the third quarter of 1966, didn't feel the pain at all. The Bank of America reported a 10.4 per cent increase in profits to \$33,442,000 and Chase Manhattan had a 9 per cent increase to \$26.5 million.

According to the Wall Street Journal of October 27, 499 corporations made profits of nearly \$4 billion in three months. This averages out to almost \$3 million per month (or \$100,000 per day), per company!

There were some notable exceptions to this average however. Standard Oil Co. of New Jersey did a lot better, hauling in profits of \$315 millions in three months. IBM set a record of \$1.36 billion in sales and profits of \$169,400,000 in the same period of time. And according to Time Magazine of October 27, Sears Roebuck,

the largest merchandiser in the U.S., said "the quarter could be its best in history."

Tens of thousands of youth have been "removed" from the work force to become cannon fodder and industry is expanding at break-neck speed to supply the war machine and newly conquered markets.

Yet the reserve army of the unemployed is growing once again. And while the bourgeoisie boast about 80 month "boom" there has been no such "boom" for the working class.

## Why YOU Pay Taxes And an Oil Company Doesn't

While Lyndon Johnson is trying to get a 10 per cent tax increase to stave off inflation and save the country from attack by Vietnam, here's something to think about:

The General American Oil Company had an income of \$25 million in 1966. That's chicken feed for an oil company, of course. But wait.

This company only paid \$11,331 in federal taxes on all that money.

If you paid taxes at the same percentage on your total income and your total was \$5,000, your tax for 1966 would have come to \$2.27.

Or if you made \$10,000, your tax

would have been \$4.53.

The reason General American — and a lot of other oil companies — have it so good is that there is a 27.5 per cent oil depletion tax-credit given to them when they take the oil out of the ground.

The natural wealth that has been there for so many ages is being depleted by the oil barons and taken away from future generations. So they get a tax bonus — the oil barons, that is, not the future generations.

Seriously, the idea is that the source of their wealth is perishable and will eventually dry up and therefore they should pay less taxes than companies that make their money more directly out of the people, rather than the people's land (originally). People can always be replenished by other people when they quit or die. But not oil.

It may seem unfair that an ordinary hard-working person has to pay a hundred or more times, proportionately to his income, what the General American Oil Company pays in taxes. But look at it this way: what will happen to the company when the oil wells run dry?

Human beings, unlike oil wells, have the power to reproduce themselves. And if one worker fails to have any children, another worker has two, or perhaps more. You couldn't honestly give a depletion allowance to working people.

A young man may end his life suddenly, while fighting for General American Oil in Vietnam. But his family lives on. His children, if he has any, can get a job working for the company. And if the company goes broke, they can always get a job somewhere else. As long as they're still breathing, they can make money.

And you can't say that about a little oil company that only gets \$24,898,669 clear profit in one year after taxes. When the oil is gone, that's it. That's all there is; there isn't any more. — Satisfied?

not been given to the jury, for his own end, interpreting this material in a highly prejudicial manner.

And he told the jury that even people opposed to the war have an obligation to serve and obey.

At 3:15 the jury was finally sent out to find their impartial verdict. But as the defendant's supporters now poured in to fill the seats in the court, the jury had to be brought back. The judge in his concentration on getting a hanging had forgotten to excuse the alternate juror and there were thirteen in the jury room.

With this taken care of, the jury went out again. In fifteen minutes they returned with the guilty verdict.

The judge then invited them "to meet the court" in his chambers.

The sentencing will be at 10 a.m., December 15. The penalty can be as much as five years in prison.

## Hanging Judge and Stacked Jury Convict Oquendo in Fifteen Minutes!

NEW YORK — Edward Oquendo has been convicted of refusing to report for the draft. The verdict against the young Black anti-war activist, a member of Blacks Against Negative Dying and Youth Against War & Fascism, who has firmly and publicly refused to serve in the U.S. war of aggression in Vietnam was brought in by a jury of 11 grey-haired whites and one middle-aged Black juror at twenty minutes to three on Monday, November 6, after presiding judge J.C. Zavatt had lectured them for one hour and fifteen minutes on why they should find the defendant guilty. It took the jury fifteen minutes to bring in the verdict — just enough time to get rested and take a vote.

The burden of Ed Oquendo's legal case against the draft rests upon the contention that it is being used unconstitutionally since the "war power" (Article I, Section 8 of the Constitution) is limited to providing for the common defense. Nowhere in the fundamental law is there authorization for waging aggressive war." This restriction also applies to the raising of armies. Therefore it is illegal to use "the draft to raise armies of aggression."

Another chief point in the legal brief (rejected by the court) which was prepared by the militant Black youth, together with his attorney Conrad Lynn, is opposition to U.S. war crimes. "... it is impossible," reads section 3 of the brief, "for the United States to answer the noble New Year's message of Ho Chi Minh... directed to the American people at year's end in 1966:

"The Vietnamese and American people should have lived in peace and friendship ... but the United States government has brazenly sent over 400,000 American troops along with thousands of aircraft and hundreds of warships to wage aggression against Vietnam.

"Night and day it has used napalm bombs, toxic gases, fragmentation bombs and other modern weapons

to massacre our people, not sparing even old persons, women and children. It has burnt down or destroyed villages and towns, perpetrating extremely savage crimes..."

Throughout the week of the trial supporters of the defendant appeared in growing numbers. On Tuesday they staged a picket line in front of the court house, circling in front of the main entrance to the new, marble-plated



Ed Oquendo outside Federal Court Building in Brooklyn after his conviction.

Brooklyn Federal Courthouse with signs condemning the war and the draft. It was learned that employees in the courthouse were barred from the area of the picket line.

The trial was begun Monday, Oct. 30 with great speed after the appearance of an article in Esquire on Black militants by William Worth which featured an account of Mr. Oquendo's defiance of the draft. Judge Zavatt, a pompous, lecturer-type, protested against any delay on the first day of the trial, sending for prosecution witnesses to clear up matters that might have been postponed and keeping the court in session until 5:30 p.m. The jury was rapidly chosen on Tuesday and on Wednesday

the presentation of evidence was completed.

Then suddenly the judge decided delay was in order, postponing the next session until Friday and then delaying his charge to the jury until Monday at 10 a.m.

With dozens of supporters of Mr. Oquendo on their way to court Monday morning, Nov. 6, the judge (at about 9:30) postponed the session until 2 p.m. that afternoon in an obvious attempt to discourage the presence of these rows of unfriendly eyes in his courtroom. In the afternoon he ordered the doors of the courtroom locked at a minute or two before 2 o'clock, barring most of these spectators. He then charged the jury for exactly one hour and fifteen minutes.

In his charge to the jury, Zavatt pounded the theme that theirs was not to reason why, theirs was merely to find the defendant guilty. He hammered home the idea that the verdict was not to be based on any consideration of the rightness or wrongness of the war, nor of Mr. Oquendo's objection as a Black man to fighting the colored people of Vietnam. During the presentation of evidence the judge had refused to allow the presentation in evidence of Mr. Oquendo's letter to the draft board explaining his refusal to serve because it was a war of aggression.

Only a few months before in the same courthouse, two trials of a Black draft resister, John Prince, had ended in hung juries, reflecting mass opposition to the war. The outspoken letter of Mr. Oquendo which strongly denounced the war apparently seemed to the judge too dangerous a document to be revealed to the jury. The judge feared that even this middle-aged jury of stolid conservatives, who appeared to have been handpicked for a hanging, might be susceptible to the anti-war infection.

Yet in his charge to the jury, Zavatt referred to the barred letter and exploited it and other evidence, which had



# - Black Defiance in the Navy

Continued from Page 1

the people under its command. Instead, this command has been unfair and unjust to the people under its authority.

Disgusted with the racism practiced here, I decided to use every legal aspect to help diminish the injustices.

Being that the complexities of this problem are very lengthy and involved, I will give a short summary of some of the important events and hope to elaborate at a later date on this campus.

In early August, I wrote the following on a voluntary statement obtained at the security office here:

"We hereby state that this United States Naval Hospital, San Diego, Calif. does practice discrimination and has infringed on the constitutional rights of the African-American subject to law of this installation.

"We feel the federal government has not done its job in practicing the law of the land and we as subjects of the federal government, specifically of this command, have suffered most from injustices practiced at this Naval Hospital."

Under this statement I obtained thirty five signatures from Army, Navy and Marine and civilian personnel.

A copy of this statement was submitted to the security office which is normal routine. This statement apparently reached the commanding officer.

Several witnesses of the statement were called in to several offices of

high authority but I will concern this instance to the commanding officer since he is that.

Rear Admiral H.D. Warden MC, U. S. N., commanding officer, immediately called in some of the witnesses. Instead of truth being sought which was the common thought, these people were harassed and subject to abusive language. These people were forced, threatened and promised action unless they reacted to the admiral's demands. The alternative was, retract their names from the statement, or face being sent to Vietnam or a court-martial. I have written, documented proof of this.

I have been questioned by the administrative officer, security officer, four hours of interrogation by naval intelligence, and one of those long do-not-do-it talks with the head chaplain. Also, I was given a direct order by the admiral to stop handing out an official press release exposing the truth of the situation which he labelled "inflammatory material."

I was told by the administrative officer (third in command) to submit a special request for release from active duty if I was not happy with the navy which I immediately did and was planning to do anyway.

I wrote a three-page statement concerning my reasons for release from active duty and two small parts were abstracted to use as evidence for charges against me. They are as

follows:

1. I will fight this country in every legal way possible until the time when a full scale revolution begins to wipe out the greatest hypocrites of all time lead by a cowboy and a gang of tricksters.

2. I am stationed at the United States Naval Hospital, San Diego, Calif. which is lead by one of the most corrupt administration I have ever witnessed. The commanding officer

is the most educated-type vagabond in existence in this country.

The charges respectively are:  
1. Disrespect to the President of the United States, Art. 134 U.C.M.J.

2. Disrespect to the Commanding Officer of this command, Art. 89 U.C.M.J.

After all this I have not even mentioned the discriminatory acts practiced here. I hope to elaborate on this later at this campus. Also, I hope to cite the games played here to side step the whole situation.

"America is the leader of the free world." (signed) Edward R. Lynn

VOLUNTARY STATEMENT

FORM GEN-3011/1 (10-61)

0190-060-1100

STATEMENT OF (NAME AND ADDRESS)

Concerned People

United States Naval Hospital, S.D., Cal

ARMED FORCE

All individuals

CASE CONCERNING

RANK/RATE

Discriminated Peoples

SERVICE NO.

I have been advised of my rights under Article 31, Uniform Code of Military Justice, and I understand that I am under no obligation to make any statement whatsoever regarding any offense of which I may be accused or suspected, and that I cannot be compelled to answer any questions that might incriminate me. I further understand that anything I may say or write can be used as evidence against me if I should be tried by court-martial. No force, coercion, threats or promises have been used or made to induce me to make a statement. I freely and voluntarily make the following statement:

We hereby state that this United States Naval Hospital, San Diego, Calif. does practice discrimination and has infringed on the constitutional rights of the African-American subject to law of this installation.

We feel the federal government has not done its job in practicing the law of the land and we as subjects of the federal government, specifically of this command, have suffered most from injustices practiced at this Naval Hospital.

Edward R. Lynn  
Wallie Biggs  
H. H. Grant  
Ellen M. McNeil  
William A. Ashkin  
Sue Daniels  
Barney Ray Rice  
Roy Edwards Morley  
John M. Fowler  
Walter H. Moore Jr.  
William P. Ral  
Robert H. Hedberg  
William D. Smith  
Billy J. Catron  
R. O. O'Leary  
H. L. Smith  
Pharos Stove  
J. W. Bull  
Dane S. Geller  
Gunn Wright  
Paul J. Smith  
S. J. Smith  
W. J. Smith  
T. Bone  
Paul Scott Jr.  
H. L. Smith  
Barney Ray Rice  
Chris S. Donahy  
Robert S. Chastain  
Richard Allen Hansen  
R. D. Smith  
Sheila Smith  
W. J. Smith

## GIs' Loss Is General's "Victory"!

After three nights of fighting six miles southwest of Dakto, South Vietnam, in a battle which General William C. Westmoreland characterized as a "severe set-back for the Communists," Company A of the Fourth Infantry Division returned to Dakto, badly beaten and exhausted.

"We came up here last week with 142 men," said the company commander. "We have 60 men left now."

According to the New York Times report of November 10, "Nearly 20 infantrymen have been killed—eight of them last night—and the others wounded, in ambushes and attacks along a heavily wooded ridgeline five miles east of the Cambodian border."

When the company was finally evacuated by helicopter to Dakto, the dazed and somber GIs had to be helped to the

ambulance jeeps by their buddies. One distraught soldier sitting in a medical tent an hour later said, "All I remember is artillery and bodies all over. Oh God, I don't know what's happening any more."

Perhaps this stunned GI was confused, but General Westmoreland, safe in Saigon, was as calm and collected as could be when he told reporters of his "first-hand" survey of the situation at Dakto.

"I believe the Communist forces have suffered a severe setback in their plans for operating in the Dakto area."

Perhaps the soldiers lucky enough to have survived the gruesome three-night battle to which the brass sent them would not agree with Westmoreland—but then—as often happens—the GIs loss is the General's "victory!"

## - Saigon Opposition

Continued from Page 5  
THE CATHOLIC "OPPOSITION"

The opposition to the U.S. is also demonstrated in the way the senatorial elections had to be rigged and in the way the masses responded, insofar as their votes were fairly counted, or insofar as they could vote without being intimidated or brainwashed.

At first glance, the composition of the Senate would seem to prove that the senators were simply hand-picked by the most powerful factions of the South Vietnamese puppet rulers. And the marvel would seem to be how an "election" could so faithfully duplicate the relationships already on top without changing more than the slightest nuances of puppet rule.

Actually, many opponents of the Thieu-Ky machine did get in, but none of them appear to have anything in common with Dzu, and they are nearly all right-wing opponents. Moreover, out of 60 elected senators, 35 are Catholics, and the country is 85 per cent Buddhist.

How, then, could the election have proven anything about the true feelings of the people?

First, it must be understood that the rigged election laws prevented any slate from proposing more than ten candidates. Second, two of the most popular Buddhist slates were ruled off the

ballot by the Central Election Committee. Third, of the remaining groups who might be anti-Ky (all openly anti-war groups were illegal), none were nationally known.

In the one case in which the voters could express their real feelings, al-

### LBJ & Saigon Poll Watchers: He Lied, They Swore To It



though in a very muffled way, they did it by giving the overwhelmingly highest vote to the slate of the man who was most known for helping to organize the overthrow of the hated Ngo Dinh Diem!

This ticket, led by retired General Tran Van Don, also had the endorsement of South Vietnam's biggest trade union organization. But the ten new senators of this group are, of course, pretty conservative, although perhaps

not open servants of the United States.

Three Catholic parties came in second, third, and fourth to provide 30 senators or half the body. Another Catholic party came in fifth (which would give the Catholics two-thirds of the senate) and the government at first challenged its election, under popular pressure, later accepted it.

"Most of the Catholic senators,"

leader of the Catholic Greater Union Force, described by many as a "neo-fascist youth group."

This slate, like at least one of the other Catholic groups, is opposed to Thieu-Ky and wants a still more relentless prosecution of the war. Its vote was 598,000 as opposed to 978,000 for the anti-Diem slate mentioned above, but due to the election rules, it has the same representation in the Senate.

Ironically, the Bright Star slate, like the other Catholic slates, is strongly pro-Diem and regrets that Diem was overthrown—ironically, because those who actually participated in the overthrow got the biggest vote!

The other two Catholic slates have members actually identified with the Diem regime and the fourth, whose election was at first ruled out, includes no less than seven former officials of Diem's government.

The warhawks in the U.S. have been regretting that they ever kicked Diem out and at least half the State Department is undoubtedly conspiring to get the Diem group back in, because they figure that a totalitarian control over the masses is necessary for conducting this fascist-type war.

But the difficulties they are having in doing this arise not from the "liberalism" of the so-called "dove" faction among the imperialists, but from the foot-dragging Vietnamese bourgeoisie. And this in turn, is due, in the long run, to the almost universal opposition to the U.S. occupation by the Vietnamese masses.

### DIEM'S SUCCESSFUL ORPHANS

One of the Catholic groups, the "Bright Star" slate, specifically representing the Northern "refugee" group is led by Nguyen Gia Hien, an extreme right-wing engineer and a