

# Grand Jury

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The strategy of resistance to grand juries is summed up in the slogan, "Community — Not Immunity." It's a strategy that depends on the personal courage, discipline and commitment of individuals called to testify, but also on the willingness of diverse elements in the Left community to unite behind a political movement that was put intolerable pressure — mainly in the form of public opinion — on the authorities.

After a period of initial confusion over how to respond to grand jury attacks, nationwide consensus has now developed (with only one significant exception — more that later) that absolute non-collaboration is the starting point. In the past six years, nearly 200 people have refused to talk in the face of government coercion, compared to maybe 25 in the previous 20 years. As one anti-grand jury coalition puts it:

"What happens if you testify? (1) You have been one person who does not resist. (2) You may have made real what they were only guessing. (3) You have increased your chances of being called again. (4) Without knowing it, you may have made connections they did not know. (5) You have increased momentum for more grand juries. (6) However innocently, you may be responsible for someone, perhaps yourself, going to prison."

This tactic applies to dealings with the FBI as well. The watchword is **Don't Talk**. There is no federal law requiring anyone to answer questions of the FBI, but it is against the law to lie to the FBI or other police agencies. Don't try to outsmart them. The only protection is to refuse at their work. The suggested line is, "I have nothing to say. Goodbye," and keep repeating that till they go away.

The jailings have provided the main focus for organizing activity. But, except for a few cases, the resistance has not been all that successful in actually springing people from jail. The courts have run roughshod over just about every legal objection, and it takes a unique set of circumstances for the government to cave in to public pressure. Example: Joanna Ledwith of Pine Ridge got out after eight months because the government was placed in the embarrassing position of denying her access to her newborn baby.

However, the intense public campaigns around these cases has almost assuredly prevented the heavier use of jailings by the authorities, who are beginning to find this tactic counterproductive. Most of those who went to jail were threatened with new subpoenas on their release, but the government rarely followed through on the threat.

In many cities, the courts have been jailed, the subpoenas for subsequent witness were quietly dropped, especially if the witnesses made a public show of resistance. In Los Angeles last June, widespread public protest in the entertainment industry led to the dropping of subpoenas against three filmmakers working on *Underground*, a major documentary about the Weather Underground Organization.

All forms of media have been used to bring the message home. There have been mass demonstrations, public meetings, cultural events featuring everything from specially-created operas to puppet shows, public statements including an outside the box, torrents of letters and telegrams to public officials, letter-writing campaigns to local newspapers, establishment of "Peoples' grand juries" to investigate crimes by those in public office.

The mass media has been used effectively in a number of cities to educate the public on the broader issues of repression. This has been especially so when there has been a "martyr" (usually female) involved. Two examples: when Jill Raymond came out of one of the three of the four leading papers in the State editorialized that the grand jury investigation should lay off, and when Michelle Whitnack went in, the local red-neck rag in Seattle ran an extremely sympathetic inter-

view and profile letting her mention the word "anarchist" and talk about her prison movement work and even running a poignant photo of her smiling through the jail-house visitors' peephole.

Another type of educational campaign has been directed at the grand jurors themselves. Nearly all uncooperative witnesses issue statements or hand them out to jurors pointing out the various sins of the government and advising them they don't have to be in the thrall of the prosecutor. In a few cases, this has resulted in juries taking a somewhat more independent tack.

However, a "courier" for the underground New World Liberation Front was charged with threatening a federal grand jury last October in San Francisco for handing the jurors a document "poisoning their consciences" and "in great peril" if they persisted in their investigation of the NWLFF. She beat the charge after several jurors testified in court that they did not feel frightened or intimidated by the warning.

The NWLFF is the only major group that has a policy of talking to the grand jurors. NWLFF above-ground couriers say they have no direct connection with or knowledge of the underground, so it can't hurt for them to talk. They also advise others who communicate with them to bear in mind that "nothing is secure" at their above-ground headquarters. The rationale for this strategy is that it's better to keep politically active people rather than tied down in legal battles or locked-down in jail.

This strategy is nothing if not controversial. The Bay Area Research Collective (BARC), a Berkeley-based above-ground guerrilla support group, warns against anti-authoritarian tendencies, calls it arrogant, individualistic and dangerous. BARC says, "Can anyone know so well what information is useful or how to use — even illegally in a society? ... The answer is at once undercut the strength of non-collaboration while also under-cutting support for the NWLFF? Many people simply don't want their enemy, the State, to be privy to either the fact or content of correspondence and/or conversations with [even above-ground] members of the NWLFF."

Attempts to reform the grand jury system through legislation are also being made. The bills are presently being introduced and sponsored by liberal Rep. John Conyers of Michigan and 24 others. It would abolish use immunity, strengthen the independence of the jurors and give witnesses more procedural protections. This bill is now stalled in Congress, and has been for the past couple of years.

However, Congress is also considering another bill which represents a grave threat to civil liberties. It would give the attorney general the right to mobilize for social change. Under current Senate Bill S-1, this legislation would, among other things, reinstate the death penalty, expand federal criminal jurisdiction, establish "national defense information" more sweeping than anything now on the books, and beef up prison sentences and the obscenity and insanity laws.

Canada has its own version of the grand jury. It may not have been used as much as the Nixon grand jury (up to now), but it has potential for even greater abuse.

As the result of a decision last year by the Supreme Court of Canada, the provinces have been ordered to act on "citizens' inquiries" to probe organized criminal activities. These commissions, which are composed of government appointees and subpoena witnesses, authorize wiretaps and other more sensitive investigative records.

There is no limit to the length of time the commission can sit nor to the types of questions it can ask, and there is no necessary accountability to the public. Provisions for citizen's inquiries have already been considered weaker in Canada than in the U.S., since a witness in a Canadian court can be compelled to testify without immunity from prosecution.

The Supreme Court decision involved an investigation by Quebec into Mafia-style criminal operations in the Montreal area. Other provinces, especially British Columbia, are considered likely to move against the heroin trade and other forms of trafficking in stolen property. But, as the Nixon experience proves, they could hardly stop there when they have such a powerful weapon for combatting "subversives," organized or otherwise. ■

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# JAMAICA

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Bob Marley, after being shot in the back by the CIA operatives in Jamaica.

The CIA operatives exposed in the Jamaican press in the past year, and there have been dozens of PNP organizers and sympathizers killed in right-wing pogroms.

Since the second decisive electoral victory of the PNP on December 15, the campaign is sure to intensify. There is already an international squeeze on the economy. The stakes are high because of the strategic bauxite reserves (necessary in production of aluminum) that Jamaica possesses.

Manley knows where his strength is: "I listen carefully to the new reggae songs. We have to keep a moral focus on the terrible suffering and poverty we have here. I listen carefully to the new reggae songs because they remind me that the slums are still there and that they are among the worst in the world. The middle-class tells me to move towards Socialism too slow. The reggae and Rastas tell me we are moving too slow."

As for Bob Marley, he is like the Jamaicans — sceptical of politicians and their grandiose claims: "When ya talk about the people in power, ya hafta be a politician. Me don deal wit no politics. Me don deal wit de truth."

## The Music

"Often times I sit right down and remember those 'rain' days."

How my people was enslaved time and time and time again

—Mighty Diamonds

Reggae music has roots drilled deep into the heart of Jamaica. It embodies the historical experience of the Jamaican people — it reflects and in reflecting, reveals the contemporary situation of the nation.

Reggae is the natural music of the people. Like all oppressed peoples — cultural and economically throttled — Jamaicans have turned to themselves for an alternative to what has been forced down their throats. They have combined the transitorized "static" of America's rhythm & blues with the distinctive rhythm of the Caribbean, the age-old pulsing of their African homeland and the experiences of everyday life to produce "Rebel Music."

Until 1962, the year of

Jamaican independence from Britain, popular music in Jamaica mainly followed American and English trends, with very little indigenous music reaching the media.

An important exception was the *Burra dance*, an African based rhythm that represented an open celebration of criminality and was used to welcome discharged prisoners back into the community. It was an occasion for the outpouring of grievances against the authorities.

In the forties the Rastafari began clashing regularly with the police, because of the Rastas' radical lifestyle, and alitason began to develop almost anyone with talent towards a consciously anti-establishment and anarchist position was assisted by the police, who encouraged Rastas who were merely using mysticism as a front for their subversive activities. Many Rastas have embraced their outlaw status.

In time the criminal ambience which surrounded the music was incorporated and eclipsed by the Niyabingi which replaced the *Burra*, essentially an act of resistance, with an open commitment to revolution. The Niyabingi was a Jamaican version of the *Mau Mau* warriors who carried out a guerrilla war against the British in Kenya between 1952-60. The Niyabingi had staged small-scale localized uprisings which terrorized the rulers but amounted to nothing.

The Rastafari who came to the urban jungles in the first flush of neo-colonialism following 1962, steadily gained influence and involved themselves creatively in the production of popular music as an outlet for their message. The embittered youth of the West Kingston slums, abandoned and oppressed by the authorities which claimed to serve them, were ready to look to the Rastas for explanations, to listen to their music, and to emulate their posture of withdrawal.

In retrospect, the rise of the Rastafari signalled a trend away from the unbridled violence, harsh and competitive individualism of the early Sixties (stunningly portrayed in the reggae film "The Harder They Come" and informed anger. The once "rude-boys" acquired the Rastas' terms of reference and became the movement's militant arm. As the music evolved and passed into the hands of the Natty Dreads there was an accompanying expansion of class and colour consciousness throughout the communities. The official Black Power left, centred on the University of the West Indies, came to the Rastas' doorstep as the Sixties transcribing their mystical anarchism directly into Marxist dialectics in the pages of their newspaper *Afropunk*.

"So who's gonna stay home When the freedom fighters are fighting"

"Tribal Blues, the Wallers

Today, a wave of anti-capitalist, anti-imperialist, and anti-establishment reggae has been holding a Manley's left-wing policies

and exposed the source of Black problems to ordinary people. Songs with titles like: "Foreign Press," "Revolution Conference," "Kissinger," "MPLA," "We Shouldn't Kill Angola," "Arab Oil Weapon," and "Hear Talk of Inflation" are being produced by the hundreds and serve to communicate resistance consciousness where the high-sounding phrases of Manley's government create confusion.

The impact of reggae/Rasta philosophy has been aided by the economies of record production and distribution on the island. For all their faults, the rip-off recording studios permit almost anyone with talent to make a record using studio equipment. They also allow the production of dub (sound-track) sides which can be taken home on the important backyard party circuit.

In a society where the public cannot afford to go to concerts (there is very little live music in Jamaica) and the musicians cannot afford instruments, the dub-side sidings are essential to accompany their records live at parties.

The disc-jockey philosophers and poets like Big Youth, U-Roy, I-Roy and others can afford to put on messages by setting (talking) over dub-sides. In this way the people have direct and intimate contact with uplifting subversive ideas.

Another important factor is the ability of ordinary people to distribute and promote their records through the decentralised independent record shops which have grown up in the absence of strong monopolies. Songs, political or otherwise, can be distributed on their own merits rather than on manipulated radio play. Thus, tunes banned by the government or media establishment become run away hits, appropriately termed "heavy shots," regardless of official sanctions. Examples of these are "Liberation," "The Criminalization of ganja," and "Discrimination," warning employers not to hassle Rastas, both of which were banned by the government.

Without a doubt reggae and the resistance culture it represents has performed a liberating function in contemporary Jamaica, and the Rastafari credo is definitely on the upswing. Whether the Natty Dreads can continue to perform this liberating function remains to be seen if reggae music and its rebel content can withstand the pressures of North America's spectacular economy. Or if it will be denatured and co-opted, absorbed without a whimper, like the protest movement and "San Francisco Sound" of the Hippy Sixties.

Bob Marley says emphatically, "It never be mon, because Rasta-man is not ill like a hippie. Him hold on long time an' hippie no hold on, him fall."

At the present time the Dreads believe that their existence is a political statement and the strength of their vision will prevail in the world. If not, Bob Marley says ominously, "It better be the end of the world than to be a prisoner all da days of your life."