

Seale won't be silenced

Fifth Estate Collective

1969

Editor's Note: The following note was written by Bobby Seale in his Chicago jail cell, smuggled into the courtroom on Thursday, October 30, and given to Jerry Rubin, who released it later that day.

Section 198, title 42 of the United States Government Code says that a black man cannot be discriminated against in any court in any legal defense matter.

Why am I handcuffed, shackled to a chair, and gagged in Judge Hoffman's United States District of Illinois courtroom? I am sure the masses of Americans, especially Black People, are intelligent enough to see the injustice from the very beginning of this trial as a railroading operation of U.S. imperialism abroad and domestic imperialism—fascism—here at home.

We should know that racism plus capitalism breeds fascism; but, we see how the newspapers and especially the TV and radio media try to say or imply that the reason I was shackled, and gagged was because of what this pig Judge calls "outbursts" or "interrupting the court proceedings." The masses of working people, (the employed and unemployed Black and poor oppressed people), can see further than that.

And those who cannot and/or those who are confused about it all can now see the real reasons fascism is showing its hand more openly; because a man stands up and speaks in behalf of his constitutional rights to defend himself by being his own lawyer until his ill lawyer, who is most effective in proving his innocence, can come to defend him.

To say that I made outbursts is erroneous, incorrect, and a lie misleading the American people.

I have sat for hours and listened to testimony, most of which is lies, directed against the other seven defendants. The only times I've stood up and demanded my right to legal defense are when a witness says my name. Then I stand up and say "I object on the grounds that my lawyer Charles R. Garry is not here. I've been denied his services and I have also been denied the right to defend myself, so I object to this witness testifying against me." And then the Judge starts telling me that I have a lawyer, one that he the Judge has chosen and not me. That lawyer is Kunstler whom I do not desire at all to defend me in these proceedings. I know and have witnessed myself the lies that the pig U.S. government prosecuting attorneys are saying against me with their CIA-FBI-COPS et al, witnesses.

Charles R. Garry is three times as good as Kunstler and Weinglass, although they are very good lawyers and they will tell you themselves that they respect Charles R. Garry. Kunstler is profound in all of his legal techniques and is one of the lawyers for the New York 21 brothers and sisters. But this trial is an attempt to help keep me locked up and the other seven defendants too, forever.

The Government doesn't want Charles R. Garry here. They are happy that Garry isn't here. He is nearly 60 years old and he has law on the top of his head that will make a judge's head and any government prosecuting attorney's head swim.

Garry knows, from being the Chief Counsel for the Black Panther Party, the intricate political repression against the party as it's related directly to the oppression of black America, historically and presently; he knows how to bring this out legally in the courtroom. And the Pigs don't want him there to defend me.

The other times I've stood up and had to speak loudly is during the time when motions are being made and denied by the other defendants' lawyers. My name comes up and my situation comes up so I speak out, not having all those formal legal statements and words on the top of my head. An argument occurs. I am told to sit down. The argument continues so I stand up.

Schultz and Tom Foran attempt to lie on me, I call them outright lies. They shout so I shout. The judge sides with the U.S. Government. I know that I have the right to speak in defense of my constitutional rights and I object. And it's not a case of it being on the record alone.

It's a case of Judge Hoffman tyrannically tramping over my constitutional right. If I don't object or try to make motions and requests demanding my rights consistently, it will imply on the record that I accepted the lawyer Hoffman chose for me.

Everyone knows that this trial should not be going on. Everyone knows that constitutional rights are being attacked by this rotten power structure in America.

The right to free speech and freedom to assemble and peacefully protest, even in court. This fascist court puts chains, handcuffs, and gags on a person. What are they really doing? WHY? What is this?

Simple: the constitutional laws are supposed to protect me or any citizen in America, but the administration, Nixon et al., and the courts do not intend to enforce or recognize the rights of the people, especially a Black man's.

This is the crux of the injustices in the courtroom. A "citizen" is denied the constitutional right to speak out in behalf of his other constitutional rights, rights that are protected by other laws also not enforced; to legal defense counsel of his choice and/or to defend himself if he feels he can best defend himself against pig lies.

Like the way the prosecuting pig attorney attempted to lie on me. If I hadn't spoken out and called him a "damned liar" right to his face, right in that courtroom, Schultz would never have admitted to this fascist court itself that he was lying on me.

So we must get all the people of America, employed and unemployed, to defend ourselves not only physically against the unjust, pig, bigoted, racist and fascist attacks, ordered by the corrupt, evil gentry of the scurvy, reprobate government on the federal, state and local city level, but we also have to defend ourselves against the oppressive conditions of poverty, exploitation, lying education and unemployment in the many ghettoized, wretched communities.

We have to defend ourselves also against the repression in the courtrooms against us. Only we the people can as a unified proletariat do this. If they attempt to take the First Amendment away from the American people overtly, and that's what the Hogs are doing, then we the masses of the people, especially Black, Brown and poor White people, we must exercise the Second Amendment. What does it say:

2nd Amendment of the Constitution

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed.

All Power to the People, End the War, Free Huey, Free All Political Prisoners, Stop the Trial, Bring the GIs Home.



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