

STATEMENT OF DHORUBA BIN WAHAD (3/15/90)

For every waking hour for the last 19 years, I have had to live with the inhuman consequences of the government's Counterintelligence Program which targeted the African-American community. The mean-spirited and racist Manhattan District Attorney's office has done everything in its power to keep me in prison for the rest of my life. They have suborned perjury, destroyed evidence, suppressed statements which would have undermined their prosecution, shrewdly manipulated the biases of the judiciary, vilified me in the media and kept all these actions from the public for 19 years. It is abundantly clear that had there existed a death penalty, the Manhattan District Attorney would have framed me and buried their misconduct with my body. White middle America would not have batted an eye.

I am convinced that after 20 years of racist persecution, the State and its agents will continue in their efforts to "neutralize" me through murder or re-imprisonment.

Justice has eluded me for almost two decades of political imprisonment. I have endured human rights violations by the racist correctional system, endless court battles and have witnessed the destruction of my family and the death of my comrades. Yet I have not grown bitter. All situations in life are tests to bring out the real and the false. My survival is a testimony to a certain reality--the reality of the majority of African-Americans--a reality that says the American dream is based upon half truths, deceptions and the perversion of the American spirit.

Name: Dhoruba Bin Wahad (R. Dhoruba Moore)  
Date of Birth: June 30, 1944  
Nationality: Afro-American  
Incarcerated: Eastern Correctional Facility, Napanoch,  
FREED - March 22, N<sup>Y</sup> 1990

SS #- 076-34-3735"

### I. LEGAL CASES

Arrested: June 5, 1971 in the Bronx, N.Y. during an expropriation of a social club patronized by drug merchants.

First Case: New York State Supreme Court, Bronx, N.Y.

Charges: Robbery. Charges stemmed from an attempted expropriation on June 5, 1971 by the Black underground of an after hours "social club" which was, in reality a "hang out" for drug merchants in the Black community in the South Bronx.

Disposition: Convicted in August, 1971 of robbery.

Sentence: Seven Years.

Co-defendants: Edward Joseph, Butch Mason, Augustus Qualls.

Case Status: Term was consolidated with Case #2 below and maximum has already been served.

Second Case: State Supreme Court, New York County (Ind. 3885/71, People v. Richard Moore)

Charges: Two counts of attempted murder of police officers. Indictment charged that Dhoruba was responsible for the shooting of two police officers in New York County on May 19, 1971. This shooting was claimed by the Black Liberation Army (BLA). Dhoruba was arrested on June 5, 1971 (see case #1 above) and due to his leadership in the Black Panther Party was framed for the May 19 shooting (see "Case Status" below).

Disposition: After three trials, convicted of two counts of attempted murder.

Sentence: 25 years to life imprisonment

Attorney: Robert Bloom

Prosecutor: Terrance O'Reilly

Parole Eligibility Date: June, 1996

Mandatory Release Date: None

Case Status: After direct appeals were denied, a lawsuit was filed in United States District Court for the Southern District of New York charging that Dhoruba was targeted in the FBI's

counterintelligence program (COINTELPRO) and framed for the May 19, 1971 attack due to his leadership in the Party. See Moore v. FBI, 75 Civ. 6203 (MJL) (USDC/SDNY) As the result of this lawsuit, over 300,000 pages of documents have been released showing that the FBI targeted Dhoruba for "neutralization" under COINTELPRO and that a myriad of counterintelligence operations - spurious notes, rumor spreading by informants, manipulation of the media, and false arrests - were utilized against Dhoruba and the BPP as a whole. For over ten years attorneys attempted to secure undeleted copies of FBI files on the criminal case. These were provided in 1987 and show, inter alia, that the key witness against Dhoruba gave prior, recorded statements contradicting her trial testimony and exculpating Dhoruba in the police shooting. Contrary to New York State law, these documents were not provided to the defense. In March, 1989, Justice Peter J. McQuillan of New York State Supreme Court found that had these documents been disclosed, this witness would have been "successfully impeached" at trial, i.e. her credibility destroyed. However, based upon a legal technicality, he refused to grant Dhoruba a new trial. This ruling is currently under appeal and a ruling is expected in January, 1990.

## II. Human Rights Violations Since Incarceration

Due to space limitations, a full list of the violations during Dhoruba's 18 years in prison is not possible. However, at all times he has been incarcerated in maximum security prisons often in remote sections of New York State. He has been transferred from prison to prison at least one dozen times. Of the 18 years he has been incarcerated, approximately 7 have been spent in solitary confinement under brutal, inhumane conditions. A few of the most notable violations follow:

1974: Dhoruba is placed in solitary confinement for taking part in a Black Solidarity Day event at Comstock prison.

1976: Dhoruba is transferred from Green Haven prison to Attica prison for successfully organizing a Black Studies program at the former prison.

1979: Transferred from Green Haven to Clinton and placed in the notorious "Unit 14" isolation unit after assuming a leadership role in an inmate organization demanding reform of sentencing laws.

1986: Having embraced Islam, he attempts to lead a struggle against the racist harassment of Muslim prisoners at Green Haven prison and is transferred to Comstock prison. At Comstock, Dhoruba is elected as information officer of the Muslim Mosque. He is "set up" on false internal disciplinary charges and transferred to Clinton prison and placed in the "box" (solitary) for over one year.

1987: Dhoruba is elected Imam of the Mosque at Sullivan Prison. After being attacked by another inmate in the yard (viewed as another set up by the jail) he is involuntarily placed in segregation for his "protection" for eight months. Only under

threat of a federal injunction do prison authorities transfer Dhoruba to another prison and return him to general population.

### III. BIOGRAPHY

Dhoruba Bin Wahad was born Richard Moore to a working class family in the Bronx, N.Y. As a youth, in the 1950's he was a member of youth gangs in the Bronx, all of which succumbed to the drug plague of the early 1960's. Dhoruba himself went to prison on a five year sentence in 1962 and that is where he initially became politicized. After his release in 1967, Dhoruba learned about the civil rights and Black power movements and after the assassination of Martin Luther King became active in the Black movement in New York City.

In August, 1968, Dhoruba joined the Black Panther Party in New York, working in its programs of community control of the institutions controlling Black peoples' lives. By early 1969, he rose to the rank of "Field Secretary" and was responsible for organizing BPP chapters throughout the east coast. At the same time, he became the subject of intense police and FBI surveillance and counterintelligence operations and was placed on the FBI's "Security" Index, a list of those warranting immediate political internment.

In April, 1969 Dhoruba was arrested, along with the rest of the leadership of the NY BPP on conspiracy charges. After the longest trial in New York history each of the "Panther 21" were acquitted of all charges in May, 1971. Meanwhile, however, FBI counterintelligence operations intensified, and Dhoruba, as a Panther 21 member on bail, became a major target. By early 1971, he had to flee New York and join the underground due to FBI-created factional violence in the Black Panther Party. He was arrested in the Bronx in June, 1971 and due to his notoriety in the BPP, was framed for an offense he did not commit.

Dhoruba is married and has three children.

# STRATEGIES OF REPRESSION AGAINST THE BLACK MOVEMENT

by Dhoruba Moore

**T**he first year of the new decade drew to a close filled with dread and pregnant with hope. There is dread in the realization that white America rushes headlong toward the abyss of the reactionary right, and hope in the promise of renewed mass black action. The spectre of anxiety torments the national black community. Unemployed brothers mumble on countless ghetto stoops that things are bad for black folks once again (as if "things" have ever been otherwise) while media-hyped "black moderate leaders" wring their hands in despair afraid that the consciousness of the mythical grass roots will outstrip their opportunism.

Today, even as murderous urban police armies hold in terroristic check the seething frustration within the ghetto colonies, and spiraling inflation and unemployment force reevaluations in the political counsels of black folk, survival impels us to take a hard look at how a prior decade began and a previous era in our arduous struggle for liberation came to a close.

Many people claim that the militant struggles of the 60's ended when the more blatant symbols of racist domination crumbled under the onslaught of the civil rights movement. Still others, bitter with cynicism of unfulfilled idealism, mock the black revolutionary upsurge of the 60's and claim it died at the hands of its own rhetoric. But the truth has yet to be told. The popular struggles of black people in the 60's and early 70's did not die of their own

successes or failures. In reality these struggles were destroyed by the racist U.S. government and those in league with it—black and white.

This is not to say that within the black movement in general and the Black Panther Party (BPP) in particular, there were no ideological, social, class or personality differences. However, the focus of this article is not on these differences but on the government's repressive strategy to destroy the militant black movement.

As the 60's ended, calculated U.S. government repression of the black liberation movement reached its zenith. This vicious repression was accompanied by increased cooptation and control over "moderate black leaders" and their organizations, along with brutal murder and imprisonment of militant black nationalists. This carrot and stick approach was spelled out in an FBI memo of March 4, 1968 from the late FBI director, J. Edgar Hoover to 41 field offices expanding the government's Counter Intelligence program (COINTELPRO) against the black movement. Hoover's intent was:

To prevent the coalition of militant black nationalist groups which might be the first step toward a real mau mau in America.

and:

To prevent groups and leaders (nationalists) from gaining 'respectability' by discrediting them to the 'responsible' Negro community, to the white community and to Negro radicals...

COINTELPRO, as implemented by the

U.S. government against the black movement, was a domestic war program. Its objective was not merely the destruction of black nationalist groups as such, but the total negation of a subjugated people's historical claim to national self-determination. In this sense COINTELPRO was a domestic war of national suppression.

From the introduction of the first chattel slaves into North America until the present, American society has always had as its fundamental interest the complete negation of the historical personality of African people in North America. The strategies of repression aimed at the black liberation movement in the late 60's and early 70's were operational expressions of this reactionary interest in negating the human rights of 30 million black people.

### COINTELPRO: The Carrot

The Counter Intelligence Program was shrewdly implemented in order to destroy the black movement in the U.S. It was a multi-level program of disruption, spanning the nation and reaching its nefarious tentacles into other countries in Africa, Europe and the Mid-East. One key strategy of COINTELPRO was the "carrot and stick" approach, a socio-political "Mutt and Jeff" game played upon black people in the most cynical and racist fashion imaginable.

In order for any carrot and stick strategy to work one must first have "carrots" in the form of money, notoriety and social acceptance. Next, one must have rabbits who subsist on a diet of carrots. The rabbits, of course, were so called "black moderate leaders." U.S. government's COINTELPRO operations consistently capitalized on the black bourgeois aspirations of "moderate" black leaders and their organizations in order to subvert development of mass black nationalist consciousness. Moderate groups such as the

NAACP and Urban League along with leaders such as Whitney Young, Vernon Jordan, Bayard Rustin, were consistently and covertly bolstered by the U.S. government, in preference to militant nationalist organizations, like the Student Nonviolent Coordinating Committee (SNCC) and the Black Panther Party, which were rabidly attacked, mutilated and isolated.

Illustrative of the relationships of the times was an FBI Airtel dated September 24, 1968 from the Pittsburgh field office to Bureau Headquarters regarding Whitney Young, then Executive Director of the National Urban League.<sup>2</sup> According to this Airtel, Young visited Pittsburgh on September 17, 1968 in order to press for a \$300,000 a year grant from the Mellon Foundation. This grant was purportedly for an Urban League project to "create black middle class leaders." Before approving Young's request, however, the Mellon Foundation ayailed themselves of FBI guidance, asking them (FBI) to advise the Foundation of Young's pedigree.

Subsequently, the FBI noted on October 23, 1968 that not only had the Bureau previously used the Mellon Foundation in a successful COINTELPRO operation which resulted in denial of a \$150,000 grant to a black nationalist group (believed by this writer to be SNCC), but that Whitney Young was an FBI "liaison source and very freindly toward the Bureau."<sup>3</sup> The October 23, 1968 memo went on to state the true aim of the FBI:

If this grant goes to a moderate group such as the Urban League, the moderate groups influence will be boosted in the Negro Community to the detriment of extremist groups.

Then on October 24, 1968 Bureau headquarters granted permission to the Pittsburgh field office to advise its "confidential source" within the Mellon Foundation that Young was a safe bet stating that "no information has been received that Whitney Young is involved in black



nationalist extremist activities." Additionally, Bureau headquarters instructed its field office to... "be alert to the possibility of expanding this operation through any contacts your source has with other foundations. Possibly your source could be used to insure black nationalist extremist groups in other cities are not funded by charitable foundations."<sup>4</sup>

Due to the historical nature of black oppression and domination in America, black "leadership" has traditionally been vulnerable to racist control and manipulation as utilized under COINTELPRO. By no means were the Urban League and Whitney Young the sole culprits engaging in neo-colonial activities. It must be stressed that "moderate" leaders like Whitney Young, Vernon Jordan, Benjamin Hooks, Jesse Jackson and Bayard Rustin and the organizations they represented derived their influence from their liaison to reactionary ruling circles and the major political parties. As a result such "leaders" are objectively in a very precarious position, one that forces them to wittingly or unwittingly play the role of neo-colonial critic and apologist for the system.

An additional aspect of the COINTELPRO strategy of repression was the wide spread government manipulation and utilization of the mass media. COINTELPRO used the mass media to simultaneously bolster "moderate" black leaders and their programs while publicly portraying black nationalist leaders, their groups and ideology as white-hating and violent.

A small, but insightful example of COINTELPRO manipulation of both the black media and "moderate" groups was the government's anonymous circulation of an NAACP editorial which appeared in that organization's publication, *The Crisis*. This editorial condemned black militancy and black nationalists. Realizing the disruptive potential of such a criticism, the

FBI on January 7, 1969, sent copies of the NAACP's sanctimonious denunciations to at least 21 cities for distribution to "responsible" black leaders and the black press.<sup>5</sup> These types of COINTELPRO activities occurred daily on a multitude of levels and in every major city with a resident black population. Their cumulative effect upon the black movement was stultifying, driving insurmountable fears between the militant wing and the reformist wing of the black movement, rendering both ineffective. These fears and divisions exist to this very day.

Nor was the U.S. government reluctant to employ its disruptive techniques and media manipulation to cover vicious police attacks upon the black movement. On September 30, 1968 FBI headquarters instructed its field offices to step up their counter-intelligence operations aimed at destroying the Black Panther Party.<sup>6</sup> By early 1969, the Black Panther Party was the primary target of U.S. government COINTELPRO repression accounting for fully 80 percent of the disruptive operations aimed at the black movement.

In April of 1969 the main leadership of the New York Black Panther Party was arrested on absurd bomb conspiracy charges. That following month the Chairman of the Black Panther Party, Bobby Seale, was arrested and indicted for the murder of a police informant in New Haven. During the same summer several Black Panther Party offices in various cities were attacked by police armies. In Los Angeles the L.A. police laid siege to the local Black Panther Party (BPP) headquarters in a foiled attempt to murder local BPP leadership. Then on December 4, 1969, the Chicago police, upon FBI instigation, raided a Panther apartment during the pre-dawn hours, killing the Chicago BPP leader, Fred Hampton, in his sleep and BPP captain, Mark Clark.

The FBI intensified its COINTELPRO

manipulation of the media in an effort to justify the vicious police attacks on the BPP and to further isolate the black nationalist movement.' The FBI supplied its media sources with the "criminal" records of BPP members victimized by local police repression. At every turn the FBI planted derogatory stories about the BPP in particular and black nationalists in general. These covert actions resulted in black middle class fears of the BPP.

The complete effect of COINTELPRO's disruptive propaganda upon the nationalist movement may never be known. What is known, however, is that for the most part, the black middle class and "moderate" black leaders and groups failed to support those militant nationalist groups repressed by the U.S. government. This failure was manifest in the courtrooms of political trials where black lawyers were conspicuously absent in the defense of black nationalist political prisoners. The divisive effect of COINTELPRO was also evident in the streets where so-called "black moderate groups" absented themselves from support work around the repression of the BPP.

To this very day the successes of COINTELPRO are blatantly in evidence. Many black political prisoners languish in prison with little or no support from so-called "moderate" black groups and leaders. The black middle class interests and its often myopic politics that COINTELPRO capitalized on to divide the black movement haunt black people today in the form of incorrect strategies and social practices.

**I**n addition to playing upon existing class antagonisms, the harassment, covert actions and deceptions COINTELPRO unleashed upon the black movement poisoned the atmosphere of the black community and its perception of the issues, creating a negative climate that affected the attitudes of even progressive groups.

An example that comes to mind is a petition submitted by the National Conference of Black Lawyers and a coalition of church and anti-racist groups to the United Nations Commission on Human Rights, dated December 11, 1978. The petition's listing of Political Prisoners mainly dealt with "safe" cases of political repression, that is, with those cases of essentially passive victimization or spontaneous reaction to incidents of blatant racism or sexism. Even ones that would not normally fall into this "Scottsboro Boys Syndrome" are handled in such a way as to rob the political prisoner of his or her nationalist politics.

On a more pragmatic level the above mentioned petition blindly ignored the work of political prisoners like Anthony Jilil Bottoms who, two years prior to the NCBL petition, called for a National Campaign to place the plight of U.S. political prisoners before the U.N. Jilil Bottoms was not even mentioned in the NCBL petition, nor were any of his 25 Black Liberation Army comrades presently languishing in prison, with the exception of Assata Shakur (Joanne Chesimard). This is typical of the often blatant disregard practiced by so-called "moderate groups" towards past victims of COINTELPRO who were active in the militant wing of the black movement. Hence, the vicious repression of the 60's remain to haunt us to this day.

#### COINTELPRO: THE STICK

A fundamental contradiction within the black movement of the 60's was the question of armed self-defense and armed struggle versus passive resistance and non-violence in the process of black liberation. COINTELPRO found fertile ground for divisiveness in this question, and their carrot and stick strategy fitted perfectly into the debate over "violence or non-violence" as a tactic of black liberation.

Basically, those groups who advocated self-defense and armed resistance to tyrannical



ny received the "stick" end of COINTELPRO, while those who advocated non-violence and collaboration with oppression were fed the "carrot" of COINTELPRO cooptation. While it is not the intention of this writer to debate the merits of armed resistance to tyranny versus non-violence, it is of the utmost importance that the reader grasp the essential fact that white status quo power has always had an interest in discrediting the idea of black organized force coupled with independent black power. It should come as little surprise, therefore, that today's political prisoners come from the ranks of the black movement that were administered the "stick" of government repression; conversely, those coopted by the carrots of COINTELPRO have a vested interest in maintaining the isolation of most black political prisoners who have advocated organized armed force as an essential ingredient in the black liberation process.

When the government's COINTELPRO operations were publicly exposed in 1971\* a more vicious campaign was initiated against the militant wing of the black movement. This new campaign was necessitated by not only the public exposure of COINTELPRO, but also by COINTELPRO's success in dividing the Black Movement and especially the Black Panther Party. The new campaign was titled "NEWKILL" and assumed the guise of an intense nationwide investigation into the shooting of policemen in major urban areas.

It is important at this point to note that not all covert repressive actions carried out by the U.S. government against the black

movement came under a COINTELPRO caption. The Senate Select Committee on Government operations, which investigated the activities of the U.S. intelligence community, emphasized in its report that there exists a large grey area between "counter-intelligence" and "aggressive investigation". Referring to the alleged termination of COINTELPRO in April of 1971, the Senate Committee stated:

aggressive investigation continues, and may be even more disruptive than covert action. An anonymous letter (COINTELPRO) can be ignored as a crank; an overt approach by the Bureau (FBI investigation) is not so easily dismissed.

The FBI's "NEWKILL" investigation falls within this "grey area" despite the Bureau's classification of it as a "criminal" investigation. NEWKILL began where COINTELPRO left off.

Another point to emphasize is the use of the courts and prosecutorial agencies of the state for political repressive purposes under the guise of criminal prosecution. Practically every political trial in the U.S. was essentially propagated by the U.S. government or state governments as mere "criminal" trials. The criminalization of cases involving black political prisoners is the U.S. government's way of avoiding the ramifications of political suppression of black people's national rights. It also is a trick designed to isolate those placed on trial from widespread public support. NEWKILL was the public criminalization of the black resistance movement and could not have succeeded if COINTELPRO had failed to divide the black movement.

The increasingly militant mass struggles of the late 60's and 1970 were being met by increased levels of police violence against the black community by 1971. Scores of black people were still being beaten, brutalized and murdered by vicious police armies despite the civil rights gains of the black movement.

However, these acts of brutal repression

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\*In March of 1971, a group of white radicals broke into the FBI offices at Media Pennsylvania seizing documents titled, "COINTELPRO, Racial Matters". These documents were subsequently leaked to the press.

were beginning to be met by armed resistance in the black community, both organized and unorganized. More police were killed or wounded nationwide in the years 1970 and 1971 than in all the years since the 1940s. By June 6, 1971, a total of 51 policemen had been killed during that year alone.

On May 19, 1971, two New York City policemen were machine-gunned. On May 21, 1971 two more New York policemen were shot and killed in Harlem. These assaults on police in New York and other major cities were the initiating cases of NEWKILL.

The NEWKILL investigation was launched at a White House meeting on May 28, 1971, attended by President Richard M. Nixon; Chief of Domestic Security, Robert Mardian; Attorney General, John Mitchell, FBI Director, J. Edgar Hoover and representatives of the New York and Washington police departments. At this meeting Nixon personally ordered that a "no punches pulled" investigation be launched to capture and imprison those individuals thought to be responsible for black resistance to police terror. The minutes of this meeting were reportedly "lost".

Quickly the FBI coordinated and organized an anti-urban guerilla task force consisting of state and federal police agencies in order to hunt down and destroy the black militants believed to be responsible for shooting police. Under the guise of this "criminal investigation" black revolutionaries were hunted, murdered, tortured and falsely prosecuted and imprisoned.

Several days prior to the White House meeting on May 24, 1971, following the acquittal of the N.Y. Panther 21, FBI Headquarters sent a memo to the New York and Washington, D.C. field offices and elsewhere ordering intensification of efforts to neutralize the Black Panther Par-

ty. However, the counter intelligence procedures employed by the federal and local law enforcement agencies were a crucial factor in dividing the BPP into two factions. NEWKILL focused the full might of the government on the faction believed to be the most vulnerable, the so called "Cleaver faction" of the BPP. It was this "faction" that supported the black underground known as the Black Liberation Army. As a result, almost all black militants killed under the NEWKILL program by police/FBI task forces were Panthers of this faction."

**B**lack freedom fighters such as Twyman Meyers, Frank Fields, Zayd Malik Shakur, Harold Russell, Anthony Kimu White and Woody Green were gunned down in the gutters of anonymous ghetto streets. Others such as Assata Shakur, Sundiata Acoli, Herman Bell, Albert Washington, Anthony Jalil Bottoms, Robert Hayes, Dhoruba Moore, Bernice Jones and many, many more were wounded and captured.

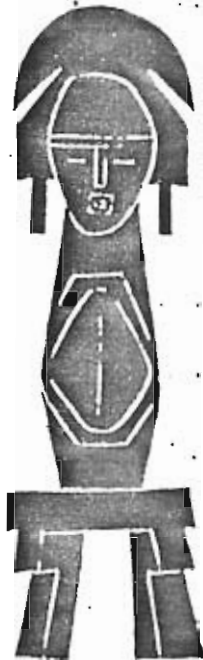
It is these political prisoners that are ignored today by a movement that does not wish to confront its history and, in ignoring its history, runs the risk of repeating its mistakes in this decade full of dread and promise.

The 80's will test our collective will. It will test our capacity to break with the mistakes of the past and forge a new history of struggle and create our own victories. The U.S. government will continue to negate our historical right to national liberation and repress all attempts at black independent power. But if we have learned the lessons so dearly paid for in blood and pain we will triumph. We cannot undo the past, but we can begin to undo its pernicious effects in the present by building a national movement to Free All Black Political Prisoners. This is but one step in a

journey of a thousand miles towards national liberation.

#### FOOTNOTES

1. FBI memo to SAC Albany from FBI Director, March 4, 1968. See also FBI memo to Albany office dated August 25, 1967.
2. Memo to Director, FBI from SAC, Pittsburg, September 24, 1968.
3. U.S. Government Memorandum to W.C. Sullivan from G.C. Moore, October 23, 1968.
4. Memo to SAC, Pittsburg from FBI Director, October 1968.
5. Memo to SAC, Albany from FBI Director, January 7, 1969. Also see *Crisis* November 1968.
6. Memo to San Francisco from FBI Director, September 30, 1968.
7. U.S. Government Memorandum to FBI Director from SAC New York, October 10, 1968.
8. U.S. Government Memorandum to Mr. A. Rosen from E.S. Miller, November 23, 1971, also see the *New York Times*, June 22, 1971.
9. Memo to SAC, New York from FBI Director, May 24, 1971.
10. Memo to FBI Director from SAC New York, April 5, 1971.



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## INSIDE



Jolie Szabo

### **The Continuing Ordeal Of Dhoruba Bin Wahad**

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## EDITORIAL

# IT DIDN'T HAVE TO HAPPEN

Poor people always have been made to pay dearly in this town—very often with their lives—for social, political and economic reforms. The tragic fire in the South Bronx that has claimed 87 lives is the latest—and most costly—deposit Black and Latino people have made into a bankrupt system that in turn issues us bad checks.

Of course it's horrifying to think that anyone could be so out of control of his emotions that he would resort to actions so summary, so brutal, so lethal. But we have to be sober about the situation: The point is that, at the Happy Land social club and other such establishments operating illegally around the city, a fire, no matter how it gets started, probably would bring about the same result.

For now, the media and law-enforcement authorities are telling us that this essentially is a crime allegedly committed by a man bent on revenge against a woman who had spurned him. It's a "great" story: An "unemployed Cuban refugee" buys "a dollar's worth of gasoline" and commits "the largest mass murder in U.S. history." And, from the pathological point of view with which they "cover" the news, it couldn't be better: The story takes place in the infamous South Bronx.

Continued on Page 28



# ONE WHITE HAND WASHES THE OTHER



After his release last Thursday, Dhoruba al-Mujahid bin Wahad is greeted by longtime friends (including the author, third from right) and his wife, Tanaquil Jones.

## The Continuing Ordeal Of Dhoruba Al-Mujahid Bin Wahad

by William M. Kunstler

Three weeks ago, I detailed some of the enormous prosecutorial misconduct utilized to ensure that Dhoruba al-Mujahid bin Wahad, a former Black Panther leader, was convicted of the attempted murders of two policemen—Thomas Curry and Nicholas Binetti—a score of years ago.

These officers, who were guarding the residence of then-District Attorney Frank Hogan, were machine-gunned down on May 19, 1970, only six days after Dhoruba and his co-defendants, known as the Panther 21, summarily had been acquitted by a jury, after the longest criminal trial in the history of New York, of a conspiracy to blow up department stores and other locales in this city.

After one hung jury and a mistrial—the latter engineered by the trial judge who did not like what he considered to be the pro-defendant attitude of the new jury—Dhoruba finally was convicted in 1973 and sentenced to 25 years to life, the maximum possible punishment.

He was destined to serve just short of 19 years in jail and only days ago was most reluctantly granted a new trial by Justice Peter J. McQuillan because documents obtained through a federal civil-rights action by his devoted and persevering counsel—Elizabeth M. Fink, Robert J. Boyle, and Robert Bloom—clearly showed that information that would either have exonerated him or impeached the key witnesses against him deliberately has been withheld by the prosecution in order to ensure his conviction.

Among other things, an early recorded telephone call to the police by the principal prosecution witness, Pauline Joseph, which claimed that he was innocent was never revealed to defense counsel. And, when a log of the call mysteriously surfaced after she had left the stand, the authorities falsely informed the court and Dhoruba's attorney that they no longer knew where she was, thus preventing her recall by the defense. In addition, every statement given by her to the state's investigators, during her two-year period of incarceration as a material witness, that contradicted or was inconsistent with her eventual trial testimony was either destroyed or suppressed.

When this and other equally significant material, contained in some 300 documents and accompanied by a motion to set aside Dhoruba's conviction, were presented to Justice McQuillan, who had replaced the original trial judge after the latter had retired, he initially was disturbed by the degree of prosecutorial conduct involved. After declaring that some of the material had been in district attorney's possession and should have been turned over to the defense under several applicable rules of law, one of constitutional dimension, he pointed out that, according to the Court of Appeals, New York's highest appellate court which had affirmed Dhoruba's conviction in 1977, "none of the evidence at trial directly established the defendant's guilt. The People's case was largely circumstantial." It also had characterized Joseph as "the chief witness for the prosecution."

He then went on, in the strongest language, to state that "[H]ad the defense been in possession of the

recently disclosed documents, it is very possible that Ms. Joseph would have been successfully impeached ... [and] they would have accorded defense counsel considerable scope for impeachment."

In analyzing the reasons advanced by the prosecution for not turning over such material, he said that [T]he explanations proffered by the People may not excuse the ... violations in this case. It is immaterial that some of the statements are compilations at second hand or are of interviews which may or may not have taken place. It does not matter that they may in fact be inaccurate in whole or in part. Nor does it matter that some of these statements may be read as consistent with what was said by the witness at the trial. The fact remains that they are statements which defense counsel might have used."

Undoubtedly realizing that John F. Kcenan, now a Manhattan presented the case to the grand jury and been in overall charge of the prosecution, McQuillan warded off any future day of atonement and retribution insofar as he was concerned by denying Dhoruba's motion on the ground that he thought that *People vs. Howard*, a 1987 appellate decision, forced such a result. "If the matter were for this court to decide," he said, "I would [grant the motion] ... for the sole reason that *People vs. Howard* does not permit me to apply the [automatic-reversal] rule to this post-judgment motion, I am constrained to deny the motion."

Almost a year later, the appellate court that had

Continued on Page 8

**THE CONTINUING ORDEAL**

Continued from Page 5

decided the *Howard* case reversed McQuillan's order of denial and remanded the matter to him for the sole purpose of determining whether what it termed "the duplicative equivalent" of the new material had been made available to Dhoruba's counsel at trial. In its words, "[I]n light of the admitted failure of the People at trial to provide the defense with prior statements of prosecution witnesses, ... reversal of the conviction is required unless the duplicative equivalent of the withheld material was turned over."

It also pointedly reminded McQuillan that the *Howard* case upon which he had relied to exact one more pound of flesh from Dhoruba had been "effectively overruled" by the state's highest court in November 1987.

When the case was returned to McQuillan, the district attorney's office, which has never submitted a single affidavit denying Dhoruba's contentions of prosecutorial misconduct, finally was forced to concede that no "duplicative equivalent of the withheld material" had ever been furnished to the defense. Accordingly, on March 15, this year, McQuillan granted Dhoruba's motion, set aside his conviction, and ordered a new trial.

The tone of his new opinion, however, had changed drastically from that of a year earlier. In the first place, he quoted extensively from a letter from the district attorney which, without mentioning Judge Keenan's name, substituting the word "one" for it, attempted to exonerate the latter from any semblance of misconduct. Although much of the critical material was in the possession of the then-chief of detectives, Albert Seedman, the letter insisted that as of fouled with any such materials," although they were in the office case file.

It then went on to belittle the importance of the withheld material. "The People's position in this case has always been that none of the ... documents in question would have made a difference in the outcome of the case and that, therefore, the conviction ought not be overturned." In furtherance of this stance, it mischaracterized McQuillan's 1988 opinion denying a new trial as holding that none of these ... materials would have created a probability of a different outcome at the defendant's trial"—something that the judge had never so stated.

McQuillan apparently then knew what had to be done. First he went out of his way, despite the appellate division's finding, among others, that the district attorney's office had lied to court and counsel when it maintained that Pauline Joseph had been released as a witness on Feb. 21, 1973, when one of the withheld documents clearly showed that "she was still in police custody as a material witness on March 1, 1973," to clear its skirts. "Nothing in the voluminous record in this case," he wrote, "suggests any misconduct or bad faith by any member of the district attorney's office."

Then, in direct and incredible contradiction of his earlier opinion that, had the defense been in possession of the recently disclosed material, it is very possible that Ms. Joseph would have been successfully impeached," he now found that "there is no reasonable possibility that such failure [to turn over the withheld material] might have contributed to defendant's conviction." This led the *Daily News* to headline that Dhoruba had now been the beneficiary of nothing more than a legal "technicality."

To top it off, he concluded by announcing his support for a bill pending in the New York Legislature that would amend the present law to provide that the "non-willful failure of the prosecutor" to disclose similar material would not constitute grounds for granting motions of this sort "unless there is a reasonable possibility that such failure might have contributed to the defendant's conviction."

The obvious purpose of this addendum was to emphasize once more that his earlier strong statement that it was "very possible" that Joseph, the prosecution's chief witness, "would have been successfully impeached," had Dhoruba's counsel been in possession of the withheld material, has now been rescinded in order to conform to the district attorney's position that "none of the ... documents in question would

have made a difference—in the outcome of the case."

This 180-degree change in tack had the effect, of course, of blunting any future attack on Judge Keenan or other members of the Manhattan district attorney's office involved in the unlawful and unconstitutional deprivation of almost 19 years of a man's life. Such judicial whitewashings, however, are hardly confined to this case or this jurisdiction. Because of them, no guilty prosecutor has ever been punished for practices even more shameful, if that is imaginable, than those employed here, thus emboldening others to utilize similar tactics. "The name of the game," said one dissenting federal judge, "seems to be to win at any cost."

Moreover, instead of taking the high road and acknowledging that Dhoruba had indeed been denied a fair trial, the district attorney indecently has decided to contest the appellate court's ruling about the non-applicability of the *Howard* decision to the state's highest court. While even in South Africa, where a degree of enlightened self-interest has begun to emerge on the part of that government, here the relentless and insidious attack on Black dissidents shows no signs of abating.

The ordeal of Dhoruba al-Mujahid bin Wahad should have more meaning than that of one wrongfully imprisoned man. It should alert all of us to the fact that the demons are still in the high seats of power and that we have an obligation to him and the many like him who still unjustifiably rot in prisons throughout the land to take up the cudgels against those who have put them there and still keep them there.

In his commencement address at Brandeis University last June, author E. L. Doctorow said: "It's my view that in the last decade of the life of our country ... we have seen a national regression to the robber-baronial thinking of the 19th century. This amounts to nothing less than a deconstruction of America—the dismantling of enlightened social legislation that had begun to bring equity over half a century to the lives of working people, to rectify some of the terrible imbalance of racial injustice, and give a fair shake to the outsiders, the underdogs, the new comers." We may have in fact broken down, as a social contract, in our time, as if we were not supposed to be a just nation, but a confederacy of stupid, murderous gluttons. So that, finally, our country itself—the idea, the virtue, the truth of America—is in danger of becoming a grotesque."

The cases of Dhoruba, Leonard Peltier and Geronimo Pratt, just to name three of so many, clearly prove that the imposing frieze containing the phrase "Equal Justice Under Law" that greets the eye as one ascends the steps of the Supreme Court is nothing more than the acme of a cruel mythology. Justice may well be highly equal for the establishment's darlings, but it is systematically withheld from

our seasonal and perennial pariahs. We have created outlaw classes—Native Americans, or Rican nationalists, providers of sanctuaries from Central and South American death squads, women, pacifists, anti-nuclear protesters, the homeless, gays and lesbians, prisoners—for whom justice is so often denied or perverted.

For these, there is no real Constitution, no real Bill of Rights, and they must fend with the sure knowledge that, in the courtrooms, in the penitentiaries, in the streets, and in their homes, they will be maltreated with the heavy hand of official arrogance, cruelty and outright criminality. Just as the original Constitution could split Black men and women into fifths, so it can be read by the likes of those who *stripped* away so much of Dhoruba's years as authorizing the legal lynching of those who most vociferously dare to demand that it live up to its most sacred of guarantees, promises its detractors are in the unholy process of withdrawing from the armory of human rights.

Last Thursday morning, Justice McQuillan's courtroom was jammed, long before his normal starting hour, with people who had come to hear a bail application on Dhoruba's behalf. After waiting for two hours, the crowd was informed that the defendant could not be located and that court would be adjourned until the afternoon. There were many in the disappointed audience who felt that this was nothing more than a ruse to disperse the scores who had come to witness the proceedings.

In the afternoon, however, the courtroom was just as filled as it had been earlier. A robeless McQuillan brushed aside as "tenuous" the district attorney's contention that the case could be retired and to the cheers of the delighted spectators released Dhoruba in his own recognizance. A half-hour later, his face wreathed in smiles, the Dhoruba emerged into the sunshine of a new life.

Dhoruba may at long last be free, at least for the time being, but his terrible ordeal simply exemplifies the plight of the young Black male, our most endangered species, in today's inner cities. Those whom the police or racist hoodlums do not murder or cripple, the criminal-justice system warehouses in local jails or state penitentiaries. It is a safe bet that many who, like Dhoruba, lose their liberty by operation of law are subjected to the same type of prosecutorial misconduct which has recently been described by one expert as "rampant" and "staggering." Where there is no justice, there can be, and should be, no peace. Or, as James Baldwin once put it, "God gave Noah the rainbow sign. No more water, the fire next time!"

*Mr. Kunstler is a founder, vice president and volunteer staff attorney with the Manhattan based Center for Constitutional Rights and has been a friend of Dhoruba al Mujahid bin Wahad for more than 20 years.*

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# BLACK PANTHER FREED

## -NO BAIL

By MICHAEL PEARL

After 19 years behind bars for the machine-gun wounding of two cops, a former Black Panther leader was freed without bail yesterday, a week after a Manhattan judge threw out his conviction. More than 100 supporters of Richard Moore, 45, broke into a thundering cheer as the judge denied the prosecutor's request that Moore be held pending appeal of the conviction reversal.

"I expect the authorities to either try to kill me or to reincarcerate me on trumped-up charges," Moore said, who uses the name Dhoruba Bin-Wahad. He told reporters after he was freed.

Manhattan Supreme Court Justice Peter McCulligan said he was forced to free Moore due to the tenuousness of the prosecutor's case.

Last week, McCulligan threw out the conviction on what he termed a legal technicality involving the handling of evidence surrounding the 1973 trial.

Although he did not believe the evidence to be critical, McCulligan said, a new law forced him to give it greater weight.

Manhattan District Attorney Robert Morgenthau said he is planning to appeal McCulligan's decision.

Yesterday, Assistant DA James Kinder asked that, in the meantime, Moore be held without bail.

"Let's not forget the crime that brought us to this courtroom—the machine-gun shooting of two police officers at point-blank range," Kinder said.

When the judge denied the request, Moore jumped to his feet and hugged his lawyer, Elizabeth Fluk, who had argued that the DA would not be able to prove his case in a new trial.

Moore was convicted of the 1971 shooting of Officers Thomas Curry and Nicholas Binetti.

The two cops, who were guarding the Riverside Drive home of then-DA Frank Hogan, were seriously wounded, and Moore was sentenced to 25 years in prison.

He has continuously maintained his innocence and yesterday left court with his wife of two years, Taniquil Jones, 38, whom he married in prison.

"I don't think we're going to live in the United States," she said. "It's not safe here for political activists."

The judge set no conditions on Moore's release, but ordered him to appear for an April 17 hearing on various appeal issues.



New York Post: Neil Schneider  
**AFTER 19 YEARS:** Richard Moore and his wife, Taniquil, have reason to smile after his release yesterday.

# Court Erupts As Judge Frees An Ex-Panther

By RONALD SULLIVAN

A Manhattan courtroom erupted into a thunderous, foot-stomping celebration yesterday when a judge freed a former Black Panther Party leader whose conviction and 25-year-to-life prison sentence in the attempted murder of two New York City police officers was overturned last week.

Nearly 150 spectators jumped to their feet and exploded in shouts and cheers when Justice Peter J. McQuillan of State Supreme Court ordered the 45-year-old leader, Dhoruba al-Mujahid bin Wahad, formerly Richard Moore, freed without bail, pending a new trial, after spending nearly 19 years in state prison.

"I did it, I did it," shouted Mr. Wahad, who jumped to his feet the moment Justice McQuillan said he was free.

Mr. Wahad's wife, Tanaquil Jones, who was seated in the first row of spectator benches, whooped with joy and then burst into tears.

## A Dance at the Defense Table

One of his lawyers, Elizabeth Fink, did a sprightly little dance at the defense table and then broke down and cried too.

Normally the judge would bang his gavel and court officers would shout, "Quiet," at any outburst. But they did neither yesterday as the courtroom spectators celebrated and chanted Mr. Wahad's new Muslim name.

The defendant and his lawyers said the judge's decision surprised them. One lawyer, Robert Bloom, said he had expected Justice McQuillan to set bail at \$50,000 or more, forcing Mr. Wahad to remain jailed until supporters raised the money.

After being released from a first-floor office of the Correction Department, Mr. Wahad emerged from the south entrance of the Manhattan Criminal Courts Building at 100 Centre Street, where his wife and supporters had gathered outside.

"I would hope there is another trial," he said to their cheers, "to see exactly how little evidence they have against me."

The Manhattan District Attorney, Robert M. Morgenthau, said that he would appeal the ruling that overturned Mr. Wahad's conviction and that retrial of Mr. Wahad was planned in the event his appeal fails.

Convicted in 1973, Mr. Wahad, who recently changed his name from Richard

Continued on Page B3



The New York Times/Dith Pran

Dhoruba al-Mujahid bin Wahad, with his wife, Tanaquil Jones, leaving the courthouse at 100 Centre Street in Manhattan. Mr. Wahad, a former Black Panther Party leader whose conviction and prison sentence in the attempted murder of two police officers was overturned last week, was freed yesterday without bail, pending a new trial.

## Ex-Panther Leader Is Freed

Continued From Page B1

Moore, now faces a retrial on charges that he fired a machine gun at two policemen who tried to question him over a traffic violation on Riverside Drive in Manhattan on May 19, 1971. He was arrested after a police informant said he had fired the shots that wounded the officers. The shooting came amid a wave of bombings and disorder attributed then to the Black Panthers, the black nationalist group.

Yesterday, Mr. Wahad said he was "not bitter in the sense I have no feelings of vengeance or rage." But he said that "it is hard to accept the fact that I left 19 years of my life and my manhood in prison for a crime I didn't commit."

He refused to say how he would spend his first days of freedom beyond saying he "looked forward" to being with his wife and their three children.

### 'Still Convincing'

In his argument opposing Mr. Wahad's release, James Kindler, an assistant district attorney, said the evidence that convicted him was "still convincing."

"Let's not forget the crime that brings us to this courtroom," Mr. Kindler said. "To this day the two officers bear the psychological and physical scars from that attack."

"If he is released, he will indeed flee and then send us a note later telling us why," Mr. Kindler said sarcastically.

In reply, Ms. Fink, the lawyer, described Mr. Wahad's conviction as "horrifying," and Mr. Bloom, another lawyer, said afterward that Mr. Wahad was "framed by the city police, the F.B.I. and the Manhattan District Attorney."

### Undisclosed Evidence

Justice McQuillan threw out Mr. Wahad's 1973 conviction on the ground that the prosecution had failed to disclose evidence that his lawyers said would have helped him. The judge based his ruling on a 1986 State Court of Appeals decision calling for a reversal of a conviction whenever the prosecution withholds evidence.

Mr. Wahad said part of the evidence that was not disclosed were F.B.I. tapes, obtained through the Freedom of Information Act, showing that important witnesses had lied at his trial.

Justice McQuillan ordered Mr. Wahad to return to court on May 19 for a pretrial hearing.

# Cop-shooting rap upset

## Panther free after 19 years

By MARK KRIEDEL

Daily News Staff Writer

Following 19 years in jail, a former Black Panther leader walked out of court yesterday, freed without bail after his conviction for the attempted murder of two New York City cops was overturned.

At a bail hearing yesterday, State Supreme Court Justice Peter McQuillan ordered Dhoruba Bin-Wahad, formerly known as Richard Moore, released on his own recognizance while prosecutors try to overturn the decision freeing him. If the prosecutors fail, they could re-try Bin-Wahad.

The courtroom, packed with Bin-Wahad's family and supporters, erupted in applause and shouts of glee as he was ordered freed. His wife, Tanaquil Jones, wept.

"I spent 19 years of my life in prison for something I didn't do," said Bin-Wahad, 45, addressing a throng of well-wishers and reporters on the steps of the Manhattan Criminal Court building.

### 'Triumph of truth'

"Although you can hear a lot of ignorant buffoons from the police benevolent association saying that I was released on a technicality, the fact is I was released because the truth finally triumphed



**OUT OF JAIL** after 19 years, Dhoruba Bin-Wahad heads home from Supreme Court with his wife, Tanaquil Jones, yesterday. **BETSY HERZOG**

over falsehood."

Bin-Wahad was convicted of machine-gunning Officers Thomas Curry and Nicholas Binetti, who were standing guard at the Riverside Drive home of then-Manhattan District Attorney Frank Hogan in 1971. He was sentenced to 25 years to life.

His attorneys charged that documents obtained through

the Freedom of Information Act reveal an FBI program designed to squelch black radical movements and that then-Assistant District Attorney John Keenan withheld evidence. Keenan, now a Manhattan federal judge, has vehemently denied withholding any evidence.

McQuillan, who expressed doubt that the withheld evi-

dence would have changed the verdict, ruled last week that he was nevertheless compelled to overturn the conviction.

Assistant District Attorney James Kindler asked that Bin-Wahad be held without bail. "Let's not forget the crime that brings us to this courtroom," he said. "Two police officers were machine

gunned and this defendant's guilt remains strong."

Manhattan District Attorney Robert Morgenthau promised to appeal the ruling.

Bin-Wahad said he would welcome the opportunity for a new trial. "I would hope there is another trial to show exactly how little evidence there was against me."



WHAT'S NEW ON EIGHT. TOMORROW'S MOTHERS WILL DISCOVER AN EXCITING WORLD OF FLATTERING STYLES IN BRAND NEW SURROUNDINGS. FROM LINDA SATIN, THE BLACK COTTON PIQUE WEDGE DRESS WITH BUTTON BACK, FOR P,S,M,L, \$160. MATERNITY IN THE TOWER ON EIGHT. MEET LINDA SATIN DURING INFORMAL MODELING OF HER COLLECTION ON WEDNESDAY, APRIL 18TH, FROM 3 TO 6.

*Saks Fifth Avenue*

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macys

From a candidate's home state, Senators Dole and Mitchell hailed the idea as a potential breakthrough. But that optimism is now threatened by Senator

## Black Militancy

In Milwaukee, a black alderman has called for a black militia to wage "urban guerrilla warfare" — actual violence — unless "racial parity" is achieved in the city by 1995. In Teaneck, N.J., black youths angered by the killing of a black teenager by police erupted in violence after a prayer vigil. In Harlem, the pastor of a famous black church is campaigning to paint over billboards carrying cigarette and liquor ads because, he feels, blacks are disproportionately victimized by both tobacco and alcohol. And in Brooklyn, a black neighborhood is boycotting a Korean grocer for allegedly abusing his black customers.

In American cities and some suburbs as well, a new militancy is evident among African-Americans. It takes different forms, not always laudable. But each instance is a reminder of an old agenda overshadowed by the thawing of the cold war and forgotten by all except those whose circumstances won't let them forget. Milwaukee is a case in point. Alderman Michael McGee's call for a black militia was actually a dramatic attempt to call the city's attention to the desperate situation of African-Americans there. The first item on his list of three demands was a \$100

ffects bipartisan concern about the integrity of Congress. Some Republican senators are tired of the smell. If Mr. Dole is serious about wanting an agreement, he must lead them.

million emergency jobs program. That's jobs, not welfare — or certainly no more welfare than is involved in the jobs of featherbedding union members or business executives on golden parachutes. The emergency is clear. While the overall unemployment in Milwaukee is about 5 percent, it's 25 percent among blacks. And 40 percent of Milwaukee's blacks live in poverty.

What justifies his militancy, says Mr. McGee, is not just desperation but Milwaukee's ability to act decisively when it wants to. He points to the city's exertions on behalf of its sports teams, including a baseball stadium that could cost \$100 million. The same sort of densely compacted, highly distilled poverty and disadvantage exist in virtually every American city. And as the recent events in Teaneck indicate, the problems for blacks, including poor relations with police, don't end with affluence and a move to suburbia. Talk of armed militia understandably frightens many people. But those who listen will hear a cry of anguish over unyielding poverty, joblessness, bad education and health care; a demand for compensation leading to practical help, and a determination not to settle for a degrading status quo.

*NY Times April 18, 1990*

Believe It, the Affects Intere

To the Editor:

In "Rostenkowski Triumph" (Op-Ed, N Craig Roberts again economic science will budget deficits affect specifically, in denying the United State reduce interest rates. In rebuttal to this recent thesis, he asks: Germany, with its Britain, with its have higher interest United States?

The simple answer rate determinants inflation in Britain many explain their rates. Since each carries its own economic, the scientific What happens, other equal, to Britain's, America's, interest budget deficits rise? Economic logic strict accordance with ally and demand, in when budget deficit ally axipmatic trud

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## INTRODUCTION

Dhoruba Bin Wahad formerly Richard Dhoruba Moore

What is COINTELPRO? What were its true purposes and objectives? Did the federal government's COINTELPRO operations influence our current political and social opinions and if so how? These are but a few of the many questions we should ask ourselves as the final decade of the 20th century approaches. It is of considerable importance, especially for African-Americans and other national "minorities" in the U.S., to awaken to the profound negative impact illegal government and police activity has had on the character and process of social change in U.S. society.

The acronym "COINTELPRO," from the F.B.I.'s abbreviation for "counter intelligence program" is itself a misnomer. The U.S. government itself defined the term "counterintelligence" as activities conducted to destroy the effectiveness of foreign intelligence operations and to protect information against espionage, individuals against subversion, and installations against sabotage. The term also refers to information developed by or used in counterintelligence operations." Clearly COINTELPRO as implemented by F.B.I. and other police and government agencies was not directed at "destroying the effectiveness of foreign intelligence operations," but instead at crushing political dissent in the U.S. In addition, the COINTELPRO acronym is better understood if it is seen as generic term which describes legalized or quasi-legal political repression. Documented evidence vividly illustrates that COINTELPRO operations were carried out by scores of government agencies other than the F.B.I. Media-induced popular wisdom has portrayed the F.B.I.'s COINTELPRO activities as essentially the paranoid excesses of one man, former F.B.I. Director, J. Edgar Hoover. Yet it can be said, and documented by historical information, that Hoover, though a rabid racist and anti-communist, basically reflected the priorities, policies, and values of the system he protected.

Were it not so, how would one explain the domestic "counterintelligence" programs directed at disruption of organizations and quashing legitimate dissent carried out the Central Intelligence Agency (CIA) which were appropriately dubbed operation "CHAOS." Or the National Security Agency's (NSA) COINTELPRO spy operations implemented by local police intelligence units like the Los Angeles "Red Squad" or New York's Bureau of Special Services (BOSS). These programs of political and racial repression were not mere bureaucratic excesses or aberrations of the tumultuous sixties. These programs were well planned, ruthlessly implemented, and effectively concealed by the State from public scrutiny and in many forms continue to day under the pretext of the "war on drugs" and "anti-terrorism." COINTELPRO activities concern all U.S. citizens because such activity is an essential method of civil control and a strategy of racial warfare employed by the modern American "National Security State" (NSS), a state which by its very nature is anti-democratic, racist and elitist and therefore perceives the masses of its own people as the ultimate enemy.

Disclosure of previously secret government documents unmistakably establish that the primary target of COINTELPRO operations during the late sixties and early seventies was the African-American community. This fact should come as no surprise to anyone remotely familiar with U.S. race relations. Indeed, U.S. history vividly illustrates that the most intense, amoral and ruthless forms of repression and "law" enforcement have been reserved for people of color and working people who challenged the inhumane basis of their national or economic subjugation. Nothing better substantiates this proposition than the long bloody and painful saga of the African-American's struggle for freedom or the genocidal extermination of North America's aboriginal inhabitants the European settlers called "Indians."

Both the racist subjugation of African slaves and the genocidal treatment of the Native American peoples were essentially different features of an undeclared war centered around race



and the economic consolidation of an European American nation-state and reflected the "colonial" flavor typical of European interaction with the majority of the world's peoples--who are people of color. COINTELPRO--if placed in this broader historical context, as well as in the context of the historical development of a eurocentric nation-state, e.g., the U.S. Republic--can then be understood as a modern technique and strategy of racial domination and white political supremacy. Toward these ends the entire panoply of the modern American state is organized to diffuse militant protest and insure the powerlessness of peoples of color on the one hand and destroy those who disagree with the "system," on the other hand, all under the rubric of "protecting national security."

If such a proposition is correct, and ample historical evidence seems to suggest it is, then the condition of African-American powerless is an historical condition tied to, and dependent upon the vitality of the U.S. nation-state. In short, "national security" equals African-American political, economic and social insecurity. COINTELPRO would be just one of the most eloquent expressions of this equation at work, for its stated objectives were to "misdirect," "disrupt" and destroy African-American efforts toward political and social unity.

While ample historical evidence exists to substantiate a claim that many of the techniques of COINTELPRO disruption used against the Black movements of the sixties and seventies had their genesis on the slave plantations of colonial America and the ante-bellum south, e.g., "racial informants," covert support of Black "leaders" tied to status quo interests, isolation and murder of outspoken and militant slaves to encourage passivism and fear, use of disinformation to generate disunity, creation of a privileged class of slaves with a corresponding ideology of accomodationism, corruption of moral and ethical values that unified the slaves. It was not until the early twentieth century that the U.S. government had occasion to develop a focused COINTELPRO type operation designed to derail an ideological, radical and mass

African-American movement for social change. This was the African nationalist movement led by Marcus Garvey.

By the time Marcus Garvey arrived on the U.S. political scene in 1914 and founded his Universal Negro Improvement Association (UNIA) African-Americans were undergoing profound and dramatic changes. African-American society was changing and dividing into petty classes, urbanization was in full swing and racism was exorcising the last legal vestiges of post reconstruction "freedom" for Blacks. The different strata of African-American society began to perceive the solution to "Negro equality" in different and often conflicting ways. The period of post civil war reconstruction (1867-77) had given African-Americans a taste of political power and the long descent into the racist terror and economic depressions of the late 19th century taught African-Americans some hard lessons. In truth African-Americans went from chattel slaves to tenant slaves (sharecroppers), from tools of production (property) to "free labor," all in the twinkling of an eye. Once the predominant white vested interests of north and south capital reached a compromise as to how best to pursue the great economic miracle of the industrial revolution, the condition of African-American rights and liberties became a nonissue. It was at this historical moment that Garvey came to a people in the throes of the transformation of the 20th century and urged them forward with this declaration, "Up you mighty race! Accomplish what you will! And though undoubtedly the period of reconstruction witnessed many COINTELPRO-like techniques which were designed to disenfranchise the newly "emancipated" slave, the destruction of Garvey, the UNIA, and his movement required a completely new approach. What the U.S. Government had to do was not just destroy a man or a movement but destroy the idea that gave them both political life: enter modern COINTELPRO.

In the summer of 1919 violent racist attacks against African-Americans raged across the U.S. landscape. The prospect of Black rebellion and revolt have historically terrified white America. Lynchings, racist terror by groups such as the Ku Klux Klan and police brutalization of Blacks have always served an essential function, namely to smother the spark of concerted and militant Black resistance to racist subjugation and prevent it from becoming a raging firestorm that could scorch the feeble clapboard edifice of the white supremacist American state and culture. But the "Red Summer" of 1919 (so named because of the copious amount of Black blood spilled) was not so much the result of threatened Black revolt as it was the social expression of a racist culture subject to economic crises. In Longview, Texas, Chicago, Charleston, Washington, D.C. and across the southland, African-American Blood flowed in the streets and watered the roots of Southern magnolia trees. Despite the racist terror African-Americans fought back. Returning World War I veterans organized armed resistance as never before. The Garvey movement began to supply this resistance with a focus and mass appeal. Indeed, many WWI vets were at the core of the UNIA. From the U.S. government's perspective destruction of the Garvey movement was crucial to racial politics in the U.S. and the institution of European colonialism abroad. What began in the summer of 1919 as racist economic frustration could well get out of hand and end in wholesale Black armed insurrection. In the view of the U.S. it was African-Americans who had the "potential for violence," KKK and racist police terror notwithstanding.

When the U.S. government mounted its COINTELPRO-like operation against the Garvey Movement it coordinated its various agencies as never before in a secret plan to not only discredit a Black leader but to neutralize the political ideas he espoused. The then fledgling F.B.I. began, what would become, a sixty year long obsession with destruction of African-American dissidence and militant leadership. The U.S. government infiltrated U.N.I.A.,

with Garvey's enemies in the Black community, and finally brought fabricated charges  
Once Garvey became preoccupied with the legal onslaught against him, his  
the jackals smelling blood, ganged up on him, neutralizing his contacts, until he was  
railroaded into prison on trumped-up charges in 1925 and ultimately exiled in 1927.  
y have been the first COINTELPRO target because of his militant African-American  
t he would not be the last target of U.S. government reaction to radical advocates  
ing the heyday of Garveyism and its struggle for survival, U.S. communists  
African-American nationalism. But of course their turn as COINTELPRO targets  
come. During the series of early 20th century depressions the U.S. communists,  
rely white, seemed to be one of the few political forces who knew where they were  
l possessed enough organization to accomplish their objectives. Despite the fact that  
ommunist Party was the first "significant" American political party to nominate an  
merican, James W. Ford, for vice-president, their white skin privilege in a racist  
vented the communists from attracting the masses of African-Americans to their  
Garvey had done so effectively. Moreover, the U.S. communist party in the 1920s  
independent force; they were under the heavy influence of a Moscow-oriented  
ommunist involvement in the defense of the Scottsboro boys did not significantly  
inability to inspire, attract and lead the Black masses. Indeed, the CPUSA could  
n the soul and yearnings of Black folks as Garvey so eloquently stirred. Therefore,  
U.S. government went after "communists" and "socialists" during the Great Depression  
so primarily as a class reaction to Bolshevism and white labor discontent in

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wants and needs something to be proud of," the F.B.I. fully understood that what was at stake was the minds of Black folk--especially Black youth. That it was ideas that COINTELPRO targeted is clearly set out as the memorandum continues:

"The Negro youth and moderate must be made to understand that if they succumb to revolutionary teachings, they will be dead revolutionaries. Is it not better to be a sports hero, a well paid professional athlete or entertainer, a regularly paid white or blue collar worker, a peaceful human being with a family, or a person who at least is being accepted, than a Negro who may have got even with the establishment by burning it down, but who along with this, burned down his own home and gained for him and his people the hatred and distrust of whites for years to come."

Thus the primary objectives of COINTELPRO were to intimidate and frighten the masses of African-Americans away from militant or radical solutions to the myriad of problems which beset them in a racist and hostile culture, and to make them willing in their own continued domination: singing, dancing, and entertaining themselves to individual "freedom" at the expense of group freedom. COINTELPRO was a smashing success.

8th november 1989