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24 October 1969

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SITUATION INFORMATION REPORT

The question often posed in recent weeks that seems to promote bewilderment and perplexed head thumping is, where was the SDS on October 15. The answer comes simply, through the understanding and recognition, from whatever causal equation, of the basic "environmental cynicism" complex in the SDS mentality and the accompanying uncompromising "action strategy" adherents are determined to employ in scratching the revolutionary itch. This misguided, radical philosophy, is perhaps the only remaining thread tying together the monolithic and doctrinaire PLP faction, the politically masochistic Weatherman and the somewhere in between RYM2. Be it the progeny of Hayakawa's "Boob tube" theory or Bettelheim's "relevancy" or Feuer's "generation gap," the modern student revolutionary interprets social phenomena cynically.

Theoretically-minded and articulate SDS spokesmen believe (only a handful of activists fall in this group incidentally) that the October 15 demonstrators (both indians and chiefs), the "liberal Democrats," view the Vietnam conflict as some kind of gigantic mistake most likely engendered by madmen in the Pentagon. The way out of this mistake is to mobilize public opinion against the war. Then because this is a democratic country, the President will be forced to end the war to escape defeat at the next election. Radicals see the war very differently.

The radicals believe that the war is not a mistake but an integral part of American foreign policy. The Vietnam policy is neither new nor unique. The policy of maintaining pro-western "dictatorships" in Vietnam was begun by President Truman and has not changed since. In the left radical view, the United States has maintained similar dictatorships throughout the world from Argentina and Brazil to Spain and Greece to Taiwan and South Korea. None of these governments, they believe, could survive a moment without massive U. S. military aid. The only difference between Vietnam and other countries we have allegedly invaded - Guatemala, Dominican Republic, Lebanon, Thailand, Laos, and so on - is that the Vietnamese people have waged a stronger "peoples war" to resist U. S. aggression.

~~SECRET~~
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The SDS explanation is simple. United States policy abroad is consistently designed to protect the investment of American business. Benefiting at the tremendous expense of the people of underdeveloped nations, by utilizing cheap labor, and by extracting natural resources, the likelihood of huge corporate profits is enhanced. This is the foreign policy that SDS calls "American imperialism (AI)." Because American business often dominates a country's total economy and consequently is so destructive to the interests of the people, military aid is sometimes needed to maintain a repressive regime that will allow U. S. domination.

SDSers believe that AI strengthens capitalism which in turn badly exploits both foreign and domestic labor. The only group that benefits from AI is the American businessmen. Those that suffer most are American workers who must first compete with cheap foreign labor; second, must pay higher taxes to pay the cost of a large army and military assistance programs; and third, do the fighting when "imperialist" wars break out. The government, the agency of AI, through many and varied control techniques (extracting promises for campaign contributions for instance) is at the mercy of big business.

It is from this perspective that SDS opposed the October 15 demonstrations. The moratorium encouraged millions of people, unhappy with the war, to channel their discontent into exactly those democratic processes which are controlled by big business. Such activity is not just useless, it is harmful. SDS believes that to raise peoples hopes that electoral politics and peaceful demonstrations will end the war is to discourage them from joining in a militant mass struggle truly capable of achieving this objective.

A recent meeting was held in Berkeley, California, between members of the extremist Black Panther Party (BPP) and two militant Chicago, Illinois, street gangs known as the Young Patriots and Young Lords. The meeting was to set up a training program that members of the youth gangs could participate in to see how the BPP operates. Reportedly, the BPP plans to utilize this cooperation with the youth groups in an attempt to gain national publicity. It was indicated that the BPP is presently dissatisfied with the operation of the anarchistic radical Students for a Democratic Society and

is planning to disassociate itself from this organization. There was some discussion about setting up training areas in northern California for the purpose of forming a base for an armed struggle to carry out guerrilla warfare; however, no definite plans were formulated at the meeting.

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17 OCT 1969

DAILY WORLD

Friday, October 17, 1969

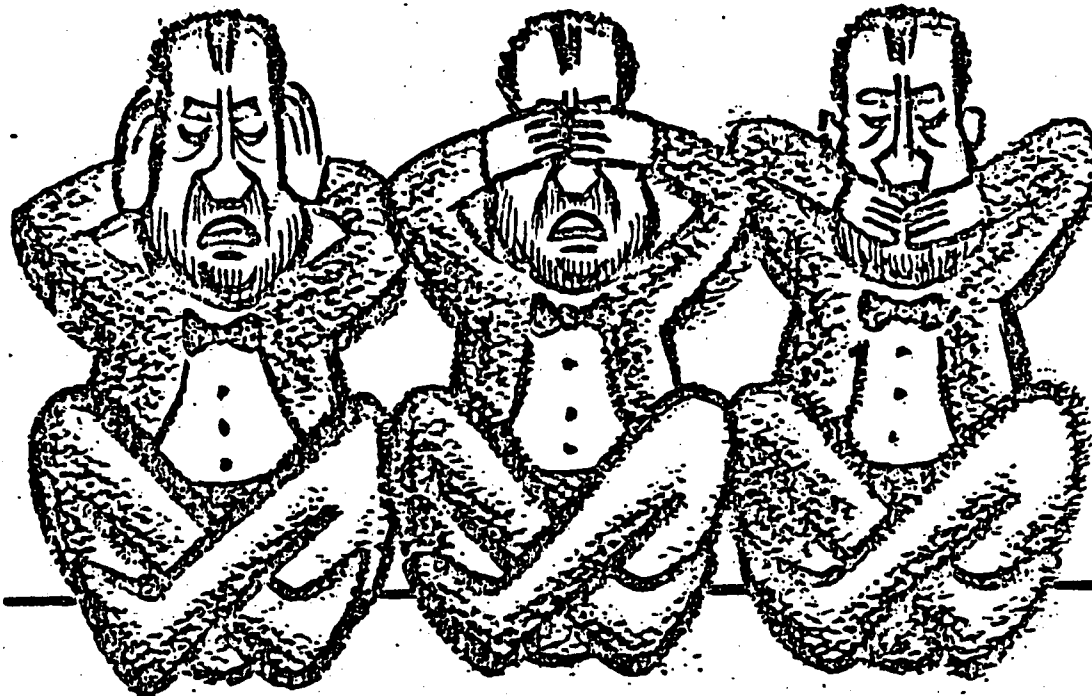
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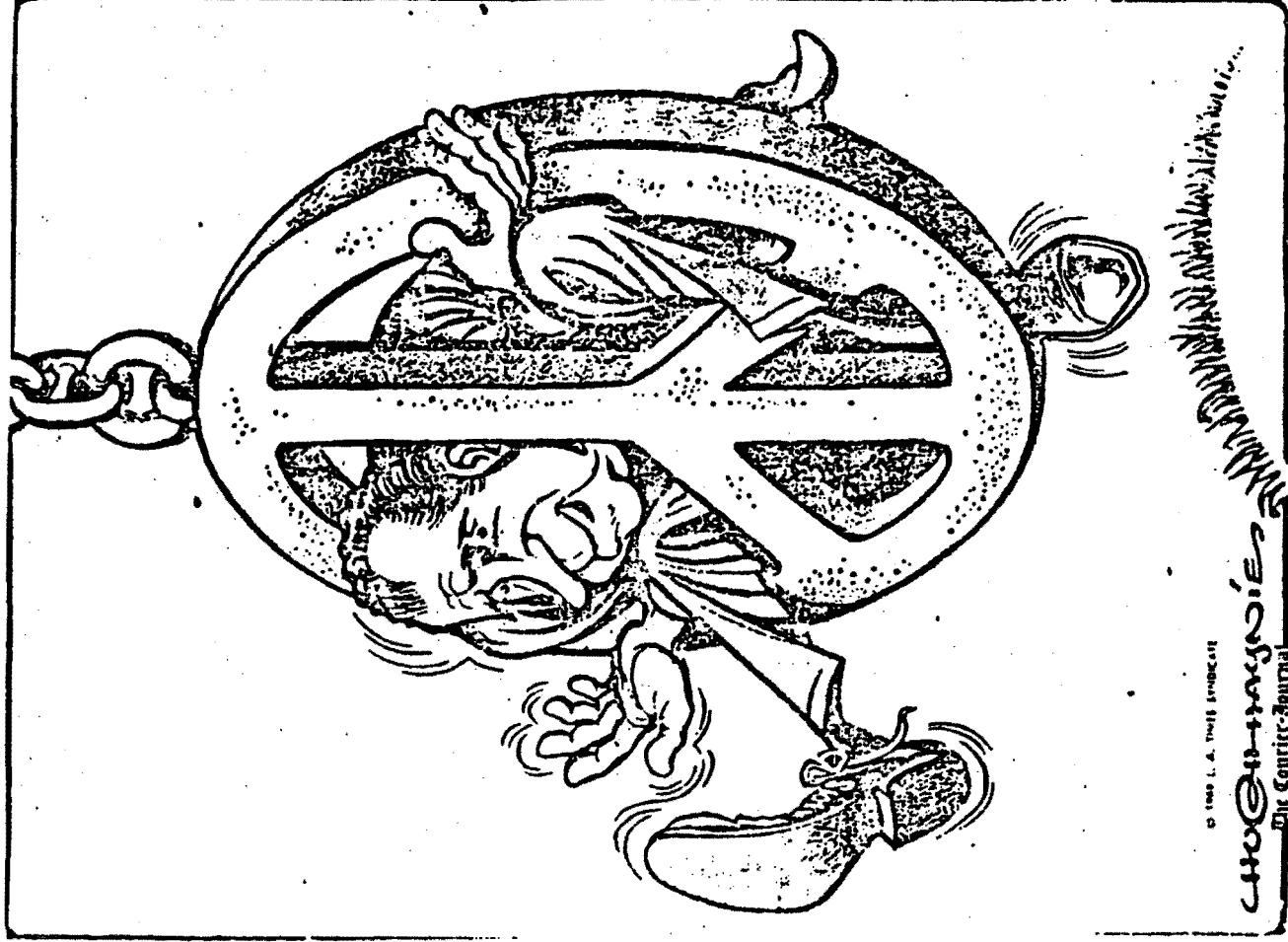
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ANDREWS DAILY WORLD

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"See! I Told You It Wouldn't Affect Me. Now, Lets Declare
Another Moratorium . . . on Moratoria"

CALENDAR OF TENTATIVELY SCHEDULED ACTIVITIES

Asterisked items are either reported for the first time or contain additions or changes to previously reported activities.

October 25

*Chicago, Illinois - The New Mobilization Committee is sponsoring actions in Chicago in support of the "Chicago Eight" and calling for an end to the war in Vietnam. A guerrilla theater march down State Street, a tribunal dealing with political repression, and a rock concert are planned. The march and rally are to focus on the war and alleged government repression of peace movement leaders. Reportedly, Dr. Benjamin Spock will be the main speaker at a rally, and the Peter, Paul, and Mary group will be guest singers.

October 25

*Trenton, N. J. - A "Bible Believers' Victory in Vietnam" march to protest the Vietnam war protests will be lead by Georgia's Gov. Lester Maddox. Maddox accepted the invitation of Carl McIntire, right wing radio evangelist, who said "I challenge the Vietnam Moratorium cowards to come hear Gov. Maddox and learn the truth about Vietnam. He'll set them straight."

October 25 &
November 3

National and Chicago - In a speech to a BPP rally in Chicago on 7 October, Rennie Davis of the Chicago Eight stated that, on 25 October law students throughout the country would be encouraged to walk out of classes. Then, on 3 November, the population of Chicago would be invited to meet at the civic center to protest the current trial.

November 1-7

*Boston Area - Students for a Democratic Society (SDS) chapters at the Massachusetts Institute of Technology (MIT) are reportedly planning demonstrations November one through seven next at MIT and Harvard University to oppose research by the university for the Defense Department. On November four next, SDS may attempt to disrupt classes and impede research projects. The theme of this demonstration will be "Bring down the second Pentagon." The above actions are reportedly still in the planning stage.

November 3

Chicago, Illinois - Arrested September 8 at the University of Illinois where, as leaders of a community coalition, they were demonstrating for more jobs for minorities in the construction industry were: Rev. Jesse Jackson (SCLC); Lawrence Patterson (Conservative Vice-Lords); Robert Weathers (Black Disciples); and Leonard B. Sengali (Black Peace Stone Nation). Trial has been set for 3 November.

November 3

New York City and Nationally - On 7 October a group of black intellectuals and activists in New York City called for a city-wide work stoppage by black workers as a display of unity among the majority of Negroes--a "Black Solidarity Day." Although called for New York City, the sponsors said other blacks are working toward similar shows of unity in Detroit, Cleveland, Los Angeles, and Chicago. One purpose of the demonstrations is to show black opposition to "the growing conservatism" among U. S. whites. "This test of Solidarity Day will call on the majority of blacks not involved (with black activism) to show this anger in a creatively disruptive act."

November 6

New Bedford, Massachusetts - The Regional Action Group, believed to be an SDS sponsored group, is planning an anti-war demonstration. Thursdays are traditionally known as a "night on the town" when vandalism and arrests are prevalent.

November 8

Nationally - SDS has said that as a follow-up to the 11 October action in Chicago, regional demonstrations will be held throughout the country to make it clear that SDS will not be tricked by "phony bombing halts or troop withdrawals or any games played by liberal politicians." SDS says, "We will not be turned around

November 8

Boston, Mass. - A Boston anti-imperialist coalition will hold a demonstration to support the NLF and demand immediate withdrawal from Vietnam. It will be the culmination of a week of anti-imperialist demonstrations against a variety of targets. It will bring together high school and college students and working people.

November 8-15.

National - Planned to be a week of local activity around the war and U. S. imperialism, to build on-going local organizations and to help mobilize for November 15th in Washington and San Francisco. The goal is to plan activity appealing to a wide variety of constituencies and political styles. Initiated by the Joe Hill Caucus of SDS at San Francisco State and endorsed by the RYM II national SDS faction. A prime aim is for campus protests. The NMC co-chairman, Sidney Peck has indicated that NMC-hopes the actions take place.

November 8-15.

*The Fellowship of Reconciliation, a pacifist group which is participating in the November fifteen demonstrations, plans to conduct a continuous vigil at the South Vietnamese Embassy, November eight through fifteen.

November 9

*Los Angeles, California - The Teachers' Council for Peace in Vietnam is sponsoring a mass march and rally on November 9 with the aim of initiating "dramatic peace events - carefully planned so as to broaden the peace movement's popular appeal." The projected march and demonstration has the support of the Peace Action Council, umbrella coordinating agency for virtually all the peace organizations in the area. A speaker for the Teachers' Council stated that "the peace rally will not be an anti-climax to the teachers' march. On the contrary, we are hoping for the largest anti-war rally ever held in Los Angeles." Congressmen George Brown, Jr., and Edward Roybal, both Democrats from Los Angeles, will be among the speakers at the L. A. High School football stadium rally following the march.

November 10

*National - Police Chief Dallas Bias of Charleston, W. Va., called on the nation's policemen and firemen to stage a "National March of Confidence" in the Government and the U. S. soldiers in Vietnam November 10, the day before Veterans Day.

November 10

*Rennie Davis and David Dellinger, both of whom are on trial at Chicago, Illinois, for their activities during the Democratic National Convention, attended an NMC meeting at Washington, D. C., on October twenty last. Davis indicated that he was returning to Washington, D. C., on November eight next and that a demonstration will be held at the Justice Department on November ten next to protest the Chicago trial.

November 11

*Veterans Day - At least one person, Sen. Barry Goldwater (R-Ariz.) has suggested that on Veterans Day demonstrations be conducted in support of U. S. forces in Vietnam to make sure that they "know how the majority of responsible Americans feel."

November 12

Detroit, Michigan - Robert F. Williams, militant black, who recently returned to the U.S.A. after eight years of exile in Cuba, China, and Tanzania, was freed on personal bond after two appearances in Detroit Courts within hours after his return. Williams is fighting extradition to North Carolina where he is wanted on a kidnapping charge. An extradition hearing is set for November 12.

November 13-16

*Washington, D. C., San Francisco, & Nationally

After assessing the impact of Vietnam Moratorium Day, 15 October 1969, on the Fall Peace Offensive, the various coalitions, steering committees, organizations and individuals that had been looking toward conducting protest activities during mid-November have begun to renew their efforts in funding, planning, and organizing. Despite some profession, by assorted organizational leaders, of divergent views and intentions, it must be recognized that the hierarchy of these groups overlaps and interlocks and the primary goal of the main leadership is to reflect in one fashion or another such a broad base of opinion and support as to envelop almost anyone holding some measure of anti-war or anti-establishment feeling.

The prime organizational activity for the 13-16 November period will be conducted, at least ostensibly, by the Vietnam Moratorium Committee, Student Mobilization Committee, New Mobilization Committee, and Students for a Democratic Society. SDS, itself badly split into factions, has indicated that it will attempt to either conduct its own activities or take advantage of those being sponsored by the other three organizations, but in any event, wants to escalate the actions toward an aggressive violent posture.

SCHEDULING TO DATE ANTICIPATES:

- November 13-14 *Nationally - Continuance of Moratorium on business as usual - two days in November. Sponsored by the Vietnam Moratorium Committee. Shift of emphasis from Washington and main urban centers to local activities across the country.
- November 14 *Nationally - National Student Strike at high schools and colleges - sponsored by the SMC and backed by other groups - demanding shutdown of campuses that day. Rallies, teach-ins, and debates to be part of strike. Demands will also be related to ongoing campus struggles.
- November 13-15 *Washington, D. C. - A "March Against Death," led by Mrs. Coretta King, and sponsored by the NMC. Commencing at midnight, November 13, some 40,000 participants will start a single file march from Arlington Cemetery past the White House to the Capitol. Each will carry a placard bearing the name of a U. S. war dead or Vietnam village destroyed. The march is expected to take some thirty-six hours and to terminate in the forenoon Saturday the 15th prior to the main march and rally that day. It is difficult to believe D. C. authorities will permit traffic to be tied up for such a long period.
- November 15 *Washington, D. C. - A planned massive march and rally sponsored by the NMC. Among announced rally co-chairmen: Rev. William Sloane Coffin, Dr. Benjamin Spock, Julius Hobson, and Bobby Seale (BPP leader jailed in Chicago). Assembly starts at mall at 9 a. m.; march starts 11 a. m.; and the rally is planned for 2 p. m. on the Ellipse.
- November 15 *San Francisco, California - A planned massive march and rally sponsored by NMC.
- November 16 *Washington, D. C. - Meetings and continued unannounced actions by NMC.
- November 13-16 Washington, D. C. - A national conference on GI rights was announced by the GI Defense Organization in a planning session held at Chicago in early August. Part of the effort to increase

GI resistance to the Vietnam War, the Conference will consider proposals including: "The guarantee of freedom of speech for GIs, freedom of the press and assembly, due process, etc., to servicemen and legislation to enforce the prohibition against cruel and unusual punishment by the officers' caste and their agents." The American Servicemen's Union has asked organized labor to support the GI movement.

November 15

Berkeley, California - A confidential source has advised that the extremist Black Panther Party plans to hold a benefit in the Berkeley, California, area on or about 15 November 1969. The purpose of the benefit is to raise money to be used as a legal defense fund for arrested leaders and members of the BPP, including its chairman Bobby Seale. The BPP plans to have well-known personalities and entertainers to participate in the benefit, including professional entertainer and civil rights activist Dick Gregory, and the Rev. Ralph D. Abernathy, President of the Southern Christian Leadership Conference. Reportedly, the BPP recently received word that Abernathy is willing to help and is waiting to be contacted by a representative of the BPP.

November 18

Washington, D. C. - The appearance of black militant Robert F. Williams before the Senate Internal Security Subcommittee scheduled for 30 September was postponed until 18 November, according to Conrad Lynn, one of Williams' lawyers. Williams faces kidnapping charges in North Carolina.

November 19-22

* Washington, D. C. - The Committee of Returned Volunteers plans to participate in the November demonstrations and to hold a conference dealing with "American Imperialism in Asia." It will also demonstrate November 19-22 at Washington, D. C., during a conference on Okinawa between the President and the Prime Minister of Japan.

November 21-24

Chicago, Illinois - The New Democratic Coalition steering committee announced a national conference will be held at which Sen. Harold Hughes (D-Iowa) will be the principal speaker.

November 28-30

Mississippi or Georgia - The National Conference on Black Power had a three-conference schedule for 1969 - the first in July in Bermuda - the second 29-31 August in Los Angeles,

and the third - "to synthesize the results of the previous two will be in Mississippi or Georgia during the Thanksgiving weekend (November 27). It will be international in scope - including black peoples from North America, the Caribbean, Africa, and South America.

December 20

*International - In Helsinki in August 1969, at the World Meeting of Solidarity of Youth and Students with Vietnam, attended by young people from 78 countries, among three documents adopted was one containing recommendations for national youth organizations and movements to conduct a world-wide campaign of action of the youth and students in support of the Vietnamese people and its struggle for independence, freedom and peace. Mass activities on December 20 - the day of establishment of the South Vietnam National Liberation Front, "ngast become a culmination of all the mass action conducted in the most diverse forms," it declared.

December 26-28

*Chicago, Illinois - The CPUSA has disseminated a document entitled "A Call to Found a Revolutionary Working Class Youth Organization." The founding convention of this new Marxist-Leninist Youth organization will be in Chicago from December 26-28, 1969.

TRIAL OF THE "CHICAGO 8" (Continued)

On Moratorium day, Wednesday, 15 October, the fourth week of the trial of the "Chicago 8" got off to a rousing start when two of the defendants (all of whom had in effect been denied the right to attend and speak at Moratorium day demonstrations, when Judge Julius J. Hoffman refused to recess the trial or permit them to absent themselves) upon making their appearance in court with black armbands on their arms, promptly produced a small American flag and a large Viet Cong flag with which they draped the defense table. The two, Bennie Davis and Abbie Hoffman, were ordered by a United States marshal to "Get that thing off the table."; whereupon Abbie Hoffman refused, claiming the right to have it "if we want to." He grabbed at the flag being rolled up by the marshal and a shouting match and tug of war ensued for several seconds. Thereupon, and prior to the arrival of Judge Hoffman and the opening of the day's session, David Dellinger gave a speech in the courtroom and began reading names of war dead. Judge Hoffman, upon his entry, ordered Dellinger to sit down and stated that the display of the flag of an enemy nation in the courtroom was "the most outrageous courtroom conduct I have ever seen."

On Friday, 17 October, thirty members of the Ad Hoc Committee of Lawyers to Stop the Trial picketed the Federal Building in Chicago to protest the trial; and made a press release announcing that it was seeking the impeachment of Judge Hoffman; had requested investigations into his conduct; and had prepared a brief in support of a motion for a mistrial.

During court on Monday, 20 October, Bobby Seale, Chairman of the Black Panther Party, accused Judge Hoffman of being "a Fascist and a racist" and of trying to "railroad" him to jail. He made these charges following Judge Hoffman's denial of a motion to permit Seale to act as his own attorney. (Throughout the trial, Seale has periodically risen in court to protest that he is unrepresented by counsel because his West Coast Panther defense attorney is unable, by reasons of health, to be present and Judge Hoffman refused to postpone the trial until his recovery. Judge Hoffman maintains that Seale is adequately represented by other counsel in the joint trial; but Seale claims that he dismissed them and is, therefore, unrepresented. Two days after the above incident Judge Hoffman denied a motion by Defense Attorney William H. Kunstler to withdraw as Seale's lawyer.)

Upon Seale's refusal to sit down and be quiet as ordered, Judge Hoffman instructed a Federal marshal to make him sit down. Seale continued to mutter about a "black man trying to defend himself against

the United States, Nixon, and the rest of them"; and at the end of the day, Judge Hoffman warned him that there is "competent authority" for dealing with a defendant who persists in talking. Some legal observers believe that the judge had reference to a recent Illinois decision under which Seale could be shackled and gagged in court if he refused to contain himself. During noon recess, Seale submitted a new handwritten motion asking for a series of steps to enable him to defend himself, including a request for his release from jail so that he might interview witnesses and do necessary investigating.

On 21 October, Rennie Davis announced at the usual news conference held by the defendants during the trial's noon recess, that the Black Panther's exiled Minister of Information Eldridge Cleaver (who jumped bail last year after his parole was revoked and is reported to now be living in Algiers) has begun discussions with the enemy in Vietnam about an exchange of United States military prisoners for Panther leaders in custody in the United States—that is, Bobby Seale, who is under arrest for conspiracy to commit murder, and Huey P. Newton, who is serving a jail term of two to fifteen years for fatally shooting a policeman. This information, according to Davis, had been learned by defendant Tom Hayden during a meeting in Oakland, California, with the Black Panther Party's Central Committee on Sunday, 19 October. Hayden hadn't learned the details and said he had no reason to believe that the United States Government knew of the discussions initiated by Cleaver. He noted, however, that Cleaver has been in several Communist countries during the last two months, including the Soviet Union and North Korea.

On the following day, the State Department indicated that it had no knowledge of any such proposed exchange and officials expressed doubt that North Vietnam has any interest in such an exchange; while David Hilliard, "Chief of Staff" of the EPT, announced that "The groundwork has been set" for the release of an unspecified number of American prisoners of war if the jailed Panther leaders are freed. According to Hilliard, "final details" of the proposed exchange are being worked out by Eldridge Cleaver and the North Vietnamese will ask that Rennie Davis and David Dellinger act as go-betweens in the proposed swap. The proposal, it was said, could be activated "as soon as Davis and Dellinger are cleared to go and meet with Eldridge."

The court was again thrown into a furor on 22 October when co-defendants of Bobby Seale tried to present him with a birthday cake in court and were barred by the marshals from doing so; and a Black Panther was evicted from the courtroom when he refused to stand when Judge Hoffman entered it.

There were about twenty Negro spectators in the courtroom for "Bobby Seale Day", the largest number to appear so far; and ten Black Panthers among them failed to stand when Judge Hoffman entered. When ordered by the Judge to do so, one refused and was removed by a Federal marshal, while Seale yelled, "You're a pig for kicking him out!" and the other nine Black Panthers shouted, "Right on" and raised clenched fists in support of Seale.

At that point, Defense Attorney Kunstler rose saying that the seven absent defendants had brought a birthday cake for Seale and wanted permission to bring it into court. When permission was denied, the seven, who were outside the courtroom door, retreated to their conference room and reemerged in a ceremonial procession with Jerry Rubin leading the way and carrying the cake which was iced with the inscription "Free Huey and Bobby". When marshals seized the cake, Abbie Hoffman shouted, "That's a cake-napping!" and when the defendants finally entered the courtroom, Rennie Davis shouted to Seale, "Hey, Bobby, they've arrested your cake." Seale replied in a loud voice, "They have arrested a cake but they can't arrest a revolution."; and the Panthers in the spectator section again shouted, "Right on!" and raised their fists. When Judge Hoffman ordered the spectators to be silent, Seale turned to the spectators and said, "O.K., brothers, just sit in the courtroom and listen and don't say anything." Judge Hoffman said, "I give the orders here, sir."; whereupon Seale replied, "They don't take orders from a racist Judge."

Throughout the day, Seale was repeatedly reprimanded for his conduct but continued to talk—at one time muttering, "for 400 years we've been persecuted, murdered, shot!" Judge Hoffman warned him that his remarks were "contumacious" and said he would be "dealt with at the appropriate time."

Somchow, in the midst of the above related disruptions, testimony was taken from several undercover Chicago police officers, a newspaper reporter, an FBI agent and a paid FBI informant (a news reporter who stated that in the course of his work he received so much information which he felt was a threat to the security of the United States that he went to the FBI). These individuals furnished testimony regarding the activities of Rennie Davis, David Dellinger, and Jerry Rubin in Chicago, during the Convention, and elsewhere earlier, which lends credence to charges of their having incited others to riot.

David Dellinger urged a crowd of about one hundred students of the San Diego State College to "burn your draft cards, break

the laws, disrupt the United States Government, go to jail" to stop the Vietnam war. According to [redacted] Fellingner also told the group, a month before the 1968 Democratic National Convention, that he was going to Chicago "where there may be some problems."

he heard Jerry Rubin tell a crowd, about a month before the Convention, "People should mass and cause disruption to the election system...at the Convention and on election day." The testimony of both witnesses was strenuously, but unsuccessfully, protested by the defense, which claimed that it was not relevant.

who said he infiltrated the ranks of the protesters during the Convention, testified that he heard Rennie Davis answer a demonstrator's question regarding action to be taken if the police attempted to clear the Lincoln Park area being used as a campground: "That's easy. We just riot."

testified that he had seen Rennie Davis lead a march into Grant Park on the evening of 26 August 1968, and had heard him shout through a bull horn, "What do you want?" to which the demonstrators responded, "Revolution!" Davis yelled, "When do we want it?" and the crowd answered, "Now". When they reached the park, Davis yelled, "Take the hill, take the high ground. Don't let the pigs take the hill."

testified that during the Democratic Convention, Rennie Davis ordered anti-war demonstrators to attack police so that television cameras could film the police counter-action but not the demonstrators' attack. [redacted] also stated that he saw Jerry Rubin lead two or three hundred protesters on a rampage through the Loop screaming, "Come with me. The streets belong to the people." On 28 August 1968, according to [redacted] when two or three thousand protesters were massing in Grant Park across from the Hilton Hotel, Davis asked a Deputy Police Superintendent to pull a police guardline back across Michigan Avenue stating: "My people are nervous—my people are nervous." To which the police officer replied: "There won't be any trouble if you obey the law." Shortly thereafter, Davis pointed to the line of policemen and instructed an unidentified associate: "I want you to replace the people in front of the police with (demonstration) marshals. Tell the marshals to kick the police in the shins and they will retreat by clubbing the demonstrators...the TV cameras will pick that up. The cameras will not be able to pick up what the marshals are doing."

Despite their not having been permitted to absent themselves from court on Moratorium day, some of the defendants have managed during the trial to make trips to Washington, San Francisco, etc., as previously noted, and on 30 October (according to the FBI) Bernie Davis and David Dellinger, the head of the New Mobilization Committee to End the War in Vietnam (NMIC), attended an NMIC meeting in Washington, D.C. Davis indicated that he would be returning to Washington on 8 November, and that on 10 November a demonstration would be held at the Justice Department to protest the Chicago trials. The NMIC is sponsoring massive demonstrations in Washington, D.C., and in San Francisco, on 15 November 1969; and is said to feel that now that it has resolved its differences with the Vietnam Moratorium Committee (VMC), the Washington demonstrations will attract from 250,000 to 500,000 participants. (Officials of the NMIC, which had threatened to denounce the NMIC if it didn't change its policy toward "Establishment" speakers during the November demonstrations, reportedly met with Senator Eugene McCarthy and were told by him to resolve their differences with the NMIC.)

The press continues, with what would seem to be some justification, to criticize Judge Hoffman's attitude in court toward the defendants and their attorneys. One example being cited occurred when heated words were exchanged following a request by David Dellinger for a moment of silence in honor of the Moratorium and U.S. Attorney Foran's shouted objection. During the verbal exchange, Foran termed Defense Attorney Kunstler "a worthless"; and Judge Hoffman refused to rebuke Foran stating: "I not only will not rule on it, I will ignore it."

Nationally recognized periodicals, such as Newsweek, Time, etc., are pointing out that Judge Hoffman has laid himself open to a charge likely to be argued in any appeal of the case, i.e.: that the defendants were unable to get a fair trial because of the Judge's attitude. While it is generally conceded that Judge Hoffman is being strongly provoked, it is also being noted that he has made evident in court (and thus to the jury) his disdain for the defendants and their attorneys. As Time has put it, "By over-reacting to the defendants' shenanigans, Hoffman may not only give them good arguments for appealing a conviction but also strengthen their claim that U.S. institutions are inherently unfair."

Reversal of any conviction in the case is believed by many to be already assured—a serious matter indeed, considering the importance of the case which will test the constitutionality of the recently enacted anti-riot act (which provides up to five years in prison and \$10,000 fines for crossing state lines with intent to incite a riot) and which will perhaps "update the definition of 'free speech' in

an age of dissent." Whatever the outcome, the case will no doubt be carried to the Supreme Court.

SOURCE: Government and news media.

RELIABILITY: Probably true.