

# CovertAction Quarterly

FALL 1998

NUMBER 65

\$5.95/\$6.95 Canada

# CAQ

20th Anniversary Issue

# The War Against Cuba

Twenty Years of *CovertAction*: Philip Agee and Ramsey Clark

Diana Johnstone on Yugoslavia: "Privatizing" the Left

Ron Ridenhour: A Remembrance

**Assata Shakur: A Revolutionary Life**



***Assata Shakur***  
***The Life of a***  
***Revolutionary***

**Edited by**  
**Rosemari Mealy**



**Editors' Note:** This article contains portions of the text of several letters and interviews by Assata Shakur and comments by two noted attorneys, Lennox Hinds and Michael Ratner. The text that follows in italics is by Rosemari Mealy, who has excerpted Assata's writings for *CovertAction*.

**C**overtAction Quarterly has always attempted to present an alternative perspective that goes directly to the heart of political issues. When tyrannical governments infringe on the basic fundamental rights of individuals and groups through both domestic and foreign counterinsurgency programs, their victimization has been reported in this magazine. Revelations over the years have exposed, for example, the vicious methods of the FBI's Counter-Intelligence Program (COINTELPRO) used against U.S. political activists. Many innocent individuals have been entrapped and then railroaded through a hostile court system, criminalized for no other reason than speaking out and acting on their political beliefs. Forgotten in general by the American public, more than 200 of these men and women currently languish in prisons throughout this country, some for more than 25 years.

One person who was able to escape horrendous persecution, after being convicted in 1977 by an all-white jury and sentenced to life plus 33 years in prison, was Assata Shakur (formerly known as JoAnne Chesimard).

In her written statement to the 54th Session of the United Nations Commission on Human Rights, held in Geneva, Switzerland in March 1998, Assata Shakur testified:

The U.S. Senate's 1976 Church Committee report on intelligence operations inside the U.S.A. revealed that, "The FBI has attempted covertly to influence the public's perception of persons and organizations by disseminating derogatory information to the press, either anonymously or through 'friendly' news contacts."

In 1978 my case was one of many cases brought before the United Nations..., exposing the existence of political prisoners in the United States, their political persecution, and the cruel and inhuman treatment they receive in U.S. prisons.... [See sidebar.]

I was falsely accused in six different "criminal cases," and in all six of these cases I was eventually acquitted or the charges were dismissed. The fact that I was acquitted or that the charges were dismissed, did not mean that I received justice in the courts; that was cer-

**Rosemari Mealy** is a radio producer-activist and host on WBAI-FM in New York City and on its Pacifica Network. She is the author of *Fidel and Malcolm X: Memories of A Meeting* (Melbourne: Ocean Press, 1993). Mealy has lived and worked in Cuba. (Photo on left by AP/Wide World Photos. Assata being transferred to Middlesex County Jail after her indictment.)

tainly not the case. It only meant that the "evidence" presented against me was so flimsy and false that my innocence became evident. This political persecution was part and parcel of the government's policy of eliminating political opponents by charging them with crimes and arresting them with no regard to the factual basis of such charges. ...

On May 2, 1973, I, along with Zayd Malik Shakur and Sundiata Acoli, were stopped on the New Jersey Turnpike, supposedly for a "faulty tail light." Sundiata Acoli got out of the car to determine why we were stopped. Zayd and I remained in the car. State Trooper Harper then came to the car, opened the door, and began to question us. Because we were black, and riding in a car with Vermont license plates, he claimed he became "suspicious." He then drew his gun, pointed it at us, and told us to put our hands up in the air in front of us, where he could see them. I complied and in a split second, there was a sound that came from outside the car, there was a sudden movement, and I was shot once with my arms held up in

the air, and then once again from the back. Zayd Malik Shakur was later killed, Trooper Werner Foerster was killed. I was left on the ground to die and when I did not, I was taken to a local hospital where I was threatened, beaten, and tortured....

Even though trooper Harper admitted that he shot and killed Zayd Malik Shakur, under the New Jersey felony murder law, I was charged with killing both Zayd Malik Shakur, who was my closest friend and comrade, and charged in the death of Trooper Foerster. Never in my life have I felt such grief. Zayd had vowed to protect me, and to help me to get to a safe place, and it was clear that he had lost his life trying to protect both me and Sundiata. Although he was also unarmed, and the gun that killed Trooper Foerster was found under Zayd's leg, Sundiata Acoli, who was captured later, was also charged with both deaths. Neither Sundiata Acoli nor I ever received a fair trial. We were both convicted in the news media way before our trials. No news media was ever permitted to interview us, although

## THE U.N. PETITION

On December 11, 1978, attorney Lennox Hinds, on behalf of the National Conference of Black Lawyers, the National Alliance Against Racism, and the Commission for Racial Justice of the United Church of Christ, sent a petition to the United Nations Commission on Human Rights alleging a "consistent pattern of gross ... violations of human rights and fundamental freedoms of certain classes of political prisoners in the United States because of their race, economic status, and political beliefs."

The petition, referring to the case of Assata Shakur, stated that, "The FBI and the New York Police Department, in particular, charged and accused Assata Shakur of participating in attacks on law enforcement personnel, and widely circulated such charges and accusations among police agencies and units. The FBI and the NYPD further charged her as being a leader of the Black Liberation Army, which the government and its respective agencies described as an organization engaged in the shooting of police officers. This description of the Black Liberation Army and the accusation of Assata Shakur's relationship to it was widely circulated by government agents among police agencies and units. As a result of these activities by the government, Ms. Shakur became a hunted person; posters in police precincts and banks described her as being involved in serious criminal activities; she was highlighted on the FBI's most wanted list; and to police at all levels she became a 'shoot-to-kill' target."

In response to the petition, seven international jurists visited a number of prisons on August 3-20, 1979, and reported their findings. They listed four categories of prisoners, the first of which were political prisoners, defined as "a class of victims of FBI misconduct through the COINTELPRO strategy and other forms of illegal governmental conduct who as political activists have been selectively targeted for provocation, false arrests, entrapment, fabrication of evidence, and spurious criminal prosecutions. This class is exemplified by at least: The Wilmington Ten, the Charlotte Three, Assata Shakur, Sundiata Acoli, Imari Obadele and other Republic of New Africa defendants, David Rice, Ed Poindexter, Elmer 'Geronimo' Pratt, Richard Marshall, Russell Means, Ted Means, and other American Indian Movement defendants."

"One of the worst cases," they wrote, "is that of Assata Shakur, who spent over twenty months in solitary confinement in two separate men's prisons subject to conditions totally unbefitting any prisoner. Many more months were spent in solitary confinement in mixed or all-women's prisons. Presently, after protracted litigation, she is confined at Clinton Correctional Facility for Women in maximum security. She has never on any occasion been punished for any infraction of prison rules which might in any way justify such cruel or unusual punishment."



**Assata speaking to U.S. Women's delegation, Havana, Cuba, January 1998.**

the New Jersey police and the FBI fed stories to the press on a daily basis....

Because of government persecution, I was left with no other choice than to flee from the political repression, racism, and violence that dominate the U.S. government's policy towards people of color, and in 1979, fearing that I would be murdered in prison, and knowing that I would never receive any justice, I was liberated from prison, aided by committed comrades who understood the depths of the injustices in my case, and who were also extremely fearful for my life.

*The greatest fear that Assata had to endure during the early years of her incarceration was for the safety of her daughter, Kakuya, who was born while Assata was confined to a hospital ward.*

*After the daring escape from a maximum security unit at New Jersey's Clinton Correctional facilities, Assata lived and struggled underground for many years. She was placed on the FBI's Most Wanted list and hunted by federal officials during this period.*

*There was great relief among the progressive community when it became known that Assata*

*had been liberated from prison on Black Solidarity Day, November 2, 1979. Bright yellow posters with Assata's photo were anonymously printed, and appeared on signposts throughout Harlem, with the message, "Assata Is Welcome Here." But, at the same time, Black women throughout the United States were summarily detained by the police under the pretext that they resembled the so-called fugitive. Homes of Black activists in New York and other cities were raided by heavily armed SWAT teams, where police informants had directed them to what were falsely believed to be safe houses harboring this dangerous "cop killer."*

*Assata's family was also harassed. Her aunt and attorney, Evelyn Williams, was jailed for criminal contempt for vigorously defending her client. Ms. Williams, in her book (Inadmissible Evidence [Chicago: Lawrence Hill, 1993]) provides in detail a frightening saga of American jurisprudence. Before she passed in 1995, Assata's mother, Doris, bore the emotional scars induced by mental torture. Imagine your phone ringing constantly in the middle of the night with a sadistic caller telling you that your daughter is dead!*

*If the psychological warfare that was waged against her immediate family by the U.S. police*

*and other law enforcement agencies throughout the years took place in any other country, it would be deemed a human rights violation.*

*In her own autobiography, Assata [Chicago: Lawrence Hill, 1987], she chronicles her experiences, and describes herself as a "20th century escaped slave."*

*In the late 1980s, Assata Shakur publicly emerged in Cuba where she was accorded the status of political refugee.*

*Throughout the years, the New Jersey police have been particularly vindictive, vowing to capture Assata Shakur, dead or alive. On December 24, 1997, the New Jersey State Police called a press conference to announce that they had written a letter to Pope John Paul II—who was about to embark on a trip to Cuba—asking him to intervene on their behalf to have Assata extradited to New Jersey.*

*Assata sent an open letter to the Pope, which received widespread international dissemination. It was published in Arabic, French, Spanish, and several other languages. In the United States, the letter went virtually unnoticed by the mainstream press, but was given front page coverage by New York's only Black daily, the Daily Challenge. The letter is reprinted at pages 38 through 40.*



**Affirmation**

*I believe in living.  
I believe in the spectrum  
of Beta days and Gamma people.  
I believe in sunshine.  
In windmills and waterfalls,  
tricycles and rocking chairs.  
And i believe that seeds grow into sprouts.  
And sprouts grow into trees.  
I believe in the magic of the hands.  
And in the wisdom of the eyes.  
I believe in rain and tears.  
And in the blood of infinity.*

*I believe in life.  
And i have seen the death parade  
march through the torso of the earth,  
sculpting mud bodies in its path.  
I have seen the destruction of the daylight,  
and seen bloodthirsty maggots  
prayed to and saluted.*

*I have seen the kind become the blind  
and the blind become the blind  
in one easy lesson.  
I have walked on cut grass.  
I have eaten crow and blunder bread  
and breathed the stench of indifference.*

*I have been locked by the lawless.  
Handcuffed by the haters.  
Gagged by the greedy.  
And, if i know any thing at all,  
it's that a wall is just a wall  
and nothing more at all.  
It can be broken down.*

*I believe in living.  
I believe in birth.  
I believe in the sweat of love  
and in the fire of truth.*

*And i believe that a lost ship,  
steered by tired, seasick sailors,  
can still be guided home  
to port.*

Courtesy of Evelyn Williams

A LETTER TO THE POPE

Havana, Cuba

March 1998

Your Holiness

I hope this letter finds you in good health, in good disposition, and enveloped in the spirit of goodness. I must confess that it had never occurred to me before to write to you, and I find myself overwhelmed and moved to have this opportunity. Although circumstances have compelled me to reach out to you, I am glad to have this occasion to try and cross the boundaries that would otherwise tend to separate us.

I understand that the New Jersey State Police have written to you and asked you to intervene and to help facilitate my extradition back to the United States. I believe that their request is unprecedented in history. Since they have refused to make their letter to you public, although they have not hesitated to publicize their request, I am completely uninformed as to the accusations they are making against me. Why, I wonder, do I warrant such attention? What do I represent that is such a threat?

Please let me take a moment to tell you about myself. My name is Assata Shakur and I was born and raised in the United States. I am a descendant of Africans who were kidnaped and brought to the Americas as slaves. I spent my early childhood in the racist segregated South. I later moved to the northern part of the country, where I realized that Black people were equally victimized by racism and oppression.

I grew up and became a political activist, participating in student struggles, the anti-war movement, and, most of all, in the movement for the liberation of African Americans in the United States. I later joined the Black Panther Party, an organization that was targeted by COINTELPRO, a program that was set up by the Federal Bureau of Investigation (FBI) to eliminate all political opposition to the U.S. government's policies, to destroy the Black Liberation Movement in the U.S., and to discredit activists and to eliminate potential leaders.

As a result of being targeted by COINTELPRO, I, like many other young people, was faced with the threat of prison, underground, exile or death.

At this point, I think that it is important to make one thing very clear. I have advocated and I still advocate revolutionary changes in the structure and in the principles that govern the U.S. I advocate an end to capitalist exploitation, the abolition of racist policies, the eradication of sexism, and the elimination of political repression. If that is a crime, then I am totally guilty.

To make a long story short, ... let me emphasize that justice for me is not the issue ... it is justice for my people that is at stake. When my people receive justice, I am sure that I will receive it, too. I know that Your Holiness will



Reuters / Paul Hanna / Archive Photos



reach your own conclusions, but I feel compelled to present the circumstances surrounding the application of "justice" in New Jersey. I am not the first nor the last person to be victimized by the New Jersey system of "justice." The New Jersey State Police are infamous for their racism and brutality. Many legal actions have been filed against them and just recently, in a class action legal proceeding, the New Jersey State Police were found guilty of having an "officially sanctioned, de facto policy of targeting minorities for investigation and arrest."

Although New Jersey's population is more than 78 percent white, more than 75 percent of the prison population is made up of Blacks and Latinos. Eighty percent of women in New Jersey prisons are women of color. There are 15 people on death row in the state and seven of them are Black. A 1987 study found that New Jersey prosecutors sought the death penalty in 50 percent of cases involving a Black defendant and a white victim, but in only 28 percent of cases involving a Black defendant and a Black victim.

Unfortunately, the situation in New Jersey is not unique, but reflects the racism that permeates the entire country. The United States has the highest rate of incarceration in the world. There are more than 1.7 million people in U.S. prisons. This number does not include the more than 500,000 people in city and county jails, nor does it include the alarming number of children in juvenile institutions. The vast majority of those behind bars are people of color and virtually all of those behind bars are poor. The result of this reality is devastating. One third of Black men between the ages of 20 and 29 are either in prison or under the jurisdiction of the criminal justice system.

Prisons are big business in the United States, and the building, running, and supplying of prisons has become the fastest growing industry in the country. Factories are being moved into the prisons and prisoners are being forced to work for slave wages. This super-exploitation of human beings has meant the institutionalization of a new form of slavery. Those who cannot find work on the streets are forced to work in prison.

Not only are prisons being used as instruments of economic exploitation, they also serve as instruments of political repression. There are more than 100 political prisoners in the U.S. They are African Americans, Puerto Ricans, Chicanos, Native Americans, Asians, and progressive white people who oppose the policies of the United States government. Many of those targeted by the COINTELPRO program have been in prison since the early 1970s.

Although the situation in the prisons is an indication of human rights violations inside the United States, there are other, more deadly indicators. There are currently 3,365 people now on death row, and more than 50 percent of those awaiting death are people of color. Black people make up only 13 percent of the population, but we make up 41.01 percent of persons who have received the death penalty. The number of state assassinations has in-



Eliana Levy

creased drastically. In 1997 alone, 71 people were executed.

A special reporter assigned by the United Nations Organization found serious human rights violations in the U.S., especially those related to the death penalty. According to these findings, people who were mentally ill were sentenced to death, people with severe mental and learning disabilities, as well as minors under age 18. Serious racial bias was found on the part of judges and prosecutors. Specifically mentioned in the report was the case of Mumia Abu-Jamal, the only political prisoner on death row, who was sentenced to death because of his political beliefs and because of his work as a journalist, exposing police brutality in the city of Philadelphia.

Police brutality is a daily occurrence in our communities. The police have a virtual license to kill and they do kill: children, grandmothers, anyone they perceive to be the enemy. They shoot first and ask questions later. Inside the jails and prisons there is at least as much brutality as there was on slave plantations. An ever-increasing number of prisoners are found hanging in their cells.

The United States is becoming a land more hostile to Black people and other people of color. Racism is running rampant and xenophobia is on the rise. This has been especially true in the sphere of domestic policy. Politicians are attempting to blame social problems on Black people and other people of color. There have been attacks on essentially all affirmative action programs designed to help correct the accumulated results of hundreds of years of slavery and discrimination. In addition, the government seems determined to eliminate all social programs that provide assistance to the poor, resulting in a situation where millions of people do not have access to basic health care, decent housing or quality education. It was with great happiness that I read the Christmas message that Your Holiness delivered. I applaud you for taking up the cause of the poor, the homeless, the unemployed. The fact that you are addressing the issues of today, unemployment, homelessness, child abuse, and the drug problem, is important to people all over the world. One third of Black people in the United States live in poverty, and our communities are inundated with drugs. We have every reason to believe that the CIA and other government agencies are involved in drug trafficking.

Although we live in one of the richest, most technically advanced countries in the world, our reality is similar to an undeveloped, Third World country. We are a people who are truly seeking freedom and harmony.

All my life I have been a spiritual person. I first learned of the struggle and the sacrifice of Jesus in the segregated churches of the South. I converted to Catholicism as a young girl. In my adult life I have become a student of religion and have studied Christianity, Islam, Asian religions and the African religions of my ancestors. I have come to believe that God is universal in nature, although called different names and with different faces. I believe that some people spell God with one "O" while others spell it with two.

What we call God is unimportant, as long as we do God's work.

There are those who want to see God's wrath fall on the oppressed and not on the oppressors. I believe that the time has ended when slavery, colonialism, and oppression can be carried out in the name of religion. It was in the dungeons of prison that I felt the presence of God up close, and it has been my belief in God, and in the goodness of human beings that has helped me to survive. I am not ashamed of having been in prison, and I am certainly not ashamed of having been a political prisoner. I believe that Jesus was a political prisoner who was executed because he fought against the evils of the Roman Empire, because he fought the greed of the money changers in the temple, because he fought against the sins and injustices of his time. As a true child of God, Jesus spoke up for the poor, the meek, the sick, and the oppressed. The early Christians were thrown into lions' dens. I will try and follow the example of so many who have stood up in the face of overwhelming oppression.

I am not writing to ask you to intercede on my behalf. I ask nothing for myself. I only ask you to examine the social reality of the United States and to speak out against the human rights violations that are taking place.

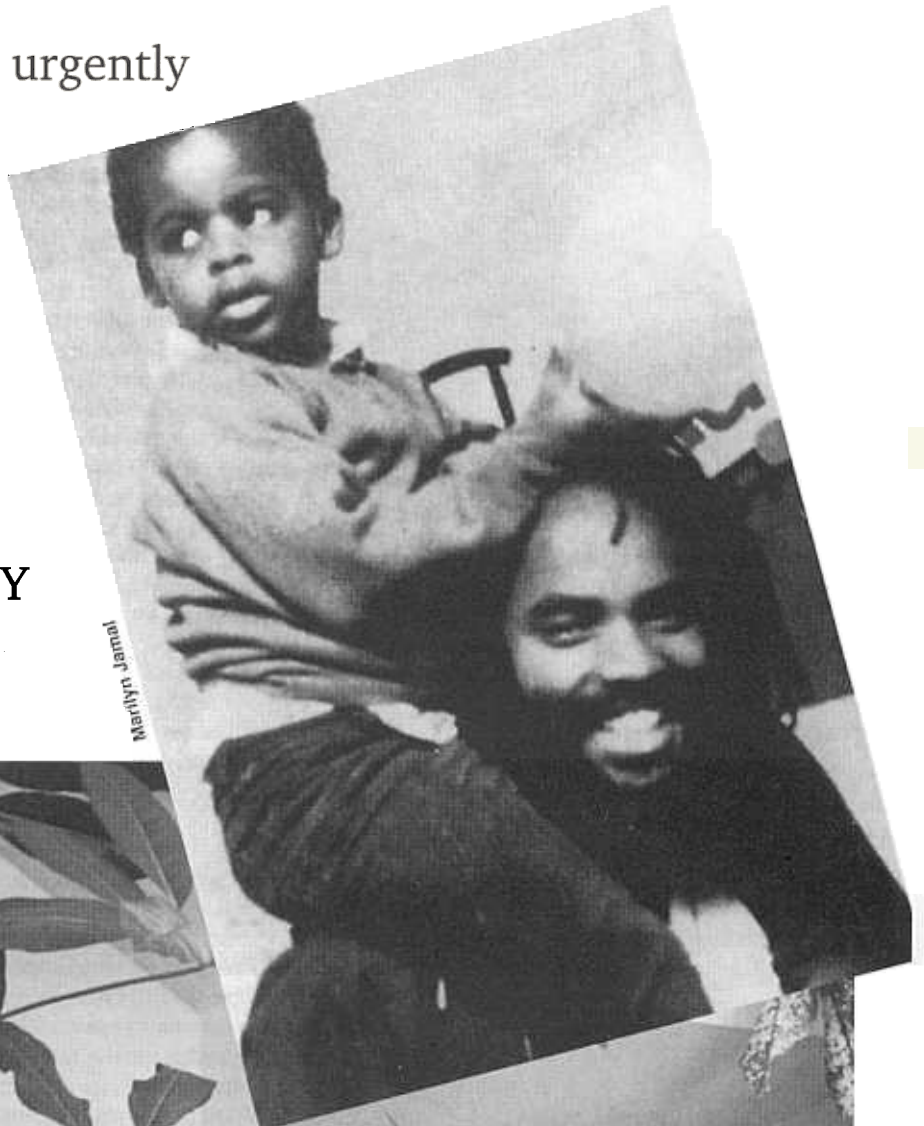
On this day, the birthday of Martin Luther King, Jr., I am reminded of all those who gave their lives for freedom. Most of the people who live on this planet are still not free. I ask only that you continue to work and pray to end oppression and political repression. It is my heartfelt belief that all the people on this earth deserve justice: social justice, political justice, and economic justice. I believe it is the only way that we will ever achieve peace and prosperity on earth. I hope that you enjoy your visit to Cuba. This is not a country that is rich in material wealth, but it is a country that is rich in human wealth, spiritual wealth and moral wealth.

Respectfully yours,

Assata Shakur  
Havana, Cuba



Mumia's legal-defense team urgently needs money to pursue his appeal. Please make tax-deductible contributions payable to the Bill of Rights Foundation, earmarked "Jamal," and send to the Committee to Save Mumia Abu-Jamal, 163 Amsterdam Avenue, #115, New York, NY 10023-5001.



Marilyn Jamal



Eliana Levy



Elana Levy

The following excerpts are from an exclusive interview that appeared on January 21, 1997, on "The Black World Today" website ([www.tbwt.com](http://www.tbwt.com)). Journalist and activist, Elombe Brath, and Rosemari Mealy discussed the letter to the Pope and the issue of religion in Cuba with Assata Shakur:

**Rosemari Mealy:** Many individuals who have been most hostile toward the Cuban Revolution have also been some of the first to criticize the Vatican's visit to Havana. Curiously, some other groups purporting to represent the New Jersey State Police have attempted to have you extradited back to the United States. Is your open letter in response to those news reports which were circulated last month to this effect?

**Assata Shakur:** This open letter is a response to that specific event, but it is a response to a larger issue, which is the issue of police brutality, of oppression. I have nothing whatsoever to say to the New Jersey State Police. I don't believe that they deserve a response since they sneakily wrote a letter to the Pope and refused to publish it or to assert publicly what their intentions were. I felt that I had to tell the Pope about my reality, and to talk about the reality in which I grew up, and in which my people are still living.

**RM:** I assume then that you found yourself in a unique situation. While as an internationalist, living in a country where the Pope is visiting, you also had access to having your letter delivered directly to him. This was something

that most of us would never dream possible.

**AS:** That's absolutely correct. When I was in prison they would say and accuse me of all kinds of things, I was not able to answer. I was not able to defend myself. I felt that since I could answer, and I could speak to the Pope, I could write to the Pope, that I needed to do that. Again, I want to reiterate, I don't feel that I'm talking for myself, but I think that there are many sisters and brothers who are in my same condition, whether it's in exile, whether it's in prison. Therefore, I think I have a duty to them to try to do all that I can. This goes especially to the case of Mumia Abu-Jamal, who is facing death. We must work and do everything possible to ensure Mumia's release and to bring him back into the community where he is so desperately needed.

**RM:** With the Pope's arrival, the news in this country is inundated by perspectives from exiles and others who are ignorant of Cuba's revolutionary achievements. Having lived and visited there myself, I see how the airwaves and TV cameras have attempted to present Cuba as an island without hope or soul. From your perspective, and from observations made within your own community, what are the sentiments as you see them expressed?

**AS:** I think people are certainly very interested in hearing what the Pope has to say. I think that people in Cuba, in general, are interested in spirituality, and spirituality as it relates to social justice. The Pope has made many statements recently which have dealt very much with the current issues that people are facing around the world.... I think that the Pope has turned over a new leaf or grown, and that the whole so-called Cold War Era is coming to an end. I think that people are seeing that the construction of socialism and the practicing of religion has become more and more interactive. These two things are not contradictory by any means. The construction of socialism and the practicing of religion are more complementary than contradictory. People in Havana seem to be chilling out and enjoying the day, and feeling hopeful, because the people in Miami who have been so critical of the Revolution, who have been doing everything to promote counterrevolution are certainly not popular here. People do not see them as the bearers of religion, and they no longer can use religion to hide their counter-revolutionary activities.

**Elombe Brath:** One of the things being projected here relates to the big media spin regarding religion in Cuba. Yet you would think that with the Pope visiting, they would have to admit that it's not just Catholicism that exists in Cuba. A variety of denominations exist, such as the Assemblies of God, the Protestants, and the Pentecostals, the Baptists, and also Santeria. Gloria Rolando's recent film, *Eyes on the Rainbow*, in which you are the subject, presented a very personal side of you showing that you have become more oriented toward our traditional African religion. What could you say about religion in Cuba?

**AS:** In the early 1990s, the Cuban Communist Party changed its position on religion, even though Cuba never discriminated against those who practiced religion. Inside of the party, people who had religious beliefs were not admitted. The party admitted that this was an error and began admitting people with religious beliefs and others who were already in the party and had practiced their beliefs clandestinely came out of the closet so to speak. This made for a healthy situation. I believe that the spirituality is one of the things which has helped the religion to survive. During all of the political struggles of Cuba going back to the struggles against Spanish colonialism, religion has been a very important factor, especially the African religions. Africans who practiced those religious beliefs during the war for independence in those tightly knit religious houses where they worked secretly to preserve the African rituals were able to secretly and clandestinely move to plot the war for independence against Spain. And the same things happened with the revolution that triumphed in 1959. Religion has been a very important part in my opinion of the Cuban revolutionary spirit. These times are very crucial in terms of religion and more and more being divided along the lines of whether you are on the side of the oppressed or oppressor ... whether you are on the side of pomp and circumstance or whether you are on the side of those who have nothing....

**EB:** Assata, how would you directly address how the people in the United States can respond to your particular situation?

**AS:** I think the first thing that people need to do is to become involved. I believe that the only way that people like myself and others who are in prison or exiled will ever be "safe" is for people to build a strong movement around the issue of political repression. We must build a strong movement to free political prisoners. In conjunction, we must build a strong movement for amnesty for all of those people—those political activists—who were victimized by COINTELPRO.... We must demand freedom and amnesty for our political prisoners.

*In January of 1998, during the Pope's visit to Cuba, Assata agreed to do an interview with NBC journalist, Ralph Penza, about her letter to the Pope, her experiences in the New Jersey court system, and her views on the treatment of Blacks in the U.S. during the last 25 years. The interview, as edited and broadcast, read like something out of the Police Gazette. It catapulted Assata Shakur into the limelight once again, prompting the New Jersey State Police to state openly that they are willing to do whatever is necessary to have her brought back from Cuba. It also prompted an unprecedented intervention by Governor Christine Todd Whitman. Assata wrote a lengthy critique of the show, which stated, in part:*

I agreed to do this interview because I saw this secret letter to the Pope as a vicious, vulgar publicity maneuver on the part of the New Jersey State Police, and as a cynical attempt to manipulate Pope John Paul II. I have lived in Cuba for many years, and was completely out of touch with the sensationalist, dishonest, nature of the establishment media today. It is worse today than it was 30 years ago. After years of being victimized by the "establishment" media, it was naive of me to hope that I might finally get the opportunity to tell "my side of the story." Instead of an interview with me, what took place was a "staged media event" in three parts, full of distortions, inaccuracies, and outright lies. NBC purposely misrepresented the facts. Not only did NBC spend thousands of dollars promoting this "exclusive interview series" on NBC, they also spent a great deal of money advertising this "exclusive interview" on Black radio stations and also placed notices in local newspapers.... In an NBC interview, Governor Whitman was quoted as saying that "this has nothing to do with race, this has everything to do with crime." Either Governor Whitman is completely unfamiliar with the facts in my case, or her sensitivity to racism and to the plight of Black people and other people of color in the United States is at a sub-zero level....

The NBC story implied that Governor Christine Whitman raised the reward for my capture based on my interview with NBC. Whitman claimed that she was writing Janet Reno for federal assistance in my capture, based on what she saw in the NBC interview. The fact of the matter is that she has been campaigning since she was elected into office to double the reward for my capture....

Anybody who knows anything about New Jersey politics can be certain that her motives

are purely political. She, like Senator Robert Torricelli and several other opportunistic politicians in New Jersey, came to power, as part-time lobbyists for the Batista faction—soliciting votes from right-wing Cubans. They want to use my case as a barrier to normalizing relations with Cuba, and as a pretext for maintaining the immoral blockade against the Cuban people.

In what can only be called deliberate deception and slander, NBC aired a photograph of a woman with a gun in her hand implying that the woman in the photograph was me. I was not, in fact, the woman in the photograph.... It was a vile, fraudulent attempt to make me look guilty. NBC deliberately misrepresented the truth.... Not once have the New Jersey State Police, Governor Whitman, or NBC come forth and stated that I was not

## **Governor Whitman ... and Senator Torricelli ... want to use my case as a barrier to normalizing relations with Cuba and as a pretext for maintaining the immoral blockade against the Cuban people.**

the woman in the photograph, or that I had been acquitted of that charge....

In a clear attempt to discredit me, Col. Carl Williams of the New Jersey State Police was allowed to give blow-by-blow distortions of my interview. In my interview I stated that on the night of May 2, 1973, I was shot with my arms in the air, then shot again in the back. Williams stated, "that is absolutely false. Our records show that she reached in her pocketbook, pulled out a nine-millimeter weapon and started firing." However, the claim that I reached into my pocketbook and pulled out a gun, while inside the car, was even contested by Trooper Harper. Although in three official reports, and when he testified before the grand jury, he stated that he saw me take a gun out of my pocketbook, he finally admitted under cross-examination that he never saw me with my hands in a pocketbook, never saw me with a weapon inside the car, and that he did not see me shoot him.

The truth is that I was examined by three medical specialists: (1) A neurologist who testified that I was paralyzed immediately after being shot. (2) A surgeon who testified that "It was absolutely anatomically necessary that both arms be in the air for Mrs. Chesimard to

## **THE INJUSTICE OF THE TRIAL**

Assata was convicted in New Jersey as an accomplice to the murder of state trooper Werner Foerster and of atrocious assault on James Harper with the intent to kill. Under New Jersey law, if a person's presence at the scene of a crime can be construed as "aiding and abetting" the crime, that person can be convicted of the substantive crime itself. The state of New Jersey convicted Sundiata Acoli for these same murders after Assata was severed from the proceedings because of her pregnancy. The jury at Assata's trial for the same offenses was permitted to speculate that her "mere presence" at a scene of violence, with weapons in the vehicle, was sufficient to sustain a conviction—even though three neurologists testified at the trial that her median nerve had been severed by gunshot wounds, rendering her unable to pull a trigger, and that her clavicle had been shattered by a shot that could only have been made while she was seated in the car with her hands raised. Other experts testified that a neutron activation analysis administered by the police right after the shootout showed no gun residue on her fingers, meaning she had not shot a weapon. She was also convicted of possession of weapons—none of which could be identified as having been handled by her—and of the attempted murder of state trooper Harper, who had sustained a minor injury at the shootout.

It had been and is my view that it was the racism in Middlesex County, fueled by biased, inflammatory publicity in the local press before and throughout the trial, fanned by the documented government lawlessness, that made it possible for the white jury to convict Assata on the uncorroborated, contradictory, and generally incredible testimony of trooper Harper, the only other witness to the events on the turnpike. Harper's testimony as well as that of all the other state's witnesses was riddled with inconsistencies and discrepancies. On three separate official reports, including his grand jury testimony, Harper said that he saw Assata take a gun from her pocketbook, while in the car, and shoot him. He admitted, on cross-examination during both Sundiata's trial and Assata's trial, that he never saw Assata with a gun and did not see her shoot him—that, in fact, he had lied.

—Lennox Hinds

receive the wounds." The same surgeon also testified that the claim by Trooper Harper that I had been crouching in a firing position when I was shot was "totally anatomically impossible." (3) A pathologist who testified that "There is no conceivable way that it [the bullet] could have traveled over to hit the clavicle if her arm was down." He said it was impossible to have that trajectory.

The prosecutors presented no medical testimony whatsoever to refute the above medical evidence....

In an obvious maneuver to provoke sympathy for the police, the NBC series juxtaposed my interview with the weeping widow of Werner Foerster. While I can sympathize with her grief, I believe that her appearance was deliberately included to appeal to people's emotions, to blur the facts, to make me

look like a villain, and to create the kind of lynch-mob mentality that has historically been associated with white women portrayed as victims of Black people. In essence, the supposed interview with me became a forum for the New State Police, Foerster's widow, and the obviously hostile commentary of Ralph Penza....

As I watched Governor Whitman's interview, the one thing that struck me was her "outrage" at my joy about being a grandmother, and my "quite nice life," as she put it, here in Cuba. While I love the Cuban people and the solidarity they have shown me, the pain of being torn away from everybody I love has been intense. I have never had the opportunity to see or to hold my grandchild. If Governor Whitman thinks that my life has been so nice, that 50 years of dealing with racism, poverty,

persecution, brutality, prison, underground, exile, and blatant lies has been so nice, then I'd be more than happy to let her walk in my shoes for a while so she can get a taste of how it feels. I am a proud Black woman, and I'm not about to get on the television and cry for Ralph Penza or any other journalist, but the way I have suffered in my lifetime, and the way my people have suffered, only God can bear witness to....

It has been a long time since I have lived inside the United States. But during my lifetime I have seen every prominent Black leader, politician, or activist come under attack by the establishment media. When African Americans appear on news programs, they are usually talking about sports or entertainment, or they are in handcuffs. When we have a protest, they ridicule it, minimize it,

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# IMMORAL BOUNTY

BY MICHAEL RATNER

Recent, widely publicized attempts by the United States government to extradite Assata Shakur from Cuba began with New Jersey Governor Christine Todd Whitman's March 1998 letters to Attorney General Janet Reno and Secretary of State Madeleine Albright requesting that they pressure Cuba to return Assata. Whitman asked that any lifting of the embargo with Cuba be conditioned on Assata's return and that of 90 other claimed fugitives from the United States.<sup>1</sup> Whitman also offered a \$100,000 bounty to anyone who could bring her back. Whitman herself announced the reward on Radio Marti—a station set up by Congress to transmit to Cuba—and asked the Cuban people to help in the capture. Presumably the reward would be paid for Assata's capture and return, dead or alive. Such a morally offensive offer is

tantamount to a solicitation to kidnap or commit murder; it also violates the sovereignty of Cuba as well as international law. Imagine if Fidel Castro broadcast a radio message into the United States offering a similar reward for one of the many real terrorists the United States is shielding. It is likely Cuba would be bombed or invaded.

On April 2, Cuba forcefully turned down any request for Assata's extradition. A spokesman for the Foreign Ministry, Alejandro Gonzalez, said Assata was "a civil rights activist." He stated that she would not be extradited, as the "government of Cuba has sufficient reasons to disagree with the charges against her and fears that she might be the target of unfair treatment." In other words, the Cuban government understands that Assata was railroaded: She was illegally stopped by racist New Jersey State police,<sup>2</sup> shot in the back with her hands in the air, tried by a jury inflamed by politicians and a press bent on her conviction.

The U.S. understands that Cuba has neither the intention nor the obligation to extra-

dite Assata, yet, in July 1998 the State Department insisted on her extradition, treating the request in a mocking, almost racist manner. When asked at a press conference about the extradition of Assata and others, spokesperson James Rubin replied: "There are several people involved here, and I'm fearing that I will mess up their names; but since they are prisoner-escapees, I'm not going to worry about it that much. [Laughs.] [Laughter.]"<sup>3</sup>

Is it any wonder the Cuban government worries that Assata was or may not be treated fairly!

Rubin then details Assata's alleged crime, and says there is a 1905 extradition treaty (amended in 1926) with Cuba, but it hasn't "been invoked, presumably because the Castro government won't abide by the treaties." An astute reporter then pointed out that "Cuba's response generally is that extradition is a two-way street and that there are a number of people accused of murder here in the U.S. that Cuba would like back." Rubin can make no meaningful response to the point; he can only mock Cuba by saying, "when there are murderers in Cuba, they send them to the United States ... [and] if we have a convicted murderer, they would simply be returning these people to the United States."

3. Department of State Press Conference of July 2, 1998.

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1. Even prior to the notoriety of the request for Assata's extradition, Congress had included a request for the "[e]xpulsion of criminals from Cuba" in the Helms-Burton statute. Section 113 reads: "The president shall instruct all United States Government officials who engage in official contacts with the Cuban government to raise on a regular basis the extradition of or rendering to the United States of all persons residing in Cuba, who are sought by the United States Department of Justice for crimes."

2. For some discussion of racial targeting, particularly by the New Jersey State troopers, see, for example, "Driving While Black," Peter Noel, *Village Voice*, June 9, 1998, p. 39; "Racial 'Profiling' at Crux of Inquiry into Shooting by Troopers," John Kifner and David M. Herszenhorn, *New York Times*, May 8, 1998, p. B1.

or cut the numbers of the people who attend in half. The news is big business and it is owned and operated by affluent white men. Unfortunately, they shape the way that many people see the world, and even the way people see themselves. Too often Black journalists and other journalists of color mimic their white counterparts. They often gear their reports to reflect the foreign policies and the domestic policies of the same people who are oppressing their people. In the establishment media, the bombing and murder of thousands of innocent women and children in Libya or Iraq or Panama is seen as "patriotic," while those who fight for freedom, no matter where they are, are seen as "radicals," "extremists," or "terrorists."

Today, Assata Shakur's voice remains fresh

and strong. She refuses to be silenced even in exile. She poses even more of a threat as her messages are read on the Internet or in magazines like *CovertAction Quarterly*. Concerned about issues particularly those which affect the youth of this country, she extols:

Like most poor and oppressed people in the United States, I do not have a voice. Black people, poor people in the U.S. have no real freedom of speech, no real freedom of expression, and very little freedom of the press. The Black press and the progressive media have historically played an essential role in the struggle for social justice. We need to continue and to expand that tradition. We need to create media outlets that help to educate our people and our children, and not annihilate their minds. I am only one woman. I own no

TV stations, or radio stations, or newspapers. But I feel that people need to be educated as to what is going on, and to understand the connection between the news media and the instruments of repression in America.

All I have is my voice, my spirit, and the will to tell the truth. But I sincerely ask those of you in the Black media, those of you in the progressive media, those of you who believe in truth and freedom, to publish my side of the story and to let people know what is happening. We have no voice, so you must be the voice of the voiceless. Free all Political Prisoners.

I send you Love and Revolutionary Greetings From Cuba, One of the Largest, Most Resistant and Most Courageous Palenques (Maroon Camps) That has ever existed on the Face of this Planet. ■

# FOR ASSATA

There are, however, both legal and political answers to the U.S. extradition request. Even assuming the treaty is still valid, it contains an absolute exception to extradition for crimes that are of a "political character."<sup>4</sup> Assata's claimed offense clearly fits within this exception and the Cuban government has said so. Moreover, the treaty states that this decision is solely that of the Cuban government and its determination is final.<sup>5</sup> There would also seem to be serious questions regarding the United States' continued reliance on this treaty after it has repudiated other treaties with Cuba, organized and supported the Playa Giron invasion, embargoed the country in an effort to strangle it economically, cut off diplomatic relations and labeled it a terrorist state. But, for the United States political grandstand-

ing, inconsistency, and decisions made for its own benefit are not unusual.

Even apart from her innocence, it is politically hypocritical for the United States to insist on Assata's extradition or that of any other of the 90 so-called fugitives. If there is a place terrorists can call home, it is the United States. Its history is hardly honorable. It was a welcome home to many prominent Nazis, particularly scientists that the U.S. used in its own production of weapons of war. Today it gives refuge to criminals who have attacked and murdered scores if not hundreds of Cubans. Most notorious of these is Orlando Bosch, living in Miami, who was convicted of blowing up a Cubana airliner killing 76 people, including the young Cuban fencing team. And what of the agents of the CIA who planned and paid for numerous sabotage and terrorist attacks in Cuba?

But the U.S. is not only a home for Cuban terrorists. Living among us is Emanuel Constant, the former head of the Haitian paramilitary organization FRAPH; its members tortured and murdered hundreds in the aftermath of the 1991 coup in Haiti. During the coup, Constant was on the CIA payroll. After the coup, the U.S. labeled FRAPH terrorist, yet refused a Haitian extradition request, and the State Department stopped his deportation back to Haiti. And what of the Salvadoran General José Guillermo Garcia and the head of

El Salvador's national guard, General Vides Casanova, who according to the United Nations covered up and protected the murderers of the three nuns and lay worker in El Salvador. They obtained political asylum and are living well in Palm Coast, Florida. The U.S. has laid out a welcome mat for other terrorists, including General Hector Gramajo, accused of killing as many as 10,000 Guatemalan Indians; General Prosper Avril, a former dictator of Haiti, responsible for the torture of opposition leaders; and Sintong Panjaitan, an Indonesian general, responsible for the 1991 Santa Cruz massacre in East Timor that killed hundreds. But these are only a few terrorists who the U.S. has welcomed; scores more are probably unknown to the public, hidden in the U.S. after carrying out its bidding overseas.

Yet despite the hypocrisy of the United States and Cuba's unwavering support for Assata and her innocence, this effort to pressure Cuba must be taken seriously by all who care about the cause of justice. Ideologues and opportunists in the U.S. Congress may try to condition more open and fair relations with Cuba on its agreement to extradite Assata and others who have been granted asylum. While Cuba would not acquiesce to such conditions, it could put Assata in an uncomfortable situation. So the fight for Assata and for Cuba must continue! ■

4. Article VI of the treaty states: "A fugitive criminal shall not be surrendered if the offense in respect of which his surrender is demanded be of a political character, or if it is proved that the requisition for his surrender has, in fact, been made with a view to try or punish him for an offense of a political character." Interestingly, after the revolution it was the United States that first invoked this "political offense" exception to shield two escaped murderers who had been convicted of killing a prominent member of the Cuban Communist Party. *Ramos v. Diaz*, 179 F. Supp. 458 (1959).

5. Article VI states: "If any question shall arise as to whether a case comes within the provisions of this article, the decision of the authorities of the government on which the demand for the surrender is made, or which may have granted the extradition shall be final."