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14 November 1969

112

SITUATION INFORMATION REPORT

The Communist Party's (CPUSA) latest effort to appropriate a bigger slice of America's radical scene will be launched in Chicago on 26-28 December. According to the recent call to Party faithful, the founding convention of a "working class Marxist-Leninist youth organization" will be convened in the Windy City on those dates and work towards formation of an alliance of blacks, whites, Chicanos, Puerto Ricans and Indians which "will take up every struggle of the working class" militantly "fighting on every front against oppression."

Why a new organization? Mike Zagarell, Party secretary for youth affairs, and Jarvis Tyner, Chairman of the W. E. B. DuBois Clubs of America, provided the answer. Even though the past nine years of New Leftism in America is viewed by the Party as "very important" and experiences of New Left groups, such as Students for a Democratic Society (SDS), a "positive development," the Old Left spokesmen maintain there is a "crisis in the New Left because they are unable to deal with the radicalization of young people." Primarily, CPUSA objects to the New Left habit of relegating working class youth to a position subordinate to that of students. The New Left fails to comprehend true Marxist-Leninism, i. e., "the realization that the working class will play the decisive role in any revolutionary changes in the country," and Zagarell says the new organization will reaffirm the primacy of workers in the leadership of the struggle.

Tyner told a People's World reporter that the new organization will stress the strengthening of black and white unity, a necessity he said "which the New Left has not understood." It will reject the New Left theory that "black liberation is a parallel movement to white movements," he claimed. That such "unity" will be a keystone of the new Organization is reaffirmed by a review of the founding principles, a major portion of which deals specifically with black, white and minority group solidarity.

The founding principles of the new youth organization seem to contain nothing startling. What does become apparent, when reviewing these guidelines, is that the CPUSA's failure to make inroads

among radical youth necessitated a new approach. The continuing debate in top CP councils regarding its relationship with New Left and Black Power groups has spurred the hard liners to compromise. The new organization is the method, for while it ostensibly will be "organizationally independent, developing its own programs and tactics," it will also fight for "the closest fraternal relations with older Communists based on similarity of outlook."

The new organization will allow CPUSA to maintain its historical, doctrinaire posture, while at the same time, its control of the new organization will permit flexibility, experimentation and accommodation of other Marxist oriented youth without loss of face. The CPUSA, in other words, would retain its purity while attempting to gain mass support and converts at the coalition level. Politically, failure of the "independent" coalition, could be disavowed by CPUSA, while successes would accrue to its benefit.

This tactic is crucial in the realm of white-black relations. CPUSA has long championed civil rights, anti-racism, etc., but the recent growth of Black Power militancy, its popularity among the youth (workers and students) and the Party's reluctance to embrace it whole heartedly (for fear of alienating Negro moderates) probably did more to dictate founding of a new organization than any other single factor. The utter failure of the DuBois Clubs (about 100 members in early 1969) pointed up CPUSA's lack of success in gaining any influence in New Left and Black Power circles. Some students of the CPUSA indicate the debate over Black Power threatened to split the Party. The new Marxist-Leninist youth organization is the result.

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**TRIAL OF THE "CHICAGO 8" (Continued)**

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In the beginning of the seventh week of the trial of the "Chicago 8" (5-11 November), it abruptly became a trial of seven, when during the afternoon court session on Wednesday, 5 November, Judge Hoffman cited Bobby G. Seale on sixteen counts of contempt of court and sentenced him to four years in prison. At the same time, he declared a mistrial, insofar as Seale is concerned, and severed his case from that of the seven other defendants. Seale's trial on the charge that he conspired to incite a riot during the 1968 Democratic National Convention, has now been set by Judge Hoffman for 23 April 1970.

For the first two and one-half days of the prior week of the trial, Seale had been bound to a chair and gagged in a vain effort to prevent the disruptive outbursts by which he made it virtually impossible to conduct the court—outbursts which ranged from the shouting of obscenities in the courtroom to calling the Judge a "rotten, racist, Fascist pig" whose outlook he characterized as having stemmed from "the superman syndrome of comic book politics." His outrages, which seemed calculated to force Judge Hoffman to order him bound and gagged so that the trial could proceed, were hurled, not only at the Judge and prosecution attorneys, but at the President of the United States and its Government.

In sentencing Seale, Judge Hoffman ruled that his behavior throughout the trial "constituted a deliberate and willful attack on the administration of justice and an attempt to sabotage the functioning of the Federal judicial system." He said that he had selected the sixteen "most flagrant" of Seale's violations during the trial, each of which constituted "a separate contempt of court", and he sentenced him to three months on each count.

Judge Hoffman's determination to end Seale's bid to sabotage the trial came when Seale, after two days of relative calm, defied new warnings and admonitions and persisted in attempting to cross-examine a witness. He refused to remain seated as ordered; began once again to abuse the Judge; and caused the early dismissal of the court. During the hour and a half it took Judge Hoffman to read his decision, Seale

shouted, "That's a lie!", on several occasions, and repeated his charge that the Judge is a "racist", a "fascist", and a "pig".

When given permission to speak, Seale maintained that he was not in contempt of court and that he had "a right to stand up in court and ask for his constitutional rights"—adding, "I'll continue to ask for my rights as a black man living in the scope of racist, decadent America." He resumed his seat mumbling, "Enough" of this. I've got my suit to deal with. I'm suing you. It's going to a higher court and we'll see what happens there—if it's possible to get justice anywhere in America." The suit he mentioned had reference to the fact that on 4 November, twenty-eight lawyers filed a suit in a Chicago Federal District Court asking that Seale be allowed to defend himself and seeking a permanent injunction restraining all court proceedings in the trial until he was permitted to do so. (Seale, it will be recalled, has persisted throughout the trial in demanding that he be allowed to act as his own defense, since the only attorney he finds acceptable, Black Panther Attorney Charles R. Garry, has been unable by reasons of health to represent him. Seale has refused to acknowledge that he is represented by William M. Kunstler, who is officially listed as the attorney of record for him.) The suit charged that the binding and gagging of Seale was "inhuman and cruel"; but U. S. District Judge Edwin A. Robson, who dismissed the suit, ruled that "no other remedy was available" to Judge Hoffman when he ordered Seale restrained.

There has been considerable criticism of Judge Hoffman over the severity of the four-year contempt sentence he gave Seale; and doubt of its validity has been expressed in view of a 1968 Supreme Court ruling that in cases of serious contempt and long sentences, a defendant can demand a jury trial. There has also been criticism in certain legal and academic circles that Hoffman has "over-reacted" and has created constitutional problems which could have been avoided. Furthermore, some believe that Hoffman did in fact deny Seale's constitutional rights by refusing to allow him to defend himself in court. The Executive Director of the American Civil Liberties Union (ACLU) denounced the sentence as "vicious" and "excessive"; and ACLU lawyers were to meet with an attorney from Charles R. Garry's office. Garry, in San Francisco, called the sentence "savagely" and said he would appeal it "to the highest court in the land." On the other hand, the President of the Chicago Bar Association said he would ask for a study of what is needed to cope with "revolutionary tactics in the courtroom."

Seale's lawyer Francis J. McLernan, a partner of Garry, moved that he be granted bail pending an appeal that has been filed on his contempt citation, but the motion was denied by Judge Hoffman on the grounds that Seale is a dangerous man.

As of 10 November, Seale, who has been returned to California where he is fighting extradition to Connecticut on a murder charge, was at the San Francisco City Prison, and Garry announced that he will ask that the conspiracy charges against him be dropped or that he be tried immediately.

On 6 November, Judge Hoffman refused to call a mistrial for the remaining seven defendants, which Kunstler sought on the grounds that Seale's separation from the case "comes much too late in the game." According to Kunstler, the "inflammatory testimony" about Seale's part in the alleged conspiracy to incite a riot will prejudice the jury against the other seven defendants. Kunstler also sought the interrogation of jurors, one by one, to see if the panel could still reach an impartial verdict; but this motion too was denied.

Despite his no longer being connected with the conspiracy trial, Seale has continued to hold the spotlight in news regarding the "Chicago 8", and rallies, demonstrations, and articles on his behalf have continued.

Defendant Tom Hayden wrote a special article in support of Seale, "Freedom Cannot be Gagged", which appeared as the lead article in the Guardian on 8 November; and as is usual in Communist writings dealt in half-truths and platitudes. He wrote of the denial of the "fundamental constitutional rights" of the defendants by the court and the Government and stated that Seale and the other defendants "are accused of disrupting the judicial process because they insist upon exercising their rights." He made no mention whatever of their provocative behavior, unruly conduct, and violent language in court; and regarding Seale's continual disruption of the proceedings by his shouting of obscenities and vituperations, commented that he "only spoke when his name was mentioned by a witness or when the other attorneys had finished cross-examination."

On 6 November, approximately fifty persons took part in New Haven, Connecticut, in a Black Panther Party-led "People's rally to

protest the treatment of Eobly Seale", at which members of the Students for a Democratic Society (SDS) were observed. Several SDS representatives made announcements complaining of Seale's having been sentenced to four years for contempt of court; and one leader said that demonstrations will take place in front of Federal Buildings throughout the country on 13 November, to show support for Seale.

On 9 November, defendant Abbie Hoffman spoke at the American University in Washington, D. C., to a crowd of about twelve hundred, mostly students, neatly tying in the trial of the "Chicago 8" with the anti-Vietnam war (anti-Administration) sentiments of much of his audience by stating, regarding the trial of the "Chicago 8": "It's chilling now. It used to be comical." The prosecution, he said, is "chilling our young people who want to oppose Government policy. They'll think twice now before crossing the line or pressing their right to assemble or to seek redress of grievance."

According to the evening Star on 11 November, "Other marches this week (other than the mass Moratorium-Mobilization March on 15 November and the forty-hour march against death, 13-15 November) are being announced almost every day. The 'conspiracy'--the Chicago defendants--still are planning their march from the Monument Grounds to the Justice Department, several blocks away, after the Mobilization rally." The article noted further that the remaining seven of the "Chicago 8" still on trial would lead the "mass march" but it now appears from the last minute television news, that Jerry Rubin will be unable to make it.

As of 10 November, the SDS in Boston, Massachusetts, was calling for a rally to be held on 13 November at the "New Federal Building", to protest Seale's having been cited for contempt; and Jerry Rubin, on some unstated date in Boston, spoke for about twenty minutes at an SDS sponsored rally of approximately three hundred persons and called for a march of one hundred thousand to the Department of Justice in Washington, D. C., at 5 p. m. on November, to demand Seale's release.

In connection with the 15 November demonstrations to be held in Washington, D. C., defendants David Dellinger and Rennie Davis, leaders of the New Mobilization Committee to End the War in Vietnam, have made a number of trips to this city. Davis declared to an audience

[REDACTED]

at the Georgetown Law Center in Washington, D. C., on 8 November, that protesters will march on the White House on Saturday, 15 November, whether they receive a permit to do so or not. According to Davis, "We feel that a quarter of a million people constitutes a permit and we're going to the White House." If there is violence in Washington during the anti-war protests, he said, it will be the fault of the Government. The parade route for the Saturday mass march has been the subject of great controversy between Mobilization leaders and representatives of the Department of Justice. The insistence of Mobilization leaders that the march route include either Pennsylvania Avenue or the area around the White House was objected to by the Justice Department; but a "compromise" agreement has finally been announced and the mass march down Pennsylvania Avenue will be permitted—as Mobilization leaders have claimed all along that it would.

Regarding the "Conspiracy 8" and its part in the mid-November Mobilization/Memoratorium demonstrations in Washington, Tom Hayden commented in the Guardian: "As for The Conspiracy, we are aiming our struggle at the Nov. 13-15 anti-war demonstrations led by Rennie Davis and Dave Dellinger on the two coasts and a march on the Justice Department Nov. 15 to stop the trial and free Eobby. On the East Coast it is really necessary to tie the Nov. 15 demonstration to the trial. There should be actions on the 13th and 14th at federal buildings throughout the country to stop the trial."

During the past week, little was reported in the press regarding trial testimony, and doubtless little was accomplished. How could it have been? The amount has, however, begun to pick up since Seale's departure from the courtroom. The 10 November session of the court was devoted to cross-examination by the defense of Mrs. Barbara Callendar, a Chicago policewoman who testified last week that she observed Jerry Rubin make inflammatory speeches in Lincoln Park. According to Mrs. Callendar, who posed as a Hippie during the Convention, she followed Rubin around because she felt he was "a very obnoxious man", and heard him make such comments as "Don't let the pigs push you around" and "Arm yourselves." She quoted him as having frequently uttered obscenities. She also referred to Tom Hayden, regarding whom she commented that he has "beady eyes"; but she refused to agree with Attorney Kunstler's suggestion that "You don't like these defendants very much."

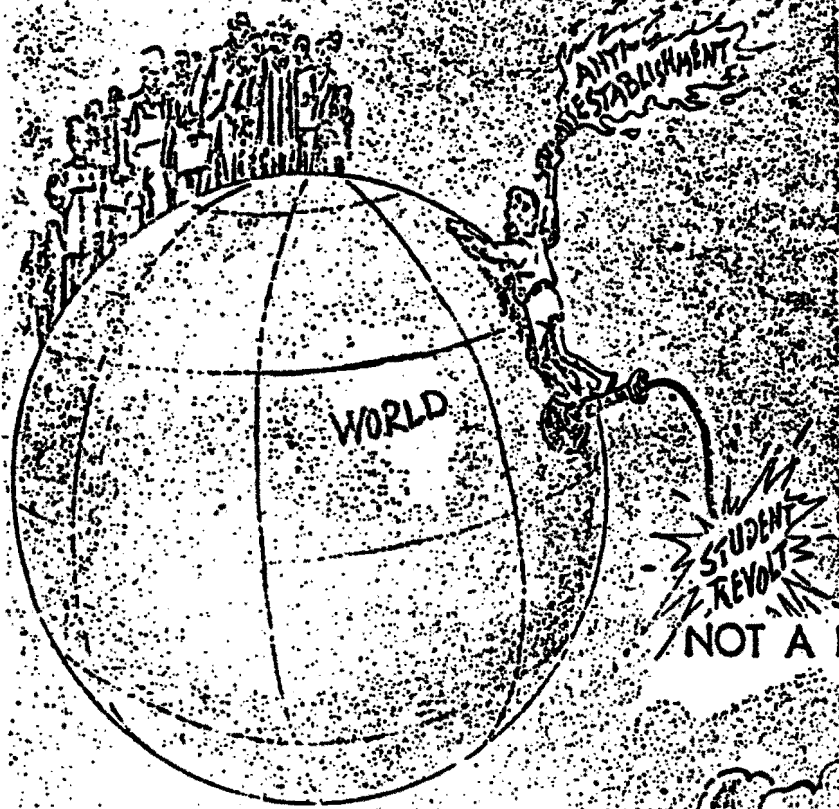
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11 and 12 November were devoted to the testimony of police undercover agent Irwin Bock who said he had infiltrated the top ranks of anti-war organizations and heard the defendants discuss plans to tie up the Chicago Police Force with street violence and vandalism during the 1968 Democratic National Convention. At a pre-convention meeting attended by six of the "Chicago 7", he said he heard Thomas Hayden suggest such tactics as "breaking windows in the Loop, setting off fire alarms, and setting small fires"; and he quoted Hayden as saying, "It will take the whole police force to watch the demonstrators."

It was the mention of Jerry Rubin's name during Bock's testimony on 12 November which led to the ordering of Rubin's arrest by Judge Hoffman, when it was found that he was not in the courtroom or anywhere in the Federal Office Building. Kunstler explained that Rubin left the court early to catch a plane to keep a speaking engagement at Rutgers University in New Brunswick, New Jersey, and left behind a written waiver of his constitutional right to be present at his trial. According to Kunstler, Rubin's absention from the court stemmed from a misunderstanding over the defendants' privileges. (The seven defendants have been permitted to travel widely both at night and over weekends, providing they informed the U. S. Attorney of their itinerary.) Judge Hoffman insisted that there was "no misunderstanding at all" about the defendants' privileges and he informed Kunstler that he (the Judge) is the one to determine when a defendant may leave. Rubin did not appear at Rutgers University, where Abbie Hoffman spoke in his place, and later surrendered to U. S. marshals. He was placed in the Cook County Jail pending an appearance before Judge Hoffman—but according to the radio has been released and is back in court.

It has been announced that Mayor Richard J. Daley has agreed to appear at the trial of the "Chicago 8" in response to a subpoena by the defense, which will attempt to show that the real conspiracy during the summer of 1968 in Chicago was not committed by the defendants, but by the Mayor and others who the defense claims sought to stifle all effective protest. The appearance of Mayor Daley promises to be a highlight of the trial.



NOT A BARGAINING POSITION



ANTI-WAR DEMONSTRATORS

Hatchery

by Karl Hohenhof



LEONID MANIPULATING HIS DUMMY.

FROM - THE FORTY-NINER.

21 Oct 69 (CALIFORNIA STATE COLLEGE AT LONG BEACH)

**GRIX AND BEAR IT BY LIGHTY**



*"In defense of my client, I might say that the burning of a college administration building is considered as American as apple pie these days!"*



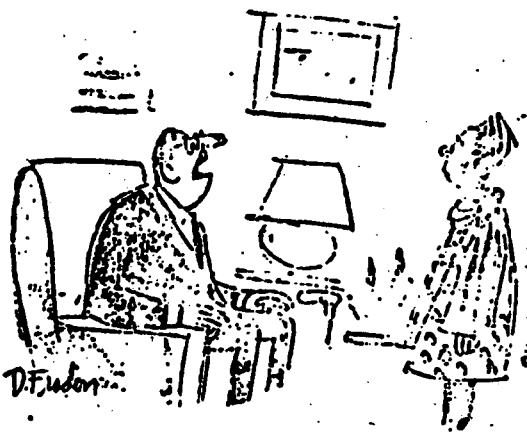
*INTERLAND © 1962, LES AIGLES TIMES*

*"You can spot the trouble makers right off by the way they dress!"*

**TELL IT LIKE IT IS By Dunagin**



*"It's my greatest identity crisis. I went home to get the tuition for next semester, and my parents didn't know me."*



*D. Fraden*

*"You don't see Thurgood Marshall dressing like that!"*

*Drawings by D. Fraden: © 1962, The New Yorker Magazine Inc*

CALENDAR OF TENTATIVELY SCHEDULED ACTIVITIES

Asterisked items are either reported for the first time or contain additions or changes to previously reported activities.

November 18, Washington, D. C.

The appearance of black militant Robert F. Williams before the Senate Internal Security Subcommittee scheduled for 30 September was postponed until 18 November, according to Conrad Lynn, one of Williams' lawyers. Williams faces kidnapping charges in North Carolina.

\*November 19, New York

SDS and the Young Socialist Alliance, the youth group of the Socialist Workers Party, at Columbia University have announced they would demonstrate on 19 November against General Electric recruiters who are due on the campus on that date.

November 19-22, Washington, D. C.

The Committee of Returned Volunteers which plans to participate in the November demonstrations and to hold a conference dealing with "American Imperialism in Asia," will also demonstrate, November 19-22 at Washington, D. C., during a conference on Okinawa between the President and the Prime Minister of Japan.

November 21-24, Chicago, Illinois

The New Democratic Coalition steering committee announced a national conference will be held at which Sen. Harold Hughes (D-Iowa) will be the principal speaker.

\*November 22, New Haven, Connecticut

Women's Liberation activists from throughout the East will converge on the state courthouse to demand that five BPP women currently in jail on murder charges be freed. Men have also been

urged to join this demonstration. Women are expected to come from New York, Baltimore, New Jersey, Washington, D. C., Boston, Philadelphia, and as far away as Chicago.

\*November 27 (Thanksgiving) Atlanta, Georgia

National RYM-2 (SDS) Women's Conference at Emory University.

\*November 28-30, Atlanta, Georgia

RYM-2 (SDS) National Conference at Emory University.

November 28-30, Mississippi or Georgia

The National Conference on Black Power had a three-conference schedule for 1969 - the first in July in Bermuda - the second 29-31 August in Los Angeles, and the third - "to synthesize the results of the previous two" will be in Mississippi or Georgia during the Thanksgiving weekend (November 27). It will be international in scope - including black peoples from North America, the Caribbean, Africa, and South America.

\*November 29, New York City

All day conference: "Agencies of Social Change - Toward a Revolutionary Strategy for Advanced Industrialist Countries." Sponsored by the Socialist Scholars Conference and the Bertrand Russell Peace Foundation of America, Inc.

December 20, International

In Helsinki in August 1969, at the World Meeting of Solidarity of Youth and Students with Vietnam, attended by young people from 78 countries, among three documents adopted was one containing recommendations for national youth organizations and movements to conduct a world-wide campaign of action of the youth and students in support of the Vietnamese people and its struggle for independence, freedom and peace. Mass activities on December 20 - the day of establishment of the South Vietnam National Liberation Front, "must become a culmination of all the mass action conducted in the most diverse forms," it declared.

December 26-28, Chicago, Illinois

The CPUSA has disseminated a document entitled "A Call to Found a Revolutionary Working Class Youth Organization." The founding convention of this new Marxist-Leninist Youth organization will be in Chicago from December 26-28, 1969.

\*December 27-30, Minneapolis, Minnesota

National Convention of Young Socialists at the University of Minnesota being held by YSA. *15 Nov 69*

SOURCE: Government and news media.

RELIABILITY: Probably true.