

Panther vs. Pig

Liberation News Service

1969

CHICAGO (LNS)—Bobby Seale was sentenced to jail for four years Nov. 5 for repeatedly asserting his right to defend himself before Judge Julius Hoffman. The judge took an hour and a half to intone sixteen counts of contempt of court, each of them containing Seale's firm insistence on his constitutional rights.

He then told the Black Panther Party Chairman that a fine would be inadequate and sentenced him to 3 months in jail for each of the sixteen counts.

The judge also declared a mistrial in Seale's case, severing him from the other defendants, and told him he would be returned for the Conspiracy trial on April 23, 1970.

The trial of the other seven defendants in the Chicago Conspiracy case was set to continue despite the action against Seale.

Before sentencing, Hoffman asked Seale to comment on his impending punishment. Bobby pointed out the irony of his finally being allowed to speak after six weeks of inquisition. Judge Hoffman cackled: "This is a special occasion."

Seale then tried to ask the judge about his rights to defend himself, but Hoffman said, "I don't want to be questioned any further."

Seale said, as he had in the past, that his fate was linked to the fact that he is "a black man living under the scope and influence of the United States of America."

The last of the sixteen contempt citations contained his statements in court during the morning session that day. Seale stepped up to the lectern to cross-examine Bill H. Ray, a deputy sheriff from San Mateo County, California.

Ray had testified earlier that Seale bought a ticket in the San Francisco International Airport and boarded a plane for Chicago.

Seale asked three questions before the judge rushed the jury out and ordered a recess. The questions were:

"Why did you follow me?"

"Have you ever killed a Black Panther Party member?"

"Have you ever been on any raids in Black Panther Party offices or Black Panther Party member's homes?"

Ray did not answer any of the questions.

The questions vividly expressed the political nature of the trial, which has been in no way reflected in the prosecution's case. Seale and the other defendants are being railroaded to jail in Chicago because of their political activities and affiliations, not for any crimes. In fact, the only thing the government has to say about Seale is that he made a speech during the Convention protest.

The previous week, from October 29–31 Seale sat shackled and gagged in the futuristic courtroom in Chicago's Federal Building. Even through the gag, Seale repeatedly reaffirmed his constitutional rights.

On Monday morning, Nov. 3, after authorities saw several days of sharp editorials and cartoons in the establishment press—including the Black establishment press—Seale was escorted into the courtroom without the gag and shackles.

There was no altruism in this. Prosecuting Attorney Richard Schultz: "To be candid, it prejudices us in the eyes of the jury."

Seale rejected Hoffman's insistence that William Kunstler, lawyer for the 7 white defendants, was his counsel. Seale wanted Charles R. Garry to represent him, but on a weekend trip to San Francisco, defendants Tom Hayden and Jerry Rubin and defense attorney Leonard Weinglass met with the ailing lawyer and returned with a statement from him.

Garry, who knows Seale well and has defended the Panthers since the Party was founded in 1966, said that he was too sick to come to Chicago and that he could not become involved in this trial so late in any case.

Garry subsequently joined with dozens of other black and white lawyers in a suit to demand the federal authorities to justify their oppression of this black defendant. The suit was perfunctorily dismissed.

As the spectators listened to Judge Hoffman smugly read his contempt citation, it became apparent that the vain, wizened, preening judge was the criminal and not the Black Revolutionary.

At one point the judge, quoting from the transcript, noted that the spectators had shouted "Right On!" to one of Seale's prior denunciations of the court.

At this point, laughter broke out, virtually unanimous throughout the gallery. The judge, angry, threatened to clear the courtroom and ordered the more than 20 burly marshals to watch over the scene carefully.

It was satisfying, in a way, to hear Hoffman repeat Seale's description of the judge: "You oink in the faces of the mass of the people."

The judge failed to say aloud a few sections of the contempt citation, including Jerry Rubin's epithet "fucking pig!", which he had uttered the previous week when a marshal struck Bobby. Explaining to the court stenographer that she would get the text later, he said "There is a comment here which I do not wish to repeat in front of all these young people."

Although the fascist-like nature of this court had become apparent weeks ago, almost everyone in the courtroom was stunned at the judge's new pronouncement against Seale. However, after the judge left the courtroom prosecution attorneys Richard Schultz and Thomas Foran were seen laughing raucously as they clustered with other pigs at the prosecution table.

As Bobby was shoved out of the courtroom into the lockup by a squad of marshals, many people in both the press and spectator sections shouted "Right On!" and "Power to the People!"

Abbie Hoffman had the last word, shouting to the people as they filed out of the courtroom:

"See you in Washington November 15. We got to take care of business."

Editors note: The following postscript to Wednesday's activities comes from Abe Peck of Rat. It sums up the feelings of virtually everyone who witnessed the scene.

The persecution of Bobby G. Seale, as conducted by Julius Jennings Hoffman and the office of the United States Attorney, turned a modernistic courtroom into a charred crematorium and those of us who remained still through the indictment and sentencing into good Germans.

We sat silently, searching through two thousand years of Judeo-Christian heritage for an elusive pragmatic sanction.

We ransacked our minds and souls for some way to compartmentalize and rationalize the experience, for some mental gymnastic that might save us from going berserk. We reminded ourselves as we drummed our pens and closed our eyes that "Fuck the judge" could cost four months a word.

Judge Hoffman charged Bobby with deliberately trying "to sabotage the function of the Federal Judiciary."

He is the same judge who admitted to ordering the shackling and gagging, not because of any disruption, but because he believed that a few utterances "pig"... "fascist" born of week upon week of frustration, were more important than righting four hundred years of oppression and exploitation.

He is the same judge who sincerely and insanely reminds the gallery of his dedication to "Negro rights."

He is a Jewish Nazi.

U.S. Attorneys Foran and Schultz were laughing as Bobby was taken from the courtroom. It was Thomas Foran who expressed his "regrets" over Bobby's gagging. It was Richard Schultz who said that chaining Bobby had been done to "safeguard the rights" of all eight defendants.

These men are, in the words of one underground editor, - "war-criminals."

The trial of the Chicago 7 resumes at the Ministry of Truth.

Sidebar

CHICAGO (LNS)—During November, the Conspiracy will begin to put its case before the world.

The Conspiracy is asking the people who were here in Chicago to return and testify why you came to the Convention; the nature of the planning meetings in which you participated; and the activities in which you participated during Aug. 24-30, 1968.

Tell the Conspiracy if you need bread. Include a detailed description on what you could testify.

Write to: The Conspiracy, ATTN. LEN WEINGLASS, 28 E. Jackson Blvd., Chicago, IL 60604, (312) 427-7773.

Also needed are photographs of the events at last year's activities. They should include the name and address of the photographer and the date, time and place the pictures were taken. The photos may be used in the courtroom as evidence and Conspiracy cannot guarantee their return.

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