

Justice and Amnesty: Applying the South African Truth and Reconciliation Process to the North American Black Liberation Movement

From Dr. Mutulu Shakur January 1st, 2011

This paper is a response to questions and concerns regarding the “Discussion Paper” of the application of a Truth and Reconciliation Tribunal that addresses the conflict between the civil rights/black liberation struggle against the U.S. COINTELPRO low intensity warfare.

There are some among our ranks who have raised some legitimate and novel questions and concerns as to why I have chosen to espouse the South African Truth and Reconciliation Commission (TRC) process. I do this to shed light on, and to gain relief for, our political prisoners and allies of the black liberation movement. Below, I will endeavor to address some of the questions and concerns.

1. The people in South Africa had/have serious problems with the TRC put together by the ANC.
2. The people in South Africa believe that the national leaders sold them out by allowing their names to be used as the ones that were heading up the commission.
3. The people in South Africa believe that the illegal regime used the process to absolve the state apparatus of its complicity in crimes against humanity and to circumvent judicial review under the International Court in The Hague.
4. The people in South Africa believe that the Africans/blacks would be, and were the only, ones telling the truth.

It's important to acknowledge and understand that activists in our movement, who have made an effort to build support for political prisoners and prisoners of war in the U.S., have utilized and exhausted all available avenues that were open to them to gain relief for our freedom fighters.

We should understand that a process that gains relief for our freedom fighters should naturally contain the memorializing of our rich history of our contemporary resistance to the repressor's racism, economic apartheid, etc.. This history is important for the present generation of activists who seem to have no notion of the countless and enormous sacrifices that were made to pave the way for their present condition.

We must address the prevailing amnesia, and we must be successful in our earnest endeavor in the development of a mass base that through its will and organizational accomplishments, usher in a victory that accepts the existence of New African Freedom Fighters.

The false equating of our freedom fighters, political prisoners, and prisoners of war to so-called terrorists must be vehemently combated for we are not terrorists! The government has won the battle of molding and shaping the narrative that those of us who dare to resist oppression, without passing go, are terrorists. Terrorism is just another method of resistance, which should not as it exists today, include New African Freedom Fighters and our armed resistance to oppression here in the U.S.. It's important to understand the effect the oppressors' propaganda has had on the normal activist's willingness to become engaged.

The word terrorist, unlike communist and fascist, is being abused by the oppressors as it disguises reality and impoverishes language and makes a banality out of the discussion of war, revolution, conflict, and politics. As Christopher Hitchens once said, "It's the perfect instrument for the cheapening of public opinion and for the intimidation of dissent."

A process that is developed on a Truth and Reconciliation Commission and/or the tribunals, has been the model used around the world. It allows for open discussion on the issue of resistance versus the state; it allows for a definition of terrorism that does not criminalize legitimate forms of resistance against oppression. It equally provides an avenue for healing and rebuilding, or at the very least, it provides a starting point post-conflict.

South Africa has no monopoly on the TRC process. The process has been accepted as a resolution process around the world. Furthermore, the TRC process is in fact an incomplete recording of the conflicts to which it has hitherto been applied.

It's undeniable that our objective condition has more in common with the South African condition than most others. It's important that our "think tanks" truly do an objective study of the TRC application process to be more precise as to its application to our struggle and situation. In terms of the special nature of our conflict, the Ireland application of a TRC and the Chilean application of a TRC combined could be transformed into a TRC that exactly fits our needs, but even then it will still not be a perfect fit.

A TRC process could not vet the New African/black civil rights conflict, and our engagement must not presume that such a process will resolve 400 year odd years of conflict, or totally memorialize the aspect of armed resistance missing in the present black history.

There is no question that to ignore the victimization of the vast majority of our people would be a recipe for the escalation of enmity between the races, and especially with the rise of the tea party in 2009 with its racist motto "we want our country back," and its racist anti-Obama agenda.

The President of Chile in 1990 allowed for the creation of a national commission that was based on the principle of the TRC model. The process in Chile was politically fashioned to limit the inquiries into only those individuals who had disappeared. The President of Chile steadfastly resisted the disclosure of the names

and ranks of the perpetrators who had committed countless human rights abuses. In Brazil, the TRC included no criminal charges against the military junta but it eventually provided the path for freedom for a woman guerilla that became president of the country.

It is important that our researchers not limit our method of the application of the specific process, and rather we should become innovators in creating a process in substitution that addresses our own reality.

Our history during the Civil Rights/black liberation Movement for black people that was waged against the backdrop of the low intensity warfare director by J. Edgar Hoover's counterintelligence program must be memorialized through a process.

The moral difficulty in pursuit of justice will be task driven, to the transition from domestic legal tactics to international application of justice based on the principles of international legal standards. The essence of justice is the universal principles applied nationally and internationally.

Certain applications of the TRC have granted blanket amnesty in all circumstances to the state forces, civilians, and combatants to ensure peace throughout the country.

Yet, other applications of the TRC have prosecuted violators of human rights abuses, and those who took up arms and opposed the perpetrators of said abuses. Some commissions conducted investigations and applied amnesty on a case-by-case basis. Some of the findings of the commission were even revealed to the public and even more hearings were conducted in public forums. Some countries have even provided for the victims and the families of human rights abuses.

Many governments and leaders of the international body claim to have helped to bring about the end of apartheid in South Africa after many, many years of neglect and supporting the atrocious

behavior of the illegal regime. However, their failure to support resolution after resolution in the UN and other international institutions of persuasion were based in large part on those governments and leaders' unique relationship with the U.S.. Needless to say, many lives were lost while the world staunchly supported that illegal regime.

The U.S. after many, many years of contradictions did engage with the international negotiations to end the racist regime in South Africa and institute a process to address the bitterness left from decades of internal conflict.

In South Africa the United States accepted and encouraged the TRC as a process for internal conflict resolution. In the United States, this government should also see the justification and applications of the same type of process to address the years of Jim Crow segregation and the apartheid era here in America as essential to ending the conflict in a peaceful manner.

Truth and Reconciliation Commission

Objective:

To have a national and international body. To conduct an equitable and unbiased investigation into the infractions and violations of the U.S. Constitution and U.N. Universal Declaration of Human Rights perpetrated by official organs of the U.S. Government under COINTELPRO (in regards to what is often referred to as "low intensity warfare,") and to take the imperative steps to formulate and conduct official hearings and investigations under the auspices of a Truth and Reconciliation Commission (TRC.) A model similar in structure only to the TRC established in the Post-Apartheid South Africa era which applied the modern international standards "explicit means" of resolving international conflict(s.)

(A) The status of those who have been identified by popular opinion as political prisoners and prisoners of war, imprisoned on

U.S. Territory, in the aftermath of the civil rights/black liberation struggle; and , as it pertains to the granting of amnesty and their unconditional release: And,

(B) Whether or not the liberation struggle was a legitimate revolutionary movement in accordance with and defined by the U.N. General Assembly Resolution #3103 and ratified on December 12th, 1973 and protocols 1 and 2. Additionally, if “our” political prisoners and prisoners of war satisfies the standards of the Norgaard Principles. Goals:

1. To develop a process to conduct official hearings and investigations under a commission with a twofold purpose

(A) To demand the establishment of the TRC under authority of the U.S. Congress¹ and

(B) To garner the endorsement and active support of various NGOs along with the support of the U.N. General Assembly and Security Council Member Nations. To apply international pressure to try and persuade the U.S. Government to take an active role in a TRC established under the authority and supervision of The Office of the U.N. High Commission for Human Rights or an agreed alternative.

2. Establish an exploratory committee from amongst restorative justice practitioners.

3. Solicit the assistance from those South Africans who participated in the Truth and Reconciliation process that was conducted in their country, and the esteemed black and white advocates from North America’s struggle.

¹ A debate will determine the rule of congress.

4. Request assistance from the South Africans who participated in the TRC process in their country to help develop a process and a step-by-step strategy for applying the TRC process to address crimes against humanity that was committed by the U.S. government against people of African descent who were forcefully abducted from the land of their birth. In addition to the matter of amnesty and the unconditional release of all political prisoners and prisoners of war being held in the U.S. prison system as a consequence of their political activities in which they engaged as a direct response to the acts and policies of the U.S. government which they viewed as crimes against humanity and peoples.

5. Appeal to and solicit the assistance at the local, national, and international levels of black/New African politicians, in addition to high profile media, artists, and others of influence. To present and explain the narrative(s), outlining the process demanding freedom for our political prisoners and prisoners of war, as well establish an accurate record of “our history” of resistance and sacrifices.

6. Organize a viable grass root public-awareness campaign in order to promote and explain the idea(s) for the need of a TRC which shall maintain and keep the focus of the issue at hand and others of importance at all times on the front burner. The grass root campaign should be that of a collective broad-base of networks, comprised of the various political prisoners and prisoners of war support committees, progressive experts, local, national, and international organizations and their affiliates. It is important to build a base amongst its political prisoners (P.P.) and prisoner of war (P.O.W.s) support groups. Our challenge is to distinguish between a strategy pursued by most political prisoner-P.O.W. support and defense committees to achieve amnesty through a COINTELPRO hearing and the development of the Truth and Reconciliation Tribunal confronting the U.S. government’s low intensity warfare against the Civil Rights/black liberation Movement.

The strategic view in my opinion would be that a COINTELPRO hearing will assist in creating the political climate in which the

Truth and Reconciliation Commission could be established with the focus to resolve past atrocities by giving voice to the forgotten survivors, combatants, and allies on toward to a peaceful conflict resolution by a means of an alternative dispute resolution mechanism.

The pursuit of COINTELPRO hearings, as to the disclosure justification process, has a much longer activist history. In some cases legally, and to a smaller degree politically, it is understandable why veterans of human rights forces feel mistakenly that the COINTELPRO and TRC are interchangeable. My argument is that they're interrelated, but not interchangeable.

It is my position that the COINTELPRO commission format is not a process in it of itself that requires both conflicting parties to be revealed, rather our movement simply presents to the public. Hopefully with the process of the Freedom of Information Act, political information and testimony retrieved from the Freedom of Information Act process will pertain to the abuse by the state against the targeted group with no political agreement or incentive for the abuser to be forthcoming.

The Truth and Reconciliation Administrator of the tribunal on the U.S. government's low intensity warfare waged on the black liberation/Civil Rights Movement, including the COINTELPRO era, should be able to do the following:

(A) Provide the retention of past history of political and legal advocacy for human rights on a national and international standard of law.

(B) Possess the ability to articulate the distinguishing concepts of the Truth and Reconciliation Commission unique to the United States and the African population.

(C) Possess familiarity with various think tanks and intellectual associations within higher education historian societies that can

help build the narrative for the alternative dispute process such as the TRC in the United States.

(D) Believe in the benefit of the TRC's ability to achieve a sufficient documentation of human rights abuses during the period identified as the civil rights/black liberation/COINTELPRO era.

(E) Possesses proven ability to build administrative predictability in staff and operational infrastructure, providing a process that builds on various resources and skill sets that already exist.

(F) Possesses the ability to navigate among friendly and adversarial media outlets, in addition to being comfortable with information technology and social networking.

(G) Direct the development of a "New African" policy initiative lobby that helps to create the narrative and political opportunity that generates within the electoral process the policy that envisions the TRC demand for a COINTELPRO hearing that will assist in creating the political climate in which the Truth and Reconciliation Tribunal or Commission could be established with focus on a peaceful conflict resolution.

It is true that post-9/11, the reemergence of the same tactics disclosed through the Church Committee of COINTELPRO (in the early 70s of COINTELPRO) demonstrated that in many cases some of the same political prisoners, prisoners of war, and anti imperialists in U.S. prison again remain targeted as enemies of the state based on the conflict in the past which applied low intensity warfare to prevent the rise of a "Black 'Messiah'" as directed by then director of the F.B.I. J.E. Hoover. This highlights the distinction between disclosure and resolution as it distinguishes the role of COINTELPRO hearings from the TRC hearings.

In the 1970s, we founded and directed the national task force for COINTELPRO litigation and research to increase public awareness of the F.B.I. counterintelligence program within the infected organization of the New African movement at a time

when few were informed of its existential tactics, strategy, and effects.

It is one thing to make the point that many organizations and individuals of the black liberation era are still oppressed in what is advertised in the world as “the most free society.” Yet it is much more difficult to lay out the continuous cause of that oppression and the way in which it is perpetuated while identifying a process that addresses the direction that ends in the desired result. This desired result would be an alternative dispute process that is empowered to grant conditional amnesty, in addition to being charged with the duty of uncovering the truth about certain historical events.

In this respect our objective can adopt from the South African Truth and Reconciliation Committee (SATRC) model as to the infrastructure by developing two parallel objectives:

(A) Human Rights Violation Committee: These would be hearings in which survivors tell their “narratives” and “experiences.”

(B) Amnesty Committee: These would be hearings in where the accused (both from the state and the movement) come forward in the hopes of being granted amnesty and prove that their deeds were both politically motivated and proportional. The controlling rule is that transparency will play a major role that will allow all parties to see the process and have their opportunity to bring forth their perspective and experiences. This process will allow for the feel of legitimacy while following the above (A&B) objectives. In this era of social media, there exists the ability to give a broad segment of the generations of the civil rights/black liberation era the capability to interact with and distinguish the U.S. TRC process from the 38 other TRCs held around the world. The SATRC were very vested in the public knowledge of their process and testimony. Although the weakness of the SATRC, after 17 years and about 90 books on the subject, is that the written report is still not available to the mass of South Africans, Azania. It has been the understanding that the documents only cost about \$300 and the public record is

controlled by the Justice Department and is still being withheld. This pitfall must not be allowed to happen in our process.

On the contrary, we want an informed public debate to advance the discourse in both reports (A&B) and their application of transitional justice, a comparatively new invented tradition of the twentieth century devices as a way to cope with the past and present internal conflict in the systematic violation of human rights.

A truth commission is a new class of international law that creates a new paradigm in the field of transitional justice in that it is designed as an alternative to trial with the rule of engagement based on negotiations between a state's internal conflicting parties, in some cases applying existing international instruments, in other cases not so much.

The era of the hearing to be addressed that is manageable is a strategy for the broadest of support for several reasons. The testimony of acts in question remain in the realm of justice denied in the collective consciousness of our people. It also encompasses transition in tactical use by the state as well as the tactic for the Commission, Human Rights Violation Committee, as well as the Amnesty Committee. Finally, the documentation of the process is focused enough to warn conflicting parties of similar signs in the future to circumvent past oppressive behavior.

A truth commission in the United States that would cover 1950-1995 will cover 45 years. Between the overlapping timeline would be the optimal targeting periods of the Committee of Un-American Activity, the J.E. Hoover COINTELPRO, and the Church Committee findings.

The most important distinction between the SATRC and the U.S. government hearings is that there was no identifiable transition period that signaled the end of the era reflected by the above strategy disclosure in the South Africa hearings. The phase began in 1960 for the SATRC and terminated in 1995.

There is no way that our desired targeted period could encompass the breadth of the human rights violations and crimes against humanity by the United States. It is important however that whatever period we cover encompasses the period of the Civil Rights and black liberation Movement period. Why? Because the survivors and participants of that generation who were activists (as well as the perpetrators of the states) are available to provide the history as such to establish the patterns of the abuses and the rationale for their method of resistance that need be memorialized to saying nothing of the need to provide amnesty for the political prisoners and prisoners of war who still remain imprisoned after all these years.

The limitation of the present law in realizing a need for providing a process for conflict resolution only helps to prolong the human rights violations of charged freedom fighters in contrast to post-9/11 laws, be they international law or domestic law, have been manipulated in order to render a whole class of prisoners without an identifiable legal process that applies even to the minimum protection of the U.S. Constitution that considers it a right to at least provide the accused a process. So it's clear that the state will alter laws and process to address different stages of conflict.

Let's consider the political trial during the period between 1960-1996. The accused of our movement while fighting for their freedom endeavor used the procedures of their trial to memorialize, dramatize, and document the crimes against our people's humanity. This is a Herculean dexterous task of great sacrifice of ones freedom, but essential to establishing motive for our history and the adherence to international standard.

The reality is in almost all of our political trials. The trial process in the U.S. does not further by design the objective for transitional justice. The best legal practitioners, who remain political naturals in applying the law by necessity use tactics that undermine the intent of the accused political defendant and generally the result is a denial of justice for all political prisoners.

The political prisoners who have been captured and accused, while in general accept being apart of the movement, therefore they accept the responsibility to have a political trial even though it is generally against their attorney's advice. The process of the trial by its nature means they carry the responsibility of all the charged acts of the political period and whether the prisoners have knowledge or not in this setting the truth suffers and a process for transitional justice is abandoned or worse yet, not realized because in the United States there is no process for political reconsideration resolution. Our aim should be to evolve the process. The state's propaganda furthers their narrative in characterizing the movement and accused so as to justify the state abuse of power and violation of human rights similar to patterns that existed and used by the "third forces" revealed during the South African Truth and Reconciliation Hearings. In this setting, there are more prisoners of political character and motive who are in prison. This apparatus that has served as the primary tool of the U.S. justice and prison system function in a parallel axis to smother any acknowledgment that exists of internal conflict that require an alternative dispute mechanism not only for relief for our prisoners but healing of the spiritual and physical wounds the survivor of the conflict has endured.

In a so-called free society and great democracy, the battle between truth and justice is ambiguous. The use of the long unjustified and selective sentencing and denial of patrol create a stage that they hope will further the nation's collective amnesia that will manifest a class of "forgotten" disappeared prisoners and survivors.

That is why it is essential that the freeing of political prisoners and P.O.W.s would be the crucial result of the TRC Amnesty Committee process. In the South African TRC Amnesty Committee Hearings (HRVC) 854 political prisoners were freed through the process, keeping in mind the period of review was between 1960-1992-(4), clearly a period that addresses our needs.

Culture is Political in the Throngs of Oppression

From 1957-1997 the acts of horror carried out against the various groups and individuals of our resistance became the themes of songs, music, and dance, proving crucial to the political mobilization and awareness of the status of resistance and the department of repression.

Culture served the masses of South Africa to become observers of the nonfictional text, highlighting so many survivors with their tales of suffering that they carried alone with the fear that they and their burden may be forgotten. In turn, it was the culture's tradition to make use of call and response. The natural response and expression that kept the younger generation engaged in the outcome of both the Human Rights Violation Committee (HRVC) and the Amnesty Committee Hearings (ACH.) To much of the world, the Truth and Reconciliation Hearing became the theater of anguish of the apartheid system. In the truest sense of the term, drama was a very important tool in the South African success of the TRC.

The task here in the United States as we prepare to pursue a process that distinguishes our situation juxtaposed to South Africa's, is that our present younger generation is still suffering paramount abuse and transgenerational trauma based on race and class while lacking engagement and dare we say suffers political amnesia while being emotionally and spiritually disconnected. We demand a political process that heals the pain or at least acknowledges the psychological and emotional damage done to past generations that fought a U.S. style of apartheid system which now demands some aspect of resolution and expressing of the specific details of how the abuse was carried out so as to be warned of such tactics for the safety of their future. There can be no parallel to traumatic events that characterize our resistance to oppression and the terror our freedom fighters repelled many times with nothing but the sound of James Brown telling us "To get up and get down"- "Say it loud I'm black and I'm proud."

There is no other way for us to realize the outline objectives unless we do not gravitate squarely in the gut of this political process with the participation of our hip hop, reggae, and neo soul artists by creating a collective narrative for the healing process. What can encourage this process is by having respected artists in the grassroots movement writing screenplays, promoting the saga from the history of our resistance. Examples of this include HBO's SATRC film "Red Dust," Lucky Dube of South Africa, Bob Marley inspired our support for the nation of Zimbabwe, and Fela Kuti fought for the freedom of Africa. The so-called generational gap and the period of resistance, this amnesia can be closed by the interconnectiveness with all of our artists. If the goal is to guide their motivation, hip hop and reggae can influence the upswing of the younger generation. In the Middle East, it is the songs, the beats, the lyrics that, in absent of a leader, articulated the demands and hopes of those who are in search of a better future. We must acknowledge our artists' role in our resistance and its healing in our political process. The call to go forward should be heard in the lyrics of our hip hop, reggae, and neo-soul artists, specifically for the freedom fighters, political prisoners and prisoners of war, and the tales of resistance and struggle in ire sounds.

This is most important when we see the similarities to the SATRC model in that public hearings would be key to conflict resolution. The past crisis is also about the optic of the theater of conflict where special reports may not read deep into the pain and suffering lacking expression. Even in the post-TRC South Africa, the analysis commission is somewhat cynical of accomplishing its goal. Many survivors know that the climate of their suffering and resistance and sacrifices are memorialized for future generations by their artists.

Here in the United States our civil rights/national liberation movement artists are similar to the South African artists of all genres. They too were motivating for our journey into the abyss. To resist, when overpowered, we endured in the face of hopelessness, leading to our older generation and younger

generation staying united in spirit because the beat of the drums, the lyrics of our poets, the rhythm of Motown, Curtis Mayfield, James Brown, and Gil Scott Heron. It was Stevie Wonder's "Happy Birthday to Ya" that pushed for the celebration of Dr. Martin Luther King Jr.'s birthday. It was Nina Simone who insisted that we internalized the pain of Dr. Martin Luther King Jr.'s assassination. She encouraged us to be strong, and told us to be "Gifted" in her song "To Be Young, Gifted, and Black." As did Chuck D and Public Enemy when they reintroduced Malcolm X to the "X" Generation with "Fight the Power."

Gil Scott Heron told us that the truth of our revolution "Would not be televised." Gil Scott connected the struggle to the youth with the anthem "What's the Word" from the song "Johannesburg." This document does not provide a clear study of the role of our musical artists, poets, and actors in our resistance. Our artists and the hip hop/reggae movement are the tip of the spear that reminds the people of their past and directs them towards the future.

Tupac Shakur, in his song "White Man'z World," pushed for the release of political prisoners and to bring exiles (like Michael Cetewayo Tabor and Donald Cox) a fair hearing. Tupac, having been raised in the midst of the liberation movement and its culture, was heavily impacted by it and despite the struggles he encountered, he not only embodied the likes of Chuck D, Nina Simone, Stevie Wonder, and Gil Scott Heron, he reflected for the next generation why such crucial matters like education and equality should always be strived for implacably when he said in "Words of Wisdom,"

"So get up, it's time to start nation buildin'/
I'm fed up, we gotta start teaching children/
That they can be all that they want to be/
There's much more to life than just poverty"

Our effort to put forward a TRC in America that will guide our development for a meaningful structure in order to accomplish our objective will have to be driven with the desire for that political process.

The realization of a TRC for our specific purpose should not be solely an intellectual exercise and forum. Our above stated aim should be to stimulate information about specific events, public debates, and advance the discourse on restorative justice, transitional justice, and alternative dispute mechanisms that will help formulate national policy that should be sponsored by our elected representatives.

While there will be a continual critiquing of the ultimate benefit of the SATRC model, many doubters will prudently alert our movement as to its pitfalls. It should be noted that even many of the SATRC commissioners stress the establishment of their RC was particular to South Africa's unique needs. There has been at least 16 TRC around the world prior to embarking on the SATRC model. The commission has admitted that their process was not as organized as the results might indicate as there was no precedent for their specific need. Our North American Truth and Reconciliation Commission will have 38 TRCs from around the world to draw from, however we too will be challenged in respect to expressing the inefficiencies of the courts and civil prosecutions in regards to addressing the disclosure of human rights violations.

The task at hand is creating an atmosphere with a broad enough demand focusing on the civil right/black liberation era which indicates a centric demand while giving respect to both segments of the movement's sacrifice for our people and abuse suffered by our people. This process should primarily be designed on a negotiated agreement.

Our interest and preference is for a structure similar to the SATRC model because of the result of the amnesty committee that freed 849 freedom fighters. The freeing of political prisoners and prisoners of war of the black liberation movement indicates success. There are also unresolved disappearances of many blacks/non Africans carried out during the civil right era including hangings and terror that has yet to even be discussed. The process that opens the flood gates of the level of human rights violations as

apart of the testimony to human rights violations will go a long way in the healing process.

As in South Africa, the exposing of the special squads' such as the 'Crowbar' and 'Third Force' police counter insurgent units that operated during the 70s, 80s, and 90s will help set the example in how we sharpen the COINTELPRO disclosure, similar to the role the Goldstone Commission on Public Violence and Intimidation did. The bombing of MOVE in Philadelphia is prime for truth resolution and an answer for why all the children (sans Birdie Africa) had to die.

As so many New Africans of the so-called greatest generation are about to make their transformation, our people owe them their true place in history.

There is a new social, economic, and even political agenda in the so-called "black/New African Nations" progressive social struggle.

The past social struggle is still relevant, but part of today's progressive social political struggle should be the development of the TRC in order to truly define the political social progression from the past to the present progressive political social agenda which will help build a mass organization to accomplish our objective.

We have waged various levels of political social struggles for progress that included self defense in a highly restrictive and racist environment, being surrounded daily by hostile forces while being outnumbered, being deficient materially, and engaged through low intensity warfare with our priorities being manipulated and disorganized. It is very possible that the North American Truth and Reconciliation Commission process will help define how to tactically and strategically overcome such odds in order to achieve for our future generations the concrete goals and objectives we desire.

The general dependence of our movement on international instruments for recognition in a post-9/11 world is an exercise in wishful thinking.

The Obama era has not seen the U.N. and N.G.O. instruments operate constructively. The process of restorative justice and alternative dispute mechanisms are solutions that are an internally generated apparatus for internal conflict and post-conflict. This new language and structure are becoming part of a resolution tool and culture of the international human rights circle.

There are standouts that will help to bring attention and give our North American Truth and Reconciliation Commission the observation and approval to those inside the international culture. We will have to become self-reliant and creative in building a social movement that will create the conditions we seek. An instructive example is Judge Goldstone, who during the South African-Pre Resolution, was a standout that set the precedent in exposing the abuse of power of the racist illegal South African government's legal system. Goldstone's report was the precursor to the implementation of the SATRC. It is important that the foundation of the North American Truth and Reconciliation Commission's conceptualization of philosophy, theory, ideology, and policy drives the concrete objective, principle, values, strategy, and tactics.

The perpetrator will do all to undermine the process. The broader the base demand for this process that will give both sides an incentive to participate in the process the closer we will be in accomplishing our goal and objective.

This is the age of social media where the tragic dramas presented in testimony to a broad base of the American public will hopefully inform and expose the present generation and future generations to lessons this country need not repeat.

“A revolutionary isn't born out of something ‘good’” but of “wretchedness and bitterness.” Rigoberta Menchu noted. “Out of

suffering comes the strongest of soul” Khalil Gibran once said, and with that, may I remind you that history will judge us by our struggle.

Aim High and Go All Out,

Stiff Resistance,

Dr. Mutulu Shakur

Towards a *Truth and Reconciliation Commission* for New African/Black Political Prisoners, Prisoners of War and Freedom Fighters

**Discussion Paper by Dr. Mutulu Shakur
Dated May 5th, 2011**

There is a need for a Truth and Reconciliation Commission in the U.S. to resolve the history of slavery, oppression, racism, segregation, lynching and the issues of political prisoners of the Civil Rights Black Liberation Struggle who fought against these gross human rights abuses.

The Truth and Reconciliation Commission was also a process setup in South Africa to redress the gross violations of human rights by the apartheid regime. It was a tool to assist a peaceful transition to a democratic society by public acknowledgement of the gross human rights abuses by the government and its agents.

It allows the victim's voices to be heard and the perpetrators to confess their crimes against humanity in an application for amnesty, as well as amnesty for political prisoners.

The idea of crimes against humanity comes under International law and the Geneva Convention adopted by the world at the U.N. the liability of such violations lies on nations as well as individuals who fight against the violators of human rights.

The idea is premised on the fact, to truly have a democratic society transitioning from one where human rights violations and crimes against humanity were grave and extensive, there has to be a process for reconciliation, acknowledgment of abuses, documentation of abuses, accountability, reparation and an effort to establish the facts.

Encompassing this process is the idea of amnesty to "solidify" the democratic society. As one considers these principles and ideas of the truth and reconciliation commission and considers the history of race relations and the gross human rights abuses against Blacks and particularly Black political prisoners for opposing the "neo-apartheid" in America. It must be said that the democratic process will never truly work in America without such a commission.

The idea that 400 years of gross and shocking human rights abuses against Blacks in America, especially in the civil rights and black liberation struggle era of the 1950's through the 1980's and the mass killings and imprisonment during the black liberation struggle particularly through the infamous Co-intel-pro by the CIA and FBI cannot be overlooked or omitted as crimes against humanity under International Law and Geneva conventions and to do so is shortsighted and anti- democratic.

The same events happened in South Africa under the apartheid regime, the ANC (African National Congress) and other Freedom fighters organizations against apartheid were targeted, killed, harassed, terrorized and imprisoned for their opposition to the treatment and laws against Blacks.

But as the facts of history prove the ANC and other freedom fighters against apartheid were the pursuers of human rights and human dignity while the apartheid government was the violator of these rights and therefore violators of International law and the Geneva Conventions.

Furthermore, it must be understood that it doesn't have to be a complicit act by the whole government but agents of the government can fulfill the obligation for culpability of crimes against humanity.

Such is the story in the US and the agents who carried out these agendas, FBI, CIA through various programs most notably the co-intel-pro by FBI director J. Edgar Hoover, with explicit intent to target, neutralize, harass, kill, destroy and imprison Black

liberation movement participants who opposed the violations of human rights against Blacks in the US. Many of these victims, political prisoners, are still imprisoned today.

The argument is they should be granted amnesty under the International standards as victims of crimes against humanity committed by the US government and various agents thereof. The facts and histories are well documented that can leave no doubt as to these political prisoners being victims of state repression, prosecution, and suppression for confronting the US government and its agents for the crimes they were covertly and overtly committing against blacks in the US.

The legal quagmire of the New African/Black liberation struggle by political prisoners committees have not yet realized a process that encompasses a class or found an objective mechanism that allows for a legal review based on standard universal acceptance of political offenses.

In various court cases, our support committees, political organizations, and legal advocates have been forces to fight each legal battle on a case by case basis, while targeted individuals could not forward a process that embraces a national resolution for all political prisoners and POW's.

In some instances the political prisoner's organizations have embraced the US legal system tactically while others not so much. Most organizations, committees, and support groups acknowledge that an internal conflict exists, important regarding developing a methodology and execution of a national resolution for a Truth and Reconciliation process, the jury is still out, its desired application.

Although I have not as of yet encountered a clear and articulate opposition from the various political prisoners committees or any resistance for a Truth and Reconciliation commission (TRC) as a method to win freedom for political prisoners in the US of the co-intel-pro era. An acceptance has been muted indicated by lack of a process that realizes its application.

The indications are that the thinking is that the South African TRC with all its benefits and flaws conflicts with US political prisoners organizations ideologies and principle positions regarding the outcome of a such a TRC process that is being debated in America. We should wait and see if it fails on analysis and application in this reality within the political prisoner and prisoner of war front

My analysis is that the US political prisoners committees see the South African-JRC as a "brand" where one size fits all, which is an erroneous perspective based on the objective reality of the wide application of JRC internationally to resolve internal conflict. The Black/New Africans call for a process to politicize the legal obstacle within the context of international standards for amnesty, freedom, and relief for our PP's and POW's predate the South African brand of TRC therefore its application as to the New African nation as a political process should be viewed in this new light.

Clearly the US state department its domestic intelligence apparatus and the political parties have work to limit the church committee report to an internal domestic perspective while strategically various members of the PP's and POW class have reached relevant political solutions within the US legal context that has gained relief for some while politically pacifying the development of a process for the class of New African PP's and POW that could expose the nature and breathe of the conflict providing relief.

The New African/black PP and POW classes have been denied any relevant prisoner class relief politically.

I don't consider the freedom of Geronimo Pratt, Angela Davis, Dhoruba Moore, Huey B. Newton and many of the paroled, exonerated freedom fighters as a representation of a process for our class within a historical context, that objective still needs to be realized in a true post internal conflict process as compared to standards set in other post internal conflict resolutions it falls far short.

The review of applying the truth and reconciliation commission to resolve internal conflict of nation states and the various methodology principles and justification is in my opinion an important analysis to resolving the suffering, isolation, and in some cases abandonment of our political prisoners.

The conflict that existed between the United States and the Black/New African liberation struggle particularly the FBI cointelpro low intensity counterinsurgency against civil rights, Black liberation struggle represented a specific era.

The US and South African historical racial policy parallel each other for most of the 19th and 20th century. The historical development and distinction of the racial policy is very important for study and analysis particularly as we evaluate the process of resolution.

The institution of a Truth and Reconciliation commission encouraged by International parties' governments and corporations was a method of an "alternative dispute mechanism" to resolve the intensity of war and the casualties on both sides. The nature of apartheid and the resistance to apartheid did not present a perfect pathway to military and political settlement in South Africa.

The acts committed by all parties in the conflict repression and war also presented our comrades in the throngs of struggle believing in a revolutionary vision that could exist post apartheid and they were also relentless in their resistance.

Conversely the military political protectors of apartheid were repressive by the use of extra judicial counter intelligence low intensity warfare tactics to extend the white minority domination over the black majority.

While the war was brutal and in many cases it shocked the conscience by extent of gross violations of human rights and the International norm. The international body never saw the need to

charge the South African Apartheid regime with attempted genocide or to bring the regime up on war crimes (clearly this discussion paper can not cover the breadth of the International Community and security council of the UN posture but it should be reviewed and analyzed.)

Facing the dilemma the negotiators searched for a process internally that could resolve the contentions that existed between warring elements for the post apartheid resolution in a negotiated settlement.

One that would allow the various sides to save face and provides relief to their imprisoned comrades giving comfort to the victims and allowing the parties of the conflict to move forward in establishing a new post apartheid existence in South Africa.

So in order to come to a negotiated peace, an alternative dispute mechanism was reached that could develop a method to establish politically motivated action within some form of judicial review for resolution requiring both sides to accept as well as distinguish the deviant criminal actions from an amnesty pardon for political offenses.

In the end the solution was the realization of the South African Truth and Reconciliation Commission. So this process and definition, which we'll explore more completely was applied as the TRC to our history.

The historical struggle to have the United States to admit its human rights violations during its low-intensity warfare-counterinsurgency program general accepted, as the Co-intel-pro articulated under the FBI director J. Edgar Hoover has not yet identified a black prisoner class that acted in response to that era of political repression. As political prisoners and prisoners of war we are duly entitled to amnesty under some form or a process that acknowledges the bilateral process of an alternative dispute mechanism where there are no winners. For too many years the process for freedom and recognition of our political freedom

fighters has been buried in a legal process that has been based on distinguishing untangling the criminal act from political intent with no allowance for political motivation to be considered in judicial proceedings.

The TRC that addresses our specific reality legally and politically must be based on the same foundations of an alternative dispute mechanism (an alternative to a judicial process, a political process offering something to both parties) that would require that the left and right of our movement to come to a political conclusion also that the right should be willing to acknowledge that New African/black political prisoners do exist and they waged legitimate resistance to oppression, in the civil rights Black liberation era and is deserving of their support.

It's important to mention when Ambassador Andrew Young publicly proclaimed in 1979 before an International audience that there were hundreds of political prisoners in America. He expended all of his political capital even President Jimmy Carter could not save his job. Cynthia McKinney suffered a similar defeat when she held the Co-intel-pro hearings.

The political capital necessary to support our specific style of IRC is not dissimilar to South African model, which also confronted specific political challenge on the left and right of the anti-imperialist/apartheid movement.

Our movement must accept our sojourn of struggle consisted of both legal and "illegal" tactics (but legitimate under international law). The context of the US legal system is designed to ignore on the one hand the oppression and on the other the right of those to resist that oppression irrespective of the findings of the Church Committee or revelation of Co-intel-pro without a process to resolve the fundamental that addresses the freedom of our PP's or POW or that memorializes the history that provides a relief for the victims of the quasi-apartheid system in the U.S.

Brother Mumia Abu Jamal presents a crisis in our movement to prevent his execution. It's at a critical stage. There have been heroic efforts on the International support level as well as within the US court system; he is in need of a process because none of the above has gained any relief.

As of the last 3 decades no Black/New African freedom fighters has received amnesty politically from executive branch or judicially on a state level. The Mississippi Rider received exoneration after 50 years, I'm not sure if it was from the state of Mississippi or the government of the United States. I do think many of our efforts on the International Tribunal front did create pressure that gained the freedom of Puerto Ricans PP's and POW and white anti-imperialist in the United States. This could be considered the Clinton era.

The era that represented the Civil Rights/Black New African liberation struggle is now becoming a fading memory. It's our responsibility to not let that happen.

From the 1960's we followed the Malcolm X doctrine, we were rightfully inclined to pursuing a posture that looked toward an International body to resolve the internal contradictions with the United States.

Pre-1990's this rationale was the correct perspective because International NGO's, non-aligned nations and human rights advocates did in fact impact various internal conflicts around the world.

Process

The US posture of sanctions and embargoes has intimidated other nations from confronting US support for fascist regimes as well as holding racist regimes against international intervention. The application of International law against violations of human rights

was treaded upon cautiously by nations and NGO's that did not want to incur the wrath of US foreign policy.

In that era Malcolm X was right, as long as the nonaligned nations maintained a principle position in the various world body there was a support mechanism for our struggle in presenting the International body with the human rights violations of the US government but when non aligned nations dissolved and unity unraveled around the world our struggle in the US felt the consequences tremendously because there was no International body to support our struggle, therefore we should have evolved a new tactic and analysis of our plight and put forward a new or parallel strategy.

As I noted before the 1979 admission bay Ambassador Andrew Young that there existed hundreds of political prisoners in the US resulted in his termination at the post of UN representative to the United Nations.

In the convening years most black elected officials took a public and private position as to our existence. It was not unusual for some state representative's to give support to celebrated cases of PP's and POW or show for PP's support committees but its very rare did they petitioned the government or introduced legislation that could create a process to free PP's and POW's.

The exceptions are important to mention: In September 14, 2000 Congresswoman Cynthia McKinney held a forum before the congressional black caucus forcing them to take apposition on the unfinished story of political prisoners and victims of Co-intel-pro in Washington, DC with Congressman John Conyers leadership.

November 27, 2000 at the request of the honorable Brother Sonny Abudidika Carson congressman Charles Rangel requested directly to President William J. Clinton for him to pardon black political prisoners of which he listed 11 black/new African PP's and POW with a copy to John Podesta.

The offices of the Clinton White house acknowledged receipt and promised to give it a meaningful consideration. The reply came on December 21, 2000 from Kay Castevens, deputy assistant to President Clinton.

There was an attempt by the Jericho committee, attorney Bob Boyle and attorney Saffiyah Elijah to do the same within a different context.

Before leaving office in 2000, President Clinton freed Puerto Rican Freedom fighters and three white anti-imperialist comrades, a great victory indeed.

In order to reasonable move toward an process to free our PP's and POW we must solicit on a local and national level black politicians that will be willing to present the narrative that outlines a process which demands our freedom - not slogans.

Councilman Charles Barron 2002 campaign of amnesty for NY black political prisoners established a political narrative that did enlist allies from within our ranks that have been elected to public offices.

The pardon approach does speak to an alternative instead of purely relying on the benevolence of this legal process to resolve this political prisoner paradigm.

The question: a Truth remains, in light of our efforts to secure pardon and/or amnesty or legal acknowledgement, is have we failed? We must now make a critical analysis of which process is possible, where can we draw a meaningful parallel example that will work? And develop it to• meet our unique conditions.

I believe the application of TRC "brand" with an alternative dispute mechanism process that address the complexity of the para-military issues of the New African/Black Paradigm is doable. The question: Is there a possibility of amnesty through a TRC that highlights a progressive process made in light of the many

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sacrifices of our people and freedom fighters, a legitimate transition that averts continued political/military conflict persisting during the black liberation struggle era? Or as in Northern Ireland, will it signal an end of the past stage of the "troubles" while the political process is taking form?

Amnesty is not punishment for wrongs, either to individual or a society. It is a political remedy at a national level at a certain stage of an internal conflict in a nation state. It's a political remedy at a national level to begin reconciliation and rebuilding a divided society through a TRC process.

If we accept this process it will still leave outstanding political moral and principle issues the question of reparations for the violations of human rights, Jim Crow segregation, quasi- apartheid, Coin-tel-pro, low-intensity warfare. All of the above violations set the stage that establishes resistance from our Freedom Fighters, when civil disobedience was confronted with state violations.

The above rational and form of resistance was envisioned when the United Nations codified the additional protocol I and II to the Geneva Convention of 1977. President Jimmy Carter signed it into law at the time when Andrew Young was US ambassador to the U.N.

Under various International experience many other internal conflicts have used similar a TRC processes from 1974 to 1999, see Priscilla B. Hayner Fifteen Truth Commission human right quarterly 597 (1994) with different formulas and standards

So again, the principles that qualify our political prisoners and prisoners of war as candidates for amnesty, stem from the South African concept of a political offense drafted by Carl Aage Noorgard, a Danish national and president of the European Commission on Human rights, the foundation he drafted as guidelines defining the concept of political prisoners for use in the Namibia Settlement to be applied in a context of reconciliation. The qualifications were based on the concept of political offenses

found in extradition law. The concept adopted by the South African TRC in 1990.

Full disclosure in 1986, during the trial of Dr. Mutulu Shakur and Marilyn Buck, revolutionary armed task force "Brinks" case Mutulu Shakur and black/New African PP's were at that time defining a process searching for a standard that would parallel our POW petition submission to the trial court Judge Charles Haight, hoping for a jury charge that would allow the jury to consider political motive and the political nature of the acts charged in the indictment.

Political offense exceptions are the International test that establishes the political offense as distinguished from criminal acts vs. political crimes. There two types of political offenses exceptions the "pure" political offenses that involves acts directed solely against the state such as treason, espionage and sedition and the "relative" political offenses in which the act is a common crime so connected with a political act that the entire offense is regarded political.

We set before the court in our POW POEE petition two interrelated but distinct arguments:

1. The prisoners of war petition applied to Dr. Shakur and
2. The applicability to present indictment (1981) against both defendants of the political offense exception. He requested the court to address the proposed relief for each argument separately.

The government response is instructive. The court order of the government to answer issues about whether the 1977 protocols to the 1949 Geneva Conventions on Prisoners Of War (16 UST 3316 TIAS No. 3364 are applicable and whether it would be appropriate for the court to evaluate the act charged as part of an armed conflict.

In our cases the prosecution's witness had testified to the completely political goals the participants in the alleged offenses held.

Further the fact that Judge Abraham Sofaer, legal adviser to the department of State as well as attorney for the department of the Army and the department of defenses answered Judge Charles Haight's question rather than the criminal division of the United States Attorney Office indicated the US executive branch recognized the intensely political context of the cases.

The political offenses found in extradition law, we argued should be the basis for the jury to determine political motive both petitions were denied after a lengthy hearing, which addressed the third question the judge posed:

"Was whether the 1977 protocol reflected the current state of International law on the issue of when prisoner of war status treaties such as the American Convention on Human rights that afford even wider protection to those captured pursuant to armed conflict" This is one example of the black/New African political prisoner to define their principle motive and status, in an attempt to embrace a process that establishes an objective criteria for political motive and a class of Black /New African Freedom Fighters under International standards.

The list of the honorable PP's and POW's who helped to prepare the above POW and POEE is an indication of the comprehensive voice for such a strategy.

If we look at the guidelines of the Norgaard Principles there is few distinctions between the two applications, the US black/New African PP's and POW and the South African process.

Norgaard Principles:

Motivation of the offender
Circumstances

Nature of the political objectives

Legal and factual nature of the offenses

The object of the offense

The relationship between the offense and its political objective (directness, proximity, proportionality)

Act's requirement: it is an act associates with a political objective committed in the course of the conflict of the past and applicants have made a full disclosure of relevant facts.

Acts covers acts against the state and acts of liberation organizations, against each other, acts of state against liberation movements and acts of state against other states. It includes armed and security forces of the state, as well as Inter-organizational conflict acts, excludes offense committed for personal gain or out of personal malice.

Our brief was prepared by Mutulu Shakur, Marilyn Buck and their allies and comrades listed below:

1. Elmor Geronimo Pratt, San Quentin State Prison
2. Albert Nuh Washington, Albern State Prison
3. Sekou Abdullah Odinga, Leavenworth Federal Prison
4. Cecilio Chui Ferguson-El, Lewisberg Federal Prison
5. Susan Rosenberg, Lexington Kentucky Federal Prison
6. David Gilbert, Clinton State Prison

So our position on TRDC is not only its application in South African reality rather our PP and

POW struggle construction of a process predates Carl Norgaard correct analysis.

In 1986 we stated the objective of the PP's and POW, POEE application we present this brief in the interest of al political prisoners, freedom fighters and prisoners of war who have been denied the protection of international law, and have unjustly suffered criminalization of their participation in the liberation struggle. It is toward a just recognition of their sacrifices and just resolution of this conflict that this brief is filed.

Dr. Mutulu Shakur. April 27, 1988

There are still very pressing material conditions that our people faces that must be resolved the TRC is not to be the answer for the overall struggle. The struggle will continue in whatever form the people will. The outstanding issue of reconciliation will be the question of reparations and the freedom of our political prisoners. Barack Obama's election has established a symbolic milestone in the minds and hearts of our people, a view of a new political reality that changes the narrative of the black liberation movement. Will.

I think it also provides a strong case for a IRC argument that addresses the BLM decade of conflict, we fought in the liberation struggle. So how do we distinguish our TRC process from the ongoing political prisoners defense committee work, can we realize a vertical approach?

The mantra "search for the truth and closure" our vision of IRC through its amnesty process is/could be statutorily permitted to intervene in the judicial process both procedurally and substantively, as in Mumia Abu Jamal case, which seems to have run its legal course procedurally.

The commission would not be a substitute for criminal justice. It is not judicial body where objective is to dispute legal justice. The commission serves a specific political objective as the product of a negotiated settlement with the granting of amnesty for acts of past as its control point.

The alternative dispute mechanism functions as an alternative to the judicial process aiming to achieve a solution that offers something to both parties, but not determining which of the parties the "winner" is. I define the ADM again because I know it's a great political lead that must be weighed strategically.

The TRC generally is not the conventional alternative dispute mechanism from this stage in our conflict. Human Rights violations which included murders, torture, illegal detention,

COINTELPRO, low-intensity warfare, are all acts by agents of the government they could/would receive amnesty with this process. The act charged against our PP's and POW's, our exiles and freedom fighters could as well receive amnesty under reconciliation.

The questions:

Do we have the political capital to convince the black legislature?
Do we impact the masses of Black people that such a process and resolution is in our best interest and that it honors our struggle?
Is the Obama factor a realistic change in the political narrative to push for TRC at this time if not, when?
Can we have a broader coalition to promote the process among the younger generation? Can we build a strong interfaith coalition?

Personalities that have demonstrated interest in the question of PP's and POW must be surveyed.

As I've said before the Brother Charles Barron, Irv Joyner, North Carolina, TRC, Sister Cynthia McKinney, Sister Maxine Waters, Quincy Jones, Rev. Jeremiah Wright, we are standing in a special place in history, this process will take hard work internally and externally. Finally, "it is said in the bible in the book of Leviticus that every 50 years prisoners should be freed and all debts forgiven, this is the 50th anniversary of the freedom fighters.

Nations neglect no people more shamefully than the heroes of their wars- are we a Black Nation? Will we do the same?

Stiff Resistance, Dr. Mutulu Shakur

The New African Policy Initiative Lobby

Working Paper for Urgent Actions and Foreign Policy Objectives to Prevent Africom from Becoming a 21st Century Imperialist Tactic During the Tenure of U.S. President Barack Obama

Proposed by Dr. Mutulu Shakur 1/30/2009

The establishment of Africom command by the Bush Administration has imperialist objectives which have been openly rejected by most African states and cannot be allowed to evolve under the Obama administration.

The urgency for our activist groups to be proactive cannot be overstated. Particularly in this period of overlapping during the transitional stage into the Barack Obama Administration... A racist vindictive retaliatory agenda is being waged in the congressional House of Representatives and in the Senate by the Republican Party (Although not exclusively,) to manipulate and influence intervention and economic military strategy and to re-determine various outcomes of states of African nations under Africom's mission.

Congressmen from districts with little to no black/New African constituency have been placed in the National Intelligence Assessment Committee with oversight subcommittee(s), over covert operation in Africa as a part of Africom's mission. Their objective reflected by these questions is a white backlash, by developing justification for covert operation internationally so as to interject into the internal affairs of African states, setting the stage for US imperialism of the 21st century Africa during the Obama presidency, testing and juxtaposing Obama's United States interest irrespective of the African crisis.

It goes without saying that African leadership leaves a lot to be desired. That does not exonerate us from our obligation to distinguish US foreign policy under the Barack Obama Era. The world economic forum in Desvo, Switzerland was telling, requiring a critical analysis of the African leadership on the world

stage. What was also revealing is that all of the Western nations have a Zimbabwe fetish -why? Particularly in light of the many challenges and internal conflicts that African states experienced trying to fit the Western democracy, Zimbabwe represents a crucial question as to rectifying for years of racial apartheid on the key issue of land distribution. This has included a commitment made by the United States and Britain as an imperative element for peaceful transition that has, as a promise after all these years since 1980, yet to be fulfilled.

Now to confront a policy initiative in light of the existing background is not only unique to Zimbabwe, but also in the Horn of Africa. The lesson presented in the government of South Africa's model titled "Black Economic Empowerment," while it addresses some of the principles in question, at the business level, the post-liberation expectation of the land distribution is a mess.

The New African Policy Initiative Lobby (NAPIL) must resolve to change the policy issues of America and its allies who drag their feet, prolonging the post-apartheid solution designed to evolve the quality of life after years of human rights violations. The failure has made the question of land ownership in South Africa an issue for the black electorate and human rights advocates.

The many issues that should trigger our moral obligations such as human rights, rape of women, disaster relief, infrastructure development, perpetual war, agricultural underdevelopment, all of the above, can undermine the present potential in Africa's renaissance. Surely while the world is suffering from an economic meltdown, opportunities are created for underdeveloped nations to be apart of the global restructuring of Africa. We must not relinquish our responsibility to monitor and check for any hidden agenda in the United States by racist operatives working in the United States House of Representatives and Senate to undermine its possibility. The responsibilities of monitoring the US policies responding to not only the particulars of the African continent, but the African Diaspora worldwide, are daunting tasks.

The history of the Atlantic slave trade and Western imperialism and colonialism support a prevailing thinking that still exist today; that the lives and conditions of Africans on the continent and of the Diaspora are not as valuable as Western Europeans, and should not expect human dignity with 33 million Africans living outside of Africa, along with the Diaspora. It's past time for a change in the paradigm.

Operational Objective NAPIL is the development of activist committees through the process of critical thinking, establishing the research preparation, exposure and monitoring focus groups to prevent congressional operatives from moving an agenda on Africom without our input that conflict with our developing interest.

With 53 nations on the continent, even if Sudan and Somalia are apart of the Arab League, Africans and the black electorate have to take some responsibility. The plan in development is to build an African standby force to create a permanent peacekeeping force for Africa, which could be deployed on an emergency basis. This will act as a stabilizer in time of conflict by the African Union. As a result, it will serve as the indicator that Africa is moving in the right direction. In turn, it opens the door to foreign inclusion that all have had access to, particularly Brazil, among other South American countries. The NAPIL must see how a strong policy push in the legislature can hold this Pan African priority.

The Congressional Black Caucus as an apparatus must be requested to provide to our researcher the government policy on Africom for review. It should also be recommended that the CBC call for public review of any policy and allows for transparent interactions and discussions where recommendations of policy of African standby force development is enhanced to operate effectively, paralleling Africom's intention, and is consistent with the African Union objective.

The establishment of an Africom open policy focus group must make contact with the various African nation-states and subgroups

operating on the continent, as well as all the NGO relief groups where we formulate a foreign affair agenda for Africom. We must not allow justification or debate on any economic sanctions or military intervention on war crimes until a non-unilateral national or international standard of what qualifies as a war crime is established. Furthermore, there should be the addition of CBC representatives of said advocacy in the House and gain some voice for debate in the Senate, where there exist no black representatives who hold our views on policy positions that reject intervention.

Our policy research group should obtain from the State Department under the Obama administration their policy on African states in general and the Africom mission in particular. The African Union delegation at the United Nations can provide some understanding of the Africom mission. Ambassador Susan Rice, the United States UN Representative, has a moral obligation for dialogue in light of her position during the Clinton administration that refused to intervene in the Rwandan genocide. One example confounding many African diplomats in Southern Africa is Ambassador Susan Rice's position taken on the Kenyan power sharing crisis with all the many lives lost by violence. Dr. Rice has encouraged through the American ambassador for Prime Minister Morgan Tsvangirai to reject the negotiations for power sharing so that the issue of Zimbabwe's future would be referred to the United Nation's Security Council. Here, the U.S., Britain, and Canada all have veto power, as opposed to allowing the region to solve their issues through the Southern African Development Community (S.A.D.C.) knowing full well sanctions, the Western nations' first reaction in Zimbabwe, will have a negative effect on the entire region.

The exploitation of the unfortunate accident of Susan Tsvangirai, the wife of Morgan Tsvangirai, right after the agreement for a unity government had been reached, came at the dismay of the West. This created an issue raised by the West to cause suspicion of foul play toward Zanu-PF party and President Robert Mugabe. While in fact, the footprint of MI6 and the CIA is more evident. Only an international investigation will determine what actually

happened. The misinformation by the West backfired and exposed the real intent of the West of intervention and it consolidated the agreement of the Zimbabwe people and their party. NAPIL must make some sense of what the right issue is to make the African electorate in the United States more informed.

The blame falls on our own lack of oversight and political use of our international obligation assets. We lack the power to apply pressure where and when Clinton was the “black president,” and had no pressure to respond to black Pan African issues. The real “change we can believe in,” is the change to impact justice and human suffering everywhere, but in particular, in our homeland, similar to the Jewish citizen’s impact on Israel.

South Africa’s land reform effort post 1994 election is still a ticking bomb. There has been only 5% of white owned land transferred to the black majority, still leaving 80% of the land owned by whites.

A million people have been illegally evicted by land owners in rural South Africa since 1994 at a time of global food crisis. South Africa has become a net importer of food after decades of being a net exporter of food, with owners slowing production and reinvesting not in South Africa, but in places like Australia.

The consequences of land reform failure is growing protest and violence, with 10,000 rallies between 2005-2007 for lack of housing as well as xenophobic rallies of violence against Africans in regional provinces of South Africa.

If in June 2013, 100 years from the implementation of the “native land act” of 1913, where 87% of the land became the sole property of whites after the then legal forces removal of thousands of African Families, and if there is no solution critical of Robert Mugabe’s attempt to address the problem (whether or not he survives,) he will become the hero of the Southern African region for at least trying to right the wrong of the land question.

Are we willing to stand by for sanctions of South Africa for the failure of the West to live up to its agreements to resolve the land question?

Malcolm X once said, “If you are not careful, the newspaper will have you hating the people who are being oppressed and loving the people who are doing the oppressing.”

It should be a no-brainer that the CBC enlist the Assistant Democratic Leader James Clyburn and Rep. Donald Payne to appoint a freshman member, or for that matter, any representative that is in line with the perspective of non military intervention in Africa, and a basic search for a balanced allocation and distribution of US aid infrastructure development, among other resources to improve the quality of life that reflects our thinking political status and contribution in this country.

It should be our position that there exists no contradiction for our representatives to have as priorities in regards to the economic domestic crisis in the US as well as the oversight for African foreign policy, in fact oversight for the Diaspora on the international agenda. In this new global reality, it's both politically and economically prudent that there are other ethnic groups who represent these foreign agendas more than their domestic constituency. During this meltdown, the Israel lobby continues to assure millions of dollars a day goes to support the state of Israel. They see no space between the two, nor should we, as with our political power comes responsibility.

The stated objective for Africom “will coordinate all US military activity across Africa and is responsible for military relations with 53 African countries excluding Egypt.” I guess one wonders why? Upon critical review, one understands there is no way central command, based in Florida, which covers the Middle East and Central Asia, is not monitored by the Israel lobby in America, since their congressional representative will not allow any decisions in subcommittees that are not in line with Israeli interest.

No sanctions, military intervention, military training, or economic aid in the Middle East. No enemy of Israel, real or perceived, will be allowed to get a foothold to alter their designed direction in the House of Representatives.

My remarks are not intended to address Zionism; rather they are intended to address a critical look at the proper use of electoral power that impacts foreign policy. A strategy that we must now have to engage in as a mature political force like the Cuban of Florida, and the Irish, “A change we can believe in,” for real.

There’s already existing skepticism about this mission in Africa, folks in the House of Representatives believe there is a hidden agenda to secure oil, fight terrorists, out flank China, and to continue perpetual war in support of the military industrial complex who lobby for these misadventures. The continued use of al Qaeda as the bogie man cannot be the straw horse for intervention in Africa just because someone says Allah Akbar. That policy had Africom military operations moving toward regional change in Somalia’s Islamic government, the government that had initially been responsible for halting piracy from 2005 to 2006. The end result was the emergence of a dysfunctional government which resurrected the rise of piracy.

The international community has agreed that the dysfunctional government can’t allow piracy to exist off the coast of Aden, effecting the worldwide shipping and economy without military consequence.

Keeping in mind that same international maritime company took advantage of a government and people unpunished for what became the birth of piracy. The surge of piracy has been blamed on Somalian National Volunteer Coast Guard, one of the first pirate groups. It was formed by a group of fisherman, a rag tag group of young men doing their patriotic duty who used small guns and broken speed boats in an effort to protect their coast line by chasing away vessels they believed were illegally fishing and

dumping waste in Somalia's waters, killing and drying up fish and food supply .

The appalling living conditions drive the desperate (rational or not) young Somali to risk their lives and freedom, in which 80% of the population is still living in hell with an ocean view. Similar scenarios have been repeated in many places around the world for those of the Diaspora. Is this a condition of manipulation or design so as not to allow the Somali to realize an economic development possibility by the development of a thriving seaport of Aden? The piracy issue in Somalia is a military issue because it's in need of a realistic economic development plan with dignity.

It should be noted that Rep. Donald Payne was discouraged by the US State Department from going to Mogadishu during the intense period of the Mares Alabama ship hijacking, in search for the African Union and the new Somalian government involvement in the situation. Courageously, Rep. Payne succeeded in securing the protection and assurance of the African Union and a general of an African nation to proceed. It was reported that upon departure some form of rocket attacked Representative Payne's plane. This being a not-too-subtle reminder from the State Department for the CBC to stay out of the National Intelligence Assessment Committee's backyard. If we recall, it was that same attitude that had many of our people believe that Rep. Cynthia McKinney was not working in our best interest, similar to what was attempted against Rep. Maxine Waters and Randall Robinson intervening to prevent the assassination of the then President of Haiti, President Aristide.

Dialogue with the CBC and general Carter F. Ham should be left to the oversight process to determine his understanding of his mission and impress upon him our concerns by what the 21st century strategic engagements are under the Barack Obama era which should be distinguished from the Bush administration. The 300-pound guerillas in the debate are these:

Does the International criminal court in The Hague only indict African bad actors? Do we see a role for US military in Darfur, the Congo, and Uganda? Should military aid be a condition for humanitarian support?

Many of these questions and more must be debated factually in Harlem and all over the country in workshops that internationalize the new political involvement. A coalition of concerned organizations who are task motivated for research preparation, lobbying exposure, and monitoring of Africom. This must be a fact-driven process with mobilization which possesses clear focus to accomplish the goal of political pressure. Our overriding objective within the context of this historical political period is to not allow Africom to become an apparatus of 21st century US imperialism in Africa under the leadership of President Barack Obama. In order accomplish this, I urge the following:

1. That the importance that this task favor the leadership of young people (though not exclusively.)
2. That they learn the lesson of African colonization and US imperialism so they know it when they see it. The study of Randall Robinson's work is instructive as well as Dambisa Moyo's book, Dead Aid.
3. That critical analysis of the various competing political conflicts be reviewed.
4. That young activists who participated in the Obama campaign and local election possess a working understanding of civil involvement and civic engagement.
5. Technical geek college students for investigative journalism development of position paper research of alternative press, i.e. "The New African".

6. Hip Hop community activist are more internally aware of the geo-political theatre and generally have international contact perspectives which should be engaged.

7. That the young promising elected officials who won with the aid of activist young people in local districts should use Cynthia McKinney, Maxine Waters, Rep. Donald Payne and Barbara Lee as mentors and research who in the Senate shares our perspective.

8. That as our coalition matures and become predictable we should include other human rights coalitions.

9. Complicated as the challenges represent in light of the uneven development of the emerging African Nation states, the NAPIL objective is to formulate an idea that encompasses the totality of the direction guided by principle and policy that addresses the Pan African responsibility within the US legislature format, assisting Africa and the Diaspora into the 21st Century at the pace of the other continents. There are many very important developmental steps taken by a number of nations in Africa, models for investments and inventions to improve the quality of life in Ghana, Botswana etc., which we should promote, and support.

Aim High and Go All Out!

Stiff Resistance

Dr. Mutulu Shakur

About Dr. Mutulu Shakur



Dr. Mutulu Shakur is a New Afrikan (Black) man whose primary work has been in the area of health. He is a doctor of acupuncture and was a co-founder and director of two institutions devoted to improving health care in the Black community.

Mutulu Shakur was born on August 8, 1950, in Baltimore, Maryland as Jeral Wayne Williams. At age seven he moved to Jamaica, Queens, New York City with his mother and younger sister. Shakur's political and social consciousness began to develop early in his life. His mother suffered not only from being Black and female, but was also blind. These elements constituted Shakur's first confrontation with the state, while assisting his mother to negotiate through the maze that made up the social service system. Through this experience Shakur learned that the system did not operate in the interests of Black people and that Black people must control the institutions that affect their lives.

Since the age 16, Dr. Shakur has been a part of the New Afrikan Independence Movement. As a part of this movement Dr. Shakur has been a target of the illegal Counterintelligence Program carried out by the Federal Bureau of Investigation (COINTELPRO). This was a secret police strategy used in the U.S. starting in the 1960's to destroy and neutralize progressive and revolutionary organizations. It is believed that Dr. Shakur's resistance to this program led to his arrest and trial.

During the late sixties Dr. Shakur was also politically active and worked with the Revolutionary Action Movement (RAM), a Black Nationalist group which struggled for Black self-determination and

socialist change in America. He was also a member of the Provisional Government of the Republic of New Afrika which endorsed the founding of an independent New Afrikan (Black) Republic and the establishment of an independent Black state in the southern U.S. Dr Shakur also worked very closely with the Black Panther Party supporting his brother Lumumba Shakur and Zayd.

In 1970 Dr. Shakur was employed by the Lincoln Detox (detoxification) Community (addiction treatment) Program as a political education instructor. His role evolved to include counseling and treatment of withdrawal symptoms with acupuncture. Dr. Shakur became certified and licensed to practice acupuncture in the State of California in 1976. Eventually he became the Program's Assistant Director and remained associated with the program until 1978.

From 1978 to 1982, Dr. Shakur was the Co-Founder and Co-Director of the Black Acupuncture Advisory Association of North America (BAAANA) and the Harlem Institute of Acupuncture. Where, at Lincoln, Dr. Shakur had managed a detox program recognized as the largest and most effective of its kind by the National Institute of Drug Abuse, National Acupuncture Research Society and the World Academic Society of Acupuncture, at BAAANA he continued his remarkable work and also treated thousands of poor and elderly patients who would otherwise have no access to treatment of this type. Many community leaders, political activists, lawyers and doctors were served by BAAANA and over one hundred medical students were trained in the discipline of acupuncture.

By the late 1970's Dr. Shakur's work in acupuncture and drug detoxification was both nationally and internationally known and he was invited to address members of the medical community around the world. Dr. Shakur lectured on his work at many medical conferences, and was invited to the People's Republic of China. In addition in his work for the Charles Cobb Commission for Racial Justice for the National Council of Churches he

developed their anti-drug program.

Dr. Shakur has furthermore been a dedicated worker and champion in the struggle against political imprisonment and political convictions of Black Activists in America. He was the founding member of the National Committee to Free Political Prisoners. He has been a leader in the struggle against the illegal U.S. and local American law enforcement programs designed to destroy the Black movement in America and has worked to expose and to stop the secret American war against its Black colony.

Through his political work, Dr. Shakur has been associated with the Committee to Defend Herman Ferguson, a Black activist and educator charged with conspiracy in the RAM conspiracy case of the 1960's; the National Task Force for COINTELPRO Litigation and Research, which researched and initiated suits against the FBI and American law enforcement agencies for criminal acts, spying and counter-insurgency warfare tactics; and the National Conference of Black Lawyers. He has also endorsed support for the legal defense of political prisoners and prisoners of war, including Imari Obadele, Ph.D., Rev. Ben Chavis, Geronimo (Pratt) JiJaga of the Black Panther Party, and Assata Shakur and Sundiata Acoli of the Black Liberation Army.

In March 1982, Dr. Shakur and 10 others were indicted by a federal grand jury under a set of U.S. conspiracy laws called "Racketeer Influenced and Corrupt Organization" (RICO) laws. These conspiracy laws were ostensibly developed to aid the government in its prosecution of organized crime figures; however, they have been used with varying degrees of success against revolutionary organizations. Dr. Shakur was charged with conspiracy and participation in a clandestine paramilitary unit that carried out actual and attempted expropriations from several banks. Eight incidents were alleged to have occurred between December 1976 to October 1981. In addition he was charged with participation in the 1979 prison escape of Assata Shakur, who is now in exile in Cuba (the question of Dr. Shakur being charged with participation when in fact they alleged he masterminded her

escape creates the true fact of COINTELPRO).

After five years underground, Dr. Shakur was arrested on February 12, 1986.

Dr. Shakur is the father of six children. His son Tupac was assassinated in 1996. He has solid evidence that it was a continuation of COINTELPRO. The F.B.I., the Federal Bureau of Prisons and law enforcement made every effort to keep him separated from his son Tupac.