

Vancouver 5

Is A "Fair Trial" Possible?

Fifth Estate Collective

1984

The Vancouver Five are activists from British Columbia who are currently facing 17 counts of sabotage and conspiracy. Besides being charged with destroying an environmentally damaging hydroelectric generator and fire-bombing a porn shop, they also are accused of a massive bomb attack on a Toronto cruise missile plant.

A year after their arrests and following several months of preliminary court proceedings (see FE #314, Fall, 1983), the first of four trials for the Five began formally on January 3, 1984 in a suburban Vancouver courtroom. At issue in this trial are charges related to an alleged conspiracy to rob a Brink's armored car, possession of illegal weapons and stolen property, and theft of vehicles.

Beginning in September, court activity has involved jury selection, procedural motions and most importantly, the admissibility of wiretap, video and other surveillance data accumulated by a wide range of Canadian police agencies. Testimony from Crown (prosecution) witnesses illustrated a massive secret police apparatus in place across Canada belying the country's image of civility and courteous, red-coated Mounties.

Thus far all of the rulings of the presiding judge, S.M. Toy, have been, as expected, in favor of the prosecution and his acceptance of the police rationalizations for their misconduct under the heading of "national security." And although the defendants were pilloried in the Canadian press after their arrests as an "anarchist terrorist gang," the Judge at this time has seen fit to issue a gag order on all "regularly appearing publications" from printing accounts of the jury selection or the evidence admissibility hearings.

In other words, it was immensely profitable for the State to prejudice the case against the defendants through "leaks" and other unethical tactics, but Judge Toy wants to go out of his way to insure that the State's dirty laundry is not aired.

The Five, who have been denied bond since their arrest a year ago, entered not guilty pleas but realize the intention of the State is to have them spend the rest of their lives in prison. In fact, life sentences is exactly what the Ontario prosecutor will be seeking when the Five come to trial on the Litton bombing charges.

Meanwhile, support for the defense efforts of the Five remain strong as do the courage and resistance of the defendants. We reprint below the statement from a recent Free the Five Newsletter giving their views on the "right to a free trial."

The road ahead for the Five promises to be a difficult one, and support for their efforts is crucial. Financial contributions for the defense work should be directed to the Free The Vancouver Five Defense Group, Account 91740-1, c/o CCEC Credit Union, 205 E. 6th Ave., Vancouver, B.C. V5T 1J7 Canada.

Anyone wishing to write to any of the 5 incarcerated—Julie Belmas, Ann Hansen, Gerry Hannah, Doug Stewart, and Brent Taylor—can do so by addressing their letter to Oakalla Prison, Drawer "O", Burnaby, B.C. V5H 3N4 Canada.

Up to date information on the trials of the Five and efforts to aid in their defense may be obtained from the Free the Vancouver Five Defense Group, P.O. Box 48296, Bentall Station, Vancouver BC V7X 1A1.

Statement

Much of the political work done around our case has been centered on the issues of a “right to a fair trial” and the abuses of process by the media, police, and prosecution. We feel that it’s undesirable for progressive and sympathetic people to focus on these issues. When people call for a fair trial, they are implicitly stating that they accept the right of the government to try us, and are only objecting to the abnormal and “unfair” procedures. Consciously or not, they are legitimizing the moral authority of the law and the right of the government to make and enforce laws.

We reject the authority of the government We see it as a powerful force of oppression in the world. It is a force which has been waging three hundred years of genocidal war against the Indians, the original inhabitants of this land, and which not only sanctions but facilitates corporate investment in the Third World, blood money that maintains brutal dictatorships. The government plans and executes massive attacks on the environment, participates eagerly in the global arms race, and fundamentally directs and maintains our society in its violence and blindness.

We are dealing with the courts in a legalistic manner in an attempt to prevent them from crucifying us, and we can certainly see the benefits of pressuring the state to curb their more blatant manipulations. However, the benefits of civil liberties agitation only come at the cost of re-enforcing political concepts we reject.

We would like to see the political work done on our case center around what we consider to be the real issues: environmentalism, feminism, anti-imperialism, and radical activism. We appreciate all the efforts people have made to help us, but we see the need to stress the politics that are of primary importance to the people of the world.

—Gerry, Ann, Doug, Brent [only these four names appear in the original.]

Related

Search FE for more on the Vancouver Five.

fifth Estate

Fifth Estate Collective
Vancouver 5
Is A "Fair Trial" Possible?
1984

<https://www.fifthestate.org/archive/315-winter-1984/vancouver-5>
Fifth Estate #315, Winter, 1984

[fifthestate.anarchistlibraries.net](https://www.fifthestate.org/archive/315-winter-1984/vancouver-5)