

SPEAKING TRUTH TO POWER: POLITICAL PRISONERS IN THE UNITED STATES

By Dhoruba Bin Wahad*

We are all told when we are young that America is a nation of laws and not men: that America is ruled by the law, that justice is blind, and that it does not discriminate. That's a myth. America is a nation of men who use the law. The law is the standard of the most powerful class of society made into a social, political and economic code of behavior for all. There should be no argument on this.

The history of a nation is the best means by which to judge the fairness of its legal system. And I maintain that the history of the United States is a history born, not of the freedom and dignity of humankind, but of the exploitation of other people and other people's territories. If there are any black people or Indians here tonight, I'm sure they can testify to that. We have to put things in historical context. The modern state as embodied today by the United States of America and other European nations

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who lead the world has its roots in the mercantile expansion of Europe into the southern hemisphere. With this expansion came Colonial exploitation, slavery, human degradation and war. Thus, our laws are rooted in the colonial and racist activities of England and Europe. Now, I don't say that to make our European brothers and sisters here uptight. I say that because America has a very serious problem with confronting its own truth. Until we confront the truth of our society we cannot begin to deal with the ills of that society.

The history of the U.S. Constitution clearly shows that when it was first written, it was not meant to apply to everyone. It was meant only for white males with property. So, when we talk about law, we're not talking about some ideal that came down from on high and suddenly struck Thomas Jefferson as he was sipping his tea (that his slave gave him.) Today in America, white males are still the primary enforcers of the law, interpreters of the law, and writers of the law. We need to be clear on that. The American system of justice is far from blind; unless, of course, you mean that it can't see black folks or people of color as human beings. If that's the case, then it's true: American justice is blind to us.

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The existence of political prisoners in the United States goes to the very heart of the racist nature of this society. To not deal with the issue of political prisoners in the U.S. is to not deal with the true nature of America. You tell me that democracy is breaking out in Eastern Europe, but that you haven't heard about political prisoners in the U.S.? What happened to democracy in the United States? What happened to freedom in this country? What happened to your so-called courage and heroism when it comes to protecting the human rights of people here? You cry about the human rights of people everywhere except in Harlem, everywhere but in the South Bronx.

This is because America is a racist nation. There are a lot of good-will people of European ancestry who don't believe they're racists, who do not harbor any ill will toward people of color, consciously. But they consciously support and engage in the institutions of a Eurocentric society without once standing up and saying, "What you're doing to these people is wrong." You get your paycheck and you go home. You say, hey, what can I do? You can't fight City Hall. Well, I'm here to testify—after 19 years—you can fight City Hall.

If African American students on this campus decided one day that they were going to demand certain things and that they were not going to back down — if they decided that they were ready to do whatever was necessary to get these things, you'd be surprised how many black political prisoners you would have here in Connecticut. If white students on this campus were determined to make education here at Yale relevant to the liberation of human beings around the world, and not just to the perpetuation of myths about European hegemony, you'd be surprised how many white political prisoners you would have in Connecticut. Don't think that by sitting here and planning a law career which will bring you a hundred thousand dollar a year salary, that somehow everything's going to be all right for you. We need to understand that there can be no individual freedom in society until there is group freedom.

The only way we can change the society and the laws that constrain us today and that oppress other people because of their sexual orientation or the color of their skin, or the fact that they're male, or the fact that they're female, or the fact that they're Latino, or the fact that they're homeless, or the fact that they have no money—the only way we can change this is to take a position. In the old days, we used to say, you were either part of the problem or part of the solution. Well, I was resurrected from prison and I think that still applies. So I invite you, especially the African American students here at Yale, to take up the banner of struggle for human rights. Take up the banner of those political prisoners who have sacrificed so that you could be at Yale Law School. Don't think you came to Yale Law School because academia loved you and wanted you here. They didn't go to Harlem and kick down your door and say, "Come on man, you got to go to Yale." Don't think they wanted you here. That goes for poor white folks, too. Don't think that because you got a grant and you're here that this is some ticket out of poverty. You're here not because they love

you, but because they need you. They need you to become District Attorneys; they need you to become prosecutors; they need you to stand up before the United Nations like Andrew Young and Colin Powell and say that there are no political prisoners in the United States.

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There was a poet who once said that truth crushed to the earth would rise again. Well, we have a lot of rising to do because truth has been stomped out in America, and very few people are willing to stand up and proclaim it. So, as you embark on your careers in the law, don't think about being a prosecutor. Don't think "I'm going to infiltrate." Be a people's lawyer: represent the oppressed. Represent those that get no representation. Stand for something. Stand for something other than a ticket to see Bruce Stringsteen; stand for something other than a rap concert. And in your standing for something, make this nation accountable to you. Make those individuals who are arrogant and drunk with power accountable to you. As it stands now, they're accountable to no one. So, as you study law, study law with the attitude that it's a bunch of crap.

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In many ways we mistake our individual freedom to move around, to own property, to buy things, as real freedom. I'm sure many would say that the mere fact that I'm standing up here in front of you shows that freedom of speech exists in America. No, I say, no. That I'm speaking at Yale does not mean that black people have freedom of speech at all. This is because, while we can say what we want, we can't follow up on it. If I were to say that as a black man I have a right to defend myself, and then I were to walk outside and the police were to run up on me and say, "Nigger, get up on the wall, turn around, spread your cheeks." (You know the routine.) If I were to say, "Hey, man, what's happening here?" And I were to resist, I'd be a statistic. Freedom of expression goes beyond verbalization. It has to do with the social practice of ideas. And I am not free to express the ideas I advocate.

I spent 19 years of my life in prison for something I didn't do; mainly because I talk too much. But also because I believed that African American people had the right to defend themselves from racist attacks by any means necessary. Because myself and others believed that, the United States government carried out a program called

COINTELPRO, a counter intelligence program against political activists in the 1960s.¹ Popular myth holds that COINTELPRO was an aberration, the result of the sick mind of an individual named J. Edgar Hoover — that it never would have occurred if Hoover wasn't head of the FBI. But there was also the CIA's program — Operation Chaos — which was aimed at the domestic surveillance and suppression of the antiwar movement, the black nationalist movement, and the so-called New Left in America. Remember that the CIA has no legal mandate to surveil or enforce laws within the territorial boundaries of the U.S. But that didn't stop them from implementing Operation Chaos: so much for the rule of law as opposed to the rule of men.

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Let me explain a little bit about the Black Panther Party. Most of you here weren't even born when the so-called Civil Rights Movement began. Many were only babies when the Black Panther Party started. In October, 1966, the Black Panther Party came out with a ten-point platform. Did you know that the Black Panther Party wasn't just a bunch of crazy black men and women running around with guns and berets— that we had a program and a platform? Well, the Black Panther Party had a ten-point platform and program, and point one of that program and platform was, "We want power." That was number one. Then on down the line we wanted decent housing fit for human beings. We wanted relevant education which taught black people their true role in society. Then we got to point number seven. This is the one that freaked everybody out. Point number seven said that we wanted an end to the racist murder and brutality committed by the police against black people. That was the end of that. Everybody went bananas. The minute black folks stood up and said, "Hey, hold up Homes, you ain't going to be shooting at

me with that gun. Because I got a stick, I got a gun, too. And we're going to get to whipping and shooting." The police said, "What? He's a cop killer." That's how the press characterized us. That characterization stuck because American society was scared to death of black men and women with guns. We could build institutions to "non-violence," talk about non-violence, engage in non-violent struggle. But the minute that we talked about defending ourselves from racist police brutality, we were beyond the pale. Meanwhile, white America sent their children off to war colleges in order to learn how to use the tools and instruments of violence to suppress and murder whomever the United States declared an enemy.

God says in the Koran that He will never cause the truth to be destroyed by falsehood. During the 19 years of my struggle, I kept my focus on that. I knew that I was innocent and that the only reason I was in prison was because I advocated what I advocated and I associated with whom I associated. I believed that if I fought them hard enough, if I fought them long enough, if I were sincere in my heart and in my fight, and if I gave everything that I could, I would win. And if I didn't win in this life, I would be vindicated sooner or later. I did win. So there is truth in that.

In Islam it's said that one should oppose injustice with his hands. In other words, he should actively engage in actions and behavior that will destroy tyranny and bring down oppression. It's also said that if you cannot oppose injustice with your hands, then you should oppose it with your mouth. You should be vociferous in your opposition to tyranny and injustice. If you cannot speak out with your tongue, with your mouth, then hate in your heart. The hatred of oppression and tyranny in your heart is the least of faith. I've always taken that to heart because in America we learn to talk that talk without walking that walk.

One of the ways that the government begins to mobilize the forces of repression against dissidents in the United States is by setting the parameters of political arguments. In other words, by limiting discussion of a particular issue. The first thing that the system does when it decides to repress a particular segment of society is to create the impression that certain individuals are crazy, that they are first and foremost criminals. In other words, the system criminalizes political dissent. Once that happens, you become fair game for the law enforcement agencies who can say, "We're not repressing him or her because of his politics or her politics, we're repressing him or her because he or she broke the law."

In all of the Panther 21 trials there was always a conspiracy case. The entire leadership of the New York Black Panther Party was indicted for 150 some counts of conspiracy to commit murder and arson. They had us down for conspiracy to blow up the Botanical Gardens. (Conspiracy to destroy flowers and trees.) They had us down for conspiracy to bomb department stores where poor black people shopped—on Easter, no less. (Now everybody knows that department stores are closed on Easter. But we were supposed to be doing this during the Easter rush hour: We were going to blow up white bunny rabbits, I mean we had no shame.) Then came the serious

1. COINTELPRO was a FBI counter intelligence program initiated in 1968 under the leadership of J. Edgar Hoover. According to a memo issued by Hoover on March 4, 1968, COINTELPRO's central aim 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 (nationalist) groups and leaders from gaining 'respectability' by discrediting them to the 'responsible' Negro community, to the white community and to Negro radicals." [FBI memo to SAC Albany from FBI director, March 4, 1968.] During 1968 and 1969 the FBI covertly worked to undermine the supply of financial and material resources to black nationalist organizations. COINTELPRO also explicitly strove to discredit the legality and legitimacy of targeted nationalists. In April, 1969, members of the New York Black Panther Party was arrested on bomb conspiracy charges. BPP chairman Bobby Seale was arrested and indicted for the murder of a police informant in New Haven. In December, 1969, the Chicago police raided a BPP apartment, killing party leader, Fred Hampton and Mark Clark.

stuff: We were going to blow up the subway system, and then we were going to kill cops and blow up police stations.

They raided us. They snatched me out of my bed at 3:30 in the morning and dragged me downtown. I was totally traumatized. They took me downtown, indicted me, and set my co-defendants and my bail at \$100,000. Then began the process of vilifying us in the press. The media said, "Panthers Arrested for Plot to Overthrow the Government and Destroy Department Stores." There was an editorial in the New York Daily News saying that evidence existed that the Panthers were tied to the Cubans who were paying the Panthers to destroy and disrupt New York City. It was suggested that there be a Senatorial investigation to see whether the Panthers were being funded by Communists abroad. The media created the image that we were criminals, that we were crazy, that we were out to destroy people, that we had no respect for life, (that we had no respect for flowers), that we had no respect for anything, that we were just mad dogs.

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They did this for an entire year. But it had the complete opposite effect intended, because this was the 1960's. The more they said bad things about us, the more people seemed to believe in us. When we went to court the room was overpacked with people that loved us. The prosecution never came up with one stick of dynamite. They said that the reason why they couldn't find a stick of dynamite was because we had, at the last minute, switched the real dynamite for fake dynamite! The jury acquitted us in 45 minutes of all charges. That infuriated the New York District Attorney. As a result, the D.A. targeted me for a rerun.

COINTELPRO changed the political environment. It changed how people perceived those individuals who fought for change. Police agents came and infiltrated the Panther Party and caused the leadership to abandon the struggle. We were placed in jail. We had to fight constantly to raise bail. Once the atmosphere changed, then the support that was there in court the first time disappeared. When I was finally convicted, there was nobody in court but the police, district attorneys, and the prosecutors. They were very successful. There was no one in court for me.

The United States has a history of destroying those individuals that they feel they cannot control and to whom people may begin to listen. They destroyed the Reverend Dr. Martin Luther King, Jr., they destroyed Marcus Garvey. They have destroyed numerous African American leaders and working class white leaders who have struggled for the rights of working class people. We need to

learn from these things, so we don't make mistakes again. Reverend Dr. Martin Luther King once said that he did not believe that an unjust law was worthy of being obeyed. We have a moral obligation to speak truth to injustice.

I hope I'm beginning to show you that the first step is to define the argument. Huey Newton, the individual who started the Black Panther movement, once said that power is the ability to define phenomena and make it act in a desired fashion. (What professor has ever given you that succinct definition of power?) That's what power is: the ability to define phenomena. You have to be very careful about the system defining what you are about. Look how they define the Puerto Rican Nationalists: "unreasonable terrorists who refuse to deal with the given political landscape." They come out with statistics to show how the majority of Puerto Rican people are for statehood or for inclusion in the system. But they don't show statistics about how they've rendered Puerto Rican women infertile, nor do they show you Puerto Rico's awesome outward cashflow into the coffers of multinational corporations. Or how the U.S. Navy is using Puerto Rico as an experimental base for low intensity warfare exercises. You don't hear these things, so they can define Puerto Rican Nationalists as outside the boundaries of the discussion. When the government murders them and imprison them, it is only enforcing the law against people who are completely crazy, completely unreasonable.

America's solution for the problems of a particular area or region is two fold: either build a military base in the area or a prison. (You really get slick if you put them both there.) We need to understand that we are living in a society that is based on war or at least fear of war, and the repression and alienation of people who do not fit the accepted standards and molds of this society.

In New York state there was a prison movement in 1972, right after the Attica Rebellion. What made the movement shortlived was the fact that it was proposing to unionize labor. The inmates in prison were beginning to organize for a minimum wage. Understand that right now in New York prisons, prisoners are making good money if they make fifty cents an hour. The average prisoner makes \$7.50 every two weeks. There are industries like Correctional Craft in New York state that sell their products on the regular market. There's quite a profit margin when you have labor selling for fifty cents an hour. So, if prisoners try to unionize they represent a threat to this profit and to the process of militarization.

Let's look at New York state. Close to 70% of all the prisoners in New York are black and Latino. Yet blacks and Latinos only represent something like 20% of the population. Then we see that the majority of prisons in New York state are in rural or white communities. These communities have an outflow of labor because their youth grow up and leave the urban areas. Furthermore, the old industries have left the area, so there is no tax base. These are depressed regions. So prisons are being built in these areas at a phenomenal rate. In New York state, for instance, in the last three years they've built something like 15 prisons. We're talking about a conscious effort to create industry and to subsidize certain

rural areas of this country. You should see the prisons today. Kids going in, 17-18 years-old, who have sentences like 65 years to life. Young people who will never get out. For every prisoner in New York State you have five state employees. To be a prison guard is to be involved in an expanding economic activity.

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There is also a relationship between the fact that prisons are becoming privatized centers of production for business corporations and the fact that the U.S. government is transforming prisons like Marion into isolation centers (for political prisoners.) The moment that prisons are made into centers for producing wealth, you're going to create an incentive for prisoners to unionize. The only people in prison who are in a position to provide leadership for that union building are the political prisoners. So one of the government's solutions is to take the political prisoners away from the rest of the prison population and to isolate them. The government has developed a policy of removing people whom they consider to be "problems" from the prison population and placing them in solitary confinement. When I say isolation centers, I'm talking about 23 hours of lock-up. Although supposedly you have a right to one hour of recreation, often you don't get it. You get it if the guard feels like it. If he gets mad at somebody on the outside, he may walk in and decide he wants to give you a half hour or he might just forget about you all together. Even within that hour you have to make a choice between making a telephone call or taking a shower. If you take a shower, you can't make a phone call. If you make a phone call, you can't take the shower. Isolation units are not just about the removal of prisoners, but also about destroying people's psychological and physical integrity. This occurs with any prisoner who is seen as uncooperative in terms of submission to the slave-wage system.

One example of how this works is the United States penitentiary at Marion.² Marion is the most maximum security prison in the country; the only level six prison. It has been a trend setter in terms of repressive technology and human cruelty. How do you get into Marian? You get there by earning your way, by proving that you "can't adjust in a more open environment." The government says

2. The U.S. penitentiary at Marion, IL, is the most maximum security prison in the federal system. Since 1983, it has been on lockdown which involves confining men to their single cells, with no visits or access to programs. In 1987 Amnesty International investigated Marion and found the penitentiary to violate the United Nations Standard Minimum Rules for the Treatment of Prisoners. (For more information on high security units, see Jan Susler, article, *The Women's High Security Unit in Lexington, KY*, YALE J. OF L. AND LIBERATION, 31 (1989).

you're the worst of the worst. But that's a lie. Marian has more political prisoners than any other prison in the country. Many are there not because they "couldn't adjust" but because of their beliefs.

Marion has a program known as lock down where you're in a cell 22 -1/2 hours a day. The only way you get out is by jumping through hoops. They have program that you have to satisfy to show you have "clear conduct."

If you are good enough, you win your way to the "pre-release unit" where they have the UNICORE program, a Federal industry which makes cable for the U.S. military. Now some of the political prisoners are there because of acts against the United States government and military. They will never compromise their political principles by working for the U.S. military. Therefore, because part of the program at Marion is successfully completing this "pre-release unit," political people who refuse to enroll in UNICORE will never get out.

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What is the main cause of this build-up of the prison system? Today the major justification is the "war on drugs." Back in the '60s the code word for getting the black folks off the street was "law and order." Now the it is "war on drugs." Under the guise of fighting drugs, various states and cities and municipalities are passing laws that are blatantly unconstitutional. They are passing stop and frisk laws. They are kicking in doors in African American communities with SWAT teams. If they kick in your door by mistake in the black community, hey man, what can I say? Write your Congressman and try to get a new door. This is what's happening. People are terrified of the drug merchants in our community. People are also so uptight about the nihilistic behavior of these drug dealers and our youth, that they're calling for more police. That's like someone calling for more arsenic. Everybody agrees that a drug dealer is someone who is reprehensible and should be put in prison. So in order to put him away in prison, we're going to pass a law saying that if I kick in your door, I can take anything out of your house without a warrant based on the fact that I was looking for drugs. If you're political and your door gets kicked in, they are going to say, "We thought he was a drug dealer." You will have to spend a great deal of money, time, and effort just to say, "Hey man, I wasn't dealing no drugs. I was just out trying to organize people." Oh, yeah, right Home boy.

We have to be serious about what we're up against. In my view, the de-criminalization of drugs is essential to freeing us. We have to take law enforcement out of the picture. It doesn't mean legalizing drugs. That doesn't mean I advocate that cocaine and heroin should flow

freely in the black community. But I do believe that, in the end, the black community is responsible for its own integrity and that we can't rely on other forces to enforce those things for us. A cop with an Uzi can't solve the drug problem. As long as law enforcement is in the business of dealing with the suppression of drugs, we are going to have the problem of filling jails for an expanding national security complex. When I was growing up, the judge used to offer most youthful offenders the alternatives of going to jail or going into the Army. You see what I'm saying?

If the police kick in your door by mistake in the black community, hey man, what can I say? Write your Congressman and try to get a new door.

I'm not an advocate of a society without certain controls, but what I'm trying to get people to understand is that the system that we call the criminal justice system is a system based on race and class. I also want to be clear that simply because the war on drugs is political, doesn't necessarily mean that Joe Drugdealer is a political prisoner. Julio wouldn't have us believe that every Puerto Rican in jail is a political prisoner. The important thing is that the government characterizes political people as criminals because of the myth that there are no political prisoners and that the U.S. criminal justice system is not used as a tool of repression.

Drugs were introduced into the African American community in the 1950s in a massive way. Heroin, in particular, was introduced around the time that Malcolm X was beginning to speak. Drugs were aimed primarily at the youth in order to depoliticize them and rock them to sleep. They began to break down familial and social institutions in the African American Community. Drugs have historically been used to derail oppressed people's struggles. They were used against the Chinese during the so-called Boxer Rebellion, in Southeast Asia, in Malaysia, and in the African Sudan. And, yes, I do think that drugs started out in the African American community as a conscious political ploy.

Drugs have had the most devastating impact on the African American community because the African American community is so vulnerable to destabilization. There are few economic opportunities for African American labor. The African American family is under enormous pressure. We don't control educational and economic institutions. The political power of African Americans does not correspond to our numbers. Furthermore, we are led by individuals who are opportunistic, who are not accountable to the community. Something like drugs becomes devastating to a community that doesn't have the support networks and infrastructure to resist it.

I think that we African Americans need to deal with drugs ourselves in the community. We have to create a moral and ethical environment in which others cannot

prey on us by selling drugs. We need to do that without collaborating with the police, because the police, right now, are part of the problem. At the same time we need to wage a campaign to make the police responsive to our needs politically. So long as you lack political integrity, the police can come into your neighborhood and do whatever they want. Can you imagine them doing that in Scarsdale? Picture the police racing into Scarsdale, sealing off one end of the block with \$300,000 to \$2,000,000 homes, and rounding everybody up, putting them in the paddy wagon and then searching the houses, kicking in doors and looking for drug dealers. Picture them doing that. Why wouldn't they do that? Because Scarsdale exercises political clout.

The African American community can't go the route of Scarsdale, but we do have to deal with where we're at now. We need to create an environment which makes black elected officials responsible to the needs of our community and if they are not, we need to remove them from office. We need to create an infrastructure that takes youth off the drug track and puts them to work building our community as soldiers and social activists. We need to create a climate which says that we will not tolerate certain types of behavior, and we don't need the police to enforce it. We'll enforce it. We need to struggle to have the police in our community be from our community, live in our community, and train in our community before they can work there. The Black Panther Party advocated community control of the police in 1969 and that's still what we need today: the police should live in and be a part of the community that they police.

The Black Panther Party advocated community control of the police in 1969 and that's still what we need today: The police should live in and be part of the community that they police.

The police have got an attitude toward people of color and poor people. The policeman grew up hard, he had to fight. So, he's not going to let anyone just push him around. He's waiting for confrontation, so he begins to see every black person as a potential perpetrator of crime. This attitude has got to be addressed, and the only way to address it is by changing the relationship of the police to the community. That's one political struggle.

The drug dealers are another political struggle. We have to raise the consciousness of our community so that those individuals who have the strength, stamina, and physical capacity can hook up with those individuals who have the experience, principles, and organizing abilities to rid our communities of these people. We are in a serious bind. And we've got to begin fighting by creating relevant organizations, the leadership and agenda of which we control.

Those who would like to get involved in doing political work on behalf of prisoners should get in touch with my wife Tanaquil Jones at Freedom Now in Brooklyn. She's the general. I've got to give Tanaquil the credit for this struggle. Many times we men stand up here before audiences and people say about me, "Man, that brother. That dude, 19 years, that's right on. He's a strong brother, blah, blah, blah" You know, all that old stuff. But I would never have gotten here tonight if it wasn't for her. I say this because the sister is a struggler. She's a warrior, she's been engaged in struggles most of her adult life. She's a very principled woman, a very articulate woman, and a woman that I respect.

I say this for a lot of African American males here who think that it's inappropriate to follow female leadership. If the leader is qualified, if the leader presents the right analysis, and the leader is principled and ethical, they deserve to be our leaders. Whether they're male or female. African American history is full of examples of strong women who have carried our struggle and who have carried us across the middle passage. They have carried us to this day. But too many times the real soldiers get no credit. The people who print the leaflets, who get petitions signed, and who get out on the front lines and talk to people, argue with people, and try to change backward ideas get no acknowledgement. We see too much of the Jesse Jackson and "I have a dream," rap.

Lastly, we also need to build a movement around the issue of political prisoners. We need to create a movement right here in New Haven to challenge the myth that there are no political prisoners in the United States. Because as long as the United States can get away with saying that there are no political prisoners in the United States, none of us are safe from the repression and the arbitrary imprisonment by those individuals who are in power and who disagree with us and feel that it's all right to oppress us.

