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MAIL FRAUD CHARGES AGAINST MARCUS GARVEY

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIMINAL JUSTICE

OF THE

COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

ONE HUNDREDTH CONGRESS

FIRST SESSION

ON

EXPRESSING THE SENSE OF THE CONGRESS THAT MAIL FRAUD CHARGES BROUGHT AGAINST MARCUS GARVEY BY THE FEDERAL GOVERNMENT WERE NOT SUBSTANTIATED AND THAT HIS CONVICTION ON THOSE CHARGES WAS UNJUST AND UNWARRANTED

JULY 28, 1987

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MAIL FRAUD CHARGES AGAINST MARCUS GARVEY

TUESDAY, JULY 28, 1987

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CRIMINAL JUSTICE,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:15 p.m., in room 2237, Rayburn House Office Building, Hon. John Conyers, Jr. (chairman of the subcommittee) presiding.

Present: Representatives Conyers, Edwards, and Gekas.

Staff present: Cedric Hendricks, assistant counsel; Raymond V. Smietanka, associate counsel; Bennie Williams and Rosalind Jackson, clerks.

Mr. CONYERS. Would everyone take seats in the hearing room so we can begin this hearing of the Subcommittee on Criminal Justice. Welcome, everyone here today. The subcommittee will come to order. We are pleased to be joined here by the ranking member from Pennsylvania, Mr. Gekas. This hearing is on House Concurrent Resolution 84, submitted by the Honorable Charles Rangel, to the Committee on the Judiciary, expressing the "sense of the Congress" that the mail fraud charges brought against Marcus Garvey by the Federal Government were not substantiated and that his conviction on those charges was unjust and unwarranted.

We come here today to examine a very important part of American and Afro-American history. Marcus Garvey was widely recognized as the founder of the largest African-American organization of this century, the Universal Negro Improvement Association. Garvey espoused the cause of economic independence for black Americans through entrepreneurship, establishing such enterprises as the Black Star Line, the Negro Factories Corporation, and the Black Cross Navigation and Trading Company.

Marcus Garvey was a Jamaican national who came to the United States in 1916 to meet with other Jamaicans living in this country, and with Booker T. Washington of the Tuskegee Institute, in an effort to secure support for an industrial and agricultural training institute in Jamaica. Dr. Washington, unfortunately, passed on before Garvey could see him, but Garvey continued with his mission, embarking on an extensive State tour, during which he spoke to a wide spectrum of church and community groups. He traveled around the country during the time when the United States was mobilizing for World War I.

(1)

Racial relations were at an all-time low. Riots were occurring in East St. Louis and Houston. Racial awareness and racial pride was being promoted by new leaders within the black community. You may recall, historically, that the NAACP had just been created in 1909. Efforts were made to suppress this movement, which led to violent clashes in Washington, DC. and in Chicago during the year 1919. The Federal Government responded to this situation and instituted a massive surveillance campaign, targeted at the leadership of UNIA.

Marcus Garvey came from the great oratorical tradition, starting as a street corner orator in Harlem in 1916, becoming the leader, eventually, of a mass movement with millions of followers throughout the United States, Africa, the Caribbean and Central America. He was very, very widely traveled. He fell under the scrutiny, of course, of the new director of the Intelligence Division at the Department of Justice, J. Edgar Hoover. Hoover's agents regularly monitored Garvey's appearances and had informants planted in his organization.

There were attempts to deport Garvey as an undesirable alien, but there apparently was no real evidence to support that. A Federal grand jury in New York subsequently indicted Garvey in 1922 for conspiracy to use the mails in furtherance of a scheme to defraud. He was charged along with three of his business associates, none of whom, incidentally, were convicted. Each of these individuals were officers of the Black Star Line. It is important to note that the shipping business went through a slump immediately after World War I. This factor, coupled with inadequate business practices, combined to make Black Star Line a very unprofitable venture for the UNIA. The defendants were charged with sending promotion circulars through the mail with intent to defraud their recipients by selling stock in what had become a worthless corporation.

The trial went on for a month and during the course of it, Marcus Garvey discharged his attorney and proceeded to plead his own case. He was found guilty of a single count of mail fraud, and for that he was sentenced to a 5-year-prison term, and ordered to pay a \$1,000 fine, plus court costs.

The Government had introduced into evidence at the trial an empty envelope addressed to a Mr. Dancy, claiming that a letter promoting the purchase of stock in that company had been mailed inside of it. Dancy testified at the trial that he had supplied the envelope to Government agents but he could not remember the specific contents. He indicated that he had often received mail from the UNIA, Black Star Line, and others.

Garvey served time in Federal prison in Atlanta. His sentence was commuted by the President of the United States. He was released in 1927 and was deported to Jamaica and, notwithstanding appeals, he was never allowed to return to the United States.

I must say to my colleague, the distinguished gentleman from the 16th Congressional District of New York, that this is a Resolution that I wished that I had thought of before him. This is a matter of extreme importance and seriousness to black America. The rise and fall of Marcus Garvey occupies an exceedingly impor-

tant part of our history and this Resolution represents a very appropriate way to clarify the record of it.

Charles Rangel, of course, besides being a colleague, is a former Chairman of the Congressional Black Caucus; a ranking member of the Ways and Means Committee, I think probably the second or third member of that committee; has distinguished himself in civil rights; is himself a former U.S. Attorney, as well as private practitioner; and has done work, that has to be mentioned here, in promoting world trade. He has worked hard and long to create, in New York, a place where trade and export from Africa and the Third World and other countries can be expedited and increased. It is with great pleasure that I recognize my colleague at this point for any remarks that he chooses to make.

TESTIMONY OF THE HONORABLE CHARLES B. RANGEL, MEMBER, UNITED STATES HOUSE OF REPRESENTATIVES, AND AUTHOR OF H. CON. RES. 81: HIS EXCELLENCY KEITH JOHNSON, AMBASSADOR, EMBASSY OF JAMAICA, WASHINGTON, DC; AND DR. JULIUS GARVEY AND MARCUS GARVEY, JR., SONS OF THE LATE MARCUS GARVEY, SR.

Mr. RANGEL. Mr. Chairman, thank you. I ask permission of the subcommittee to have my prepared statement entered into the record at this time.

Mr. CONYERS. Without exception, it is so ordered.

Mr. RANGEL. I also would like to put into the record a statement that has been prepared by former Ambassador Rattray of Jamaica, who represents the People's National Party, which is the opposition party. Ambassador Rattray has taken time to come here to make it abundantly clear to this subcommittee and to America, that there is no partisanship in terms of the support of the Jamaican people for my resolution.

Mr. CONYERS. The subcommittee would be pleased to receive that document as well.

Mr. RANGEL. Mr. Chairman, let me thank you for outlining why we are here today and for expediting the Resolution before this subcommittee, and to Mr. Gekas for taking time out of his schedule to make certain that we have a subcommittee representative here to hear this important matter. I can tell you, that as a member of Congress and a member of the Ways and Means Committee, as a former member of the Impeachment Committee serving with Mr. Conyers, that I have had many proud moments as a member of Congress, those 17 years. But I can think of none that makes me more proud than this moment. For that reason, Mr. Gekas, I ask to allow my prepared statement to go into the record to share with you some of the more emotional feelings that I have about this Resolution and feelings that I know that every American, no matter what country of origin, will fully appreciate.

In the days during slavery, and after slavery, it was abundantly clear that one of the most important elements for slave owners in a country that condoned slavery, was to control not only the bodies of the slaves, but the minds of the slaves. I would believe that no matter what pain and torture and scars that black Americans, African-Americans have today, the one that hurts the most is the

scar of allowing black people to truly believe that they were inferior to white Americans in this country. Even today, in certain areas, we have to work hard to remove that stigma.

During these troubling days, black Americans were trying to assimilate. Many thought that the way to be a good American, tragically, was to be a white American. So many would try to change the complexion of their skins with ointments, to straighten their hair, and to marry in such a way as that they were trying to look more like that figure white Americans said Americans should look like. And along came a man named Marcus Garvey. He looked black and he looked beautiful, he looked like every treasure from Africa would look. Marcus Garvey brought to this country those standards which black Americans and slave Americans should have had, but were losing, pride.

It was incredible, Mr. Gekas and Mr. Edwards, how thirsty and hungry black Americans were to show their patriotism for this great country, but in order to do so they had to refine those values that made them feel like they were somebody. It tore apart the black community. Those who thought they were somebody greater, because they were accepted by whites and not making any problems, versus those who thought in terms of what we are trying to do today. Those African-Americans like Marcus Garvey, who taught that a good American was one that respects himself, has pride in himself, his family and his background, but more importantly, is not dependent on someone else for that pride and for survival.

Marcus Garvey was able to come to my Harlem and to instill a sense of racial pride and to incorporate people who were poor, to give parts of their money to start a shipping line, and to get into business. As that movement grew, he went to Chicago, he went to St. Louis, he went around the country and it was spreading. It just defies belief to see the depth of hatred that he generated in the white community as this new type of leadership was emerging among what had been considered slave people. The only way you could possibly feel the depth of the anger and the hatred that was generated by Marcus Garvey, is to take a page from the hatred that was generated against the late prince of peace, Dr. Martin Luther King.

How easily we forget how the FBI became, not a defender of Dr. King's constitutional rights, but infiltrated the civil rights movement to such an extent, that the infiltrators became the perpetrators and those that committed the crime, even though they were the FBI. And it was the very same FBI that had to find some way to stop Marcus Garvey's movement, because they thought that it was making just too much trouble for people to re-identify with their racial pride. I tell you that he has become a legend in our community.

We are blessed that Marcus Garvey's two sons who have never given up the fight for exoneration. A fight that no matter what profession these young men entered, they still would go around the country to accept the love and affection that is generated by their father's memory. But more importantly, we find a country of origin, which is so unusual, and if you look around this hearing room, we are just making history today, in which we are privileged

to be participants. You will see representatives not only from Jamaica, the birth place of Marcus Garvey, but the Ambassador from Barbados and other Caribbean countries, pleading with this Congress to restore dignity to a man who thought enough about his people to take the rocks and to take the sticks, in order to allow a people to truly feel independent.

You will hear from historians. You will hear from community people, but I just would want to thank you, Mr. Chairman, and the members of this committee to say, that on this historic occasion, we are going to feel so proud of ourselves as Americans. Today we have an opportunity to make right a wrong that was committed during a time when white people in this country really did not know how to say that they could respect someone even though they disagreed with the method they were using. It is ironic that the method that was being used was not civil disobedience or violence, but economic development, something that we are trying to do today.

And so, we have this opportunity and do not say that you wish you had done it first because there is not a kid on Lennox Avenue or in any inner-city around this country, that cannot say that this is not their Resolution. Certainly Mr. Conyers, as one of the most outstanding members of Congress and the Chairman of this Judiciary subcommittee, I can tell you that the pride of authorship belongs to all of us as Americans and we can share in the fact that we have exonerated a wrong and I thank you for this opportunity, Mr. Chairman.

[The statement of Honorable Charles B. Rangel follows:]

Statement of Congressman Charles B. Rangel

Subcommittee on Criminal Justice

Chairman John Conyers, (D-Mich)

Hearings to Examine the Mail Fraud Conviction of Marcus Garvey

July 28, 1987

Mr. Chairman,

Thank you. Thank you for allowing me the opportunity to bring before the Subcommittee on Criminal Justice my legislation denouncing the conviction of the Honorable Marcus Mosiah Garvey as unjust and unwarranted. One of America's greatest unsung heroes, I submit that Marcus Garvey was the victim of wrongful political persecution at the hands of J. Edgar Hoover. And, it is my hope that the members of this subcommittee, after hearing my testimony and the testimony of the scheduled witnesses, will recognize that the case against Mr. Garvey was based on unsubstantiated evidence.

Mr. Chairman, in introducing this legislation I sought to first bring this unfortunate political prosecution to the attention of the Congress and the Administration. Secondly, I want to move to correct this awful injustice by having Congress, the representatives of the American people, declare that Marcus Garvey was and is innocent of the charges for which he was convicted.

This goal is an important one because of the significance of Marcus Garvey's teachings. Born in 1887, Garvey grew up as a black colonial during the Edwardian era. Garvey's memory has attained the status of folk myth, he is a legend in communities where his memory is used to inspire new generations. Garveyism is an ideological movement which began in black Harlem in the

spring of 1918, and then burgeoned throughout the black world.

MARCUS GARVEY

Marcus Mosiah Garvey was born of humble circumstances in St. Ann's Bay, Jamaica. A self-educated man, Garvey first read Booker T. Washington's classic autobiography, "Up From Slavery", during his travels to England. This work inspired him to take up the challenge of carrying forward Washington's goal of racial improvement, and it was with this idea that he returned in 1914 to Jamaica after travelling through Central America.

In the spring of 1916 Marcus Garvey travelled to America to visit Tuskegee Institute. He came to solicit the support of the founder of Tuskegee Institute and from Jamaicans living in this country for an industrial and agricultural training institute in Jamaica along lines similar to Tuskegee. Garvey never met with Booker T. Washington. Mr. Washington died before Garvey could arrive in the United States. Garvey remained in America to pursue his original goal and within the space of less than two years found himself the leader of the United Negro Improvement Association.

THE MOVEMENT

To this day there has not been a leader in America's Black community who has focused on the need to develop and influence the inclusion of African Americans into the economic spectrum of American life. And, as we all know, economic independence is one of the rungs to the ladder of success in this country. This was the crux of the Garvey teachings.

Among Mr. Garvey's most notable achievements were his

proposals to foster economic development and self-sufficiency in the Black community. Mr. Garvey envisioned the development of a cargo and passenger shipping line that would be the key to the economic development of the Black community. It was his efforts to solicit funds for this business venture that brought him notoriety as a revered leader of people.

Mr. Garvey, through his leadership in the Universal Negro Improvement Association, instilled in many African-Americans a deep sense of pride and self-esteem. In his words, "True freedom lies in closer cooperation and reliance with one another. No nation (or race) can be free unless it controls its own economy." In his wisdom, Mr. Garvey proposed to the African-American community that in order to be true players in the American ball park, one must adopt the principles of his economic teammates.

The Garvey Movement grew in an environment ripe for change for Black Americans. In this same period America saw masses of Southern Blacks make the great trek to the northern cities of New York, Chicago and St. Louis. It was the period of the Harlem Renaissance where Black writers, musicians and artists found support for their artistic genius. It was the time of the "New Negro." In response to the heartbeat of the African American community, Marcus Garvey awakened a race consciousness that made Harlem felt around the world.

THE PERSECUTION

Unfortunately, Mr. Garvey's teachings were also the subject of intense criticism. He became the focus of attacks by an eager young attorney at the the Justice Department, J. Edgar Hoover.

INTENTION
BEING

Mr. Hoover, in his role as director of investigations on "Negro Activities", became obsessed with extinguishing the flames of the man who had become known as the "Negro Moses".

For more than four years, the Bureau of Investigations scrutinized Garvey's activities -- intercepting mail, tracing his movement and infiltrating his organization with paid informants. Even with this intense investigative campaign against Marcus Garvey, the bureau had still not ascertained anything definite enough to take action. Nonetheless, Mr. Garvey continued to be victimized by a system threatened by his ability to mobilize the consciousness of the oppressed.

There is clear evidence to show that the charges for which Marcus Garvey was convicted were not substantiated and were unjust. Under the leadership of Hoover, the government infiltrated the United Negro Improvement Association with paid spies. These individuals recorded financial information in minute detail. Government intelligence agents laid in wait for any possible wrong. When nothing happened, the government made broad assumptions that had no factual basis to accuse Marcus Garvey of mail fraud. The fact of the matter is that Marcus Garvey was soliciting support for the Black Star Line, a cargo and passenger shipping line which was designed as the basis of African-American economic independence.

While there is no substantial support for the government's conviction of Marcus Garvey, there is substantial information showing the obsession of J. Edgar Hoover in "getting rid of a Negro agitator." My bill, H.Con.Res. 84 expresses disapproval of this injustice and offers long overdue relief to a man whose only

crime was having great courage and vision.

Like Dr. Martin Luther King, Jr., another leader in a later era in the Black community, Marcus Garvey suffered relentless scrutiny and harassment from the Justice Department and the FBI. There are questions in my mind, and in the minds of many, regarding the legitimacy of the charges brought against Mr. Garvey. There are questions concerning the fairness of his trial, and the refusal of the government to review his request for reentry into the country even though his sentence had been commuted by President Coolidge.

CONCLUSION

Mr. Garvey, a native son of Jamaica, came to America to share his philosophy with the African American people. His teachings began in his own country and produced the same type of spirit and enthusiasm there as he did in America. When he was deported from this country, he settled back in his homeland, maintaining his efforts in service to his race. The Jamaican government and its people hold Mr. Garvey as we hold some of our greatest sons. He is respected as a national hero, as we respect Abraham Lincoln; he is cherished as we cherished John F. Kennedy and his spirit is immortalized as is the spirit of Dr. Martin Luther King, Jr.

Mr. Chairman, and honored members of the subcommittee, we can, on the centennial of his birth, eliminate the discredit to Marcus Garvey's memory by expressing our opposition to the wrongful conviction of Marcus Garvey. In doing so, we will step forward, making a strong statement in support of economic

independence for all people, the principle which was the ultimate goal of Garvey's philosophy.

Today, in this country, the progressive thought is that African-Americans must work to save their community from economic destruction. He could see the need for greater cooperation among all African people for the salvation of our history, our culture and our heritage.

In these times of major budget deficits, welfare reform and trade deficits, the instructions of Mr. Garvey provide a positive focus for all Americans. He placed the greatest emphasis on pride, and always stressed the need for economic independence and self-help for all people. I hope that you will take a moment to consider the importance of the statement expressed in Mr. Garvey's teachings, as well as the historic injustice of his conviction. I hope you will listen to the individuals who have come here to provide you with the substance of my argument.

In closing, I would like to add that Marcus Mosiah Garvey is the link from past revealing to us the platform for the future. However, acceptance of his ideals will only come after justice has been done! This hearing is an historic first step, which places before the American people recorded opposition to the injustice suffered by this most revered world leader.

Mr. CONYERS. Thank you, Congressman Rangel. I would like to recognize the gentleman from Pennsylvania, who is the ranking minority member. He is of Greek-American ancestry and it is not too infrequently that we observe March 25th, the Greek National Day, as you did I remember, and we are delighted to recognize Mr. Gekas at this point.

Mr. GEKAS. I thank the Chair. I welcome our colleague, the gentleman from New York, as well as the Ambassador and his colleagues and all those who will be participating in this hearing. The eloquent foundation, which our colleague from New York has laid for the hearing is, no doubt, going to be justified by the quality of testimony that we are going to be receiving.

At the core of the hearing and of the process in which we will be engaged will be the question of the quantum and quality of the original evidence that was forwarded at the trial of the subject matter here, as well as, and I wanted the witnesses to be aware of what we are going to be looking at, as well as the eventual commutation and the briefs and evidence and other matters that substantiated the granting of the commutation. So with that, I am eager to proceed with listening to what is going to be presented and to again, welcome everyone who is going to participate.

Mr. CONYERS. Thank you, Mr. Gekas. I would like to recognize now the gentleman from California, who has worked on constitutional and civil rights questions for a considerable period of time, the third ranking member of the Judiciary Committee, Mr. Edwards.

Mr. EDWARDS. Thank you, Mr. Chairman. I too, welcome everybody who has come today and we are all indebted, as we always are, to the gentleman from New York, Congressman Charles Rangel. He is an inspiration to us day in and day out. He calls us to account on matters of conscience and morality and decency and this is just another example of the kind of leadership that Mr. Rangel offers. Mr. Rangel, you have brought this issue to the right subcommittee, chaired by John Conyers, who is my leader in these areas and who understands what this issue is all about. This is very important and we are grateful, I think it is very nice, in our 200th year, that we are doing this. So, thank you again and I feel privileged to be here.

Mr. CONYERS. Thank you very much, Mr. Edwards. We should have the record reflect that Congressman Edolphus Towns and Congressman Reverend Floyd Flake were also present in the hearing room and we appreciated them coming by. We would like now to turn to the Ambassador from Jamaica, His Excellency Keith Johnson, a dear friend of ours, and ask him to make, in his own way, any remarks that he would like to begin this hearing. Welcome.

Ambassador JOHNSON. Thank you so much, Mr. Chairman. Mr. Chairman, honorable members of the subcommittee on Criminal Justice, it is a singular honor for me to appear before you today. My name is Keith Johnson and I am privileged to represent my country, Jamaica, as Ambassador to the United States of America.

How well I recall, as a boy, seeing the Right Excellent Marcus Mosiah Garvey. How well I recall that we had governors of Jamaica, in colonial times, who were always bedecked in white tunic,

white helmet, white plumes. How well I recall how impressed I was, indeed, how inspired I was to see Marcus Mosiah Garvey, black tunic, black helmet, black plumes. How well I recall listening to him as a great orator, as he was, when my mother took me to a place in Jamaica called Edelweiss Park. It was something that has lived with me and, indeed, whatever I am, I owe in part to Marcus Garvey.

On behalf of the Government and people of Jamaica, I wish first of all, to place on record our gratitude to Congressman Charles Rangel of New York for his indefatigable efforts in bringing before the American people, through their elected representatives in this honorable House, the views shared by us that "the charges brought against Marcus Garvey by the Federal Government were not substantiated and that his conviction on those charges was unjust and unwarranted."

Mr. Chairman, my purpose today is not to make a case for Garvey's innocence. In this respect, I defer to other witnesses who will later testify. They are academicians and legal experts who have pored over the trial notes, the intelligence reports of the Bureau of Investigation, as well as Justice Department documents and are therefore, more qualified than I am, to shed light on the peculiar circumstances of Garvey's conviction and imprisonment. Rather, I appear before you today to convey the fervent desire of the Government and people of Jamaica, that the good name of our First National Hero, the Right Excellent Marcus Mosiah Garvey, be cleared by the Congress. I shall also attempt to explain what Garvey and his philosophy mean to Jamaica and, indeed, to black people everywhere.

Garvey's sojourn in the United States covered the years 1916 to 1927, a period which marked the high point of his career as an international leader. The organization which he founded, the United Negro Improvement Association and African Communities League was, by 1921, unquestionably the largest black organization in history, with a membership running into millions and spanning three continents. Never before nor since then, has there been a mass movement commanding such wide geographic support. UNIA branches existed in all the Caribbean countries, the States of the United States, in Panama, Costa Rica, Ecuador, and Venezuela, in England, Wales, and in African countries such as Ghana, Liberia, Nigeria, and Sierra Leone.

Garvey's philosophy and work engendered much controversy as he pitted himself against the conventional attitudes that relegated people of African origin to an inferior status. He dedicated his life to reversing this negative perception. He had to fight not just the white establishment and vested interests, but privileged blacks and some black intellectuals who, subscribing to the integrationist approach, regarded his formula for solving this problem as an anathema.

Garvey preached black pride, black self-reliance, and the confraternity of African peoples. He exhorted them with the inspiring words, "Up you mighty race, you can accomplish what you will." In explaining the aims of the Universal Negro Improvement Association, Garvey stated: "We are organized for the absolute purpose of bettering our condition industrially, commercially, socially, reli-

giously, and politically. We are organized not to hate other men, but to lift ourselves and to demand respect for all humanity."

Marcus Garvey believed that the black man could achieve anything, if only he believed in himself. But he would have to break the shackles of 400 years of oppression, denigration and crippling prejudice, which had created a state of "mental slavery." Garvey, therefore, sought to demonstrate, through tangible commercial projects, that black people could take charge of their own destiny. He also felt that as long as Africa was not free, black people would never gain full respect before the world. African redemption was, thus, a central part of Garvey's philosophy.

Mr. Chairman, it is worth noting that as an activist and mass leader, Garvey was perhaps unique in his scrupulous respect for the laws of the land. Wherever he went, he took great care to caution his followers to "give unto Caesar the things that are Caesar's." In his own words, and I quote, "I was not disloyal to anything American, to anything British, or to any constituted government in the world. All I was interested in was the liberation of the people who looked like me. . . . The world has made being black a crime

. . . and instead of making it a crime, I hope to make it a virtue. That was all I had in mind when I travelled from one part of America to the next."

Like all great leaders who attempt to change the social order for the betterment of their people, Garvey was subjected to persecution, chicanery, sabotage, misrepresentation, and ridicule. He suffered imprisonment, escaped an assassination attempt and faced repeated betrayals by people he trusted. Yet, his determination never wavered. This unrelenting pursuit of his mission is, in itself, an inspiration.

Marcus Garvey had a tremendous impact not only on the civil rights movement in the United States and on socio-political advancement in the Caribbean, but also on nationalist struggles in Africa. Leaders such as Jomo Kenyatta of Kenya and Kwame Nkrumah of Ghana acknowledged their debt to him for the inspiration of his lectures and writings. Garvey also helped to organize liberation movements in other parts of Africa and the African National Congress is still today, in the forefront of the struggle for human dignity and justice.

As I intimated earlier, it was chiefly in the United States that Garvey was able to put in practice, the tenets of his philosophy and experience the gratification of the spontaneous response by black people to his exhortations. His arrival on the United States scene in 1916 was propitious. He drew on and advanced the work of distinguished black leaders before him. As such, he was merely a link, albeit a very important one, in the continuous chain of black activism, reaching through time to another great leader, Dr. Martin Luther King, Jr.

Mr. Chairman and members of this honorable committee, we in Jamaica honor and treasure the memory of Marcus Garvey. Black peoples throughout the world are indebted to him and thank God for his life and his talents. As we, in this year, celebrate the centennial of his birth, it would be a most fitting tribute if, by exonerating, the Congress would signify its recognition of his invaluable

contribution to the universal advancement of human dignity. It is now 60 years since his five-year sentence was commuted by President Coolidge. With hindsight and clearer vision of the ensuing years, a fresh look at the circumstances of Garvey's prosecution is warranted.

Mr. Chairman and honorable members of this committee, House Concurrent Resolution No. 84, as introduced by Congressman Charles Rangel, is in harmony with the representations made by my Prime Minister, the Right Honorable Edward Seaga to the President of the United States of America, Mr. Ronald Reagan.

It is our view that history has vindicated the words and actions of Marcus Mosiah Garvey; in consequence of this, he stands not only as Jamaica's First National Hero, but his bust now stands in the Hall of Heroes at the Organization of American States here in Washington. His positive contributions are now recognized throughout Africa and other parts of the world. The acceptance of this Resolution by the Congress of the United States of America, would assist greatly in convincing the supporters and admirers of Marcus Garvey throughout the world, that the Constitution of the United States, whose 200th anniversary is being celebrated, does indeed guarantee justice, even if delayed, for all, irrespective of race or religious belief. I thank you, Mr. Chairman.

[The statement of Ambassador Keith Johnson follows:]

TESTIMONY OF AMBASSADOR KEITH JOHNSON AT
HEARINGS OF THE SUBCOMMITTEE ON CRIMINAL
JUSTICE OF THE HOUSE JUDICIARY COMMITTEE
JULY 28, 1967

MR. CHAIRMAN, HONOURABLE MEMBERS OF THE SUBCOMMITTEE ON CRIMINAL JUSTICE, IT IS A SINGULAR HONOUR FOR ME TO APPEAR BEFORE YOU TODAY. MY NAME IS KEITH JOHNSON AND I AM PRIVILEGED TO REPRESENT MY COUNTRY, JAMAICA, AS AMBASSADOR TO THE UNITED STATES OF AMERICA.

ON BEHALF OF THE GOVERNMENT AND PEOPLE OF JAMAICA, I WISH FIRST OF ALL, TO PLACE ON RECORD OUR GRATITUDE TO CONGRESSMAN CHARLES RANGEL OF NEW YORK FOR HIS INDEFATIGABLE EFFORTS IN BRINGING BEFORE THE AMERICAN PEOPLE, THROUGH THEIR ELECTED REPRESENTATIVES IN THIS HONOURABLE HOUSE, THE VIEWS SHARED BY US THAT "THE CHARGES BROUGHT AGAINST MARCUS GARVEY BY THE FEDERAL GOVERNMENT WERE NOT SUBSTANTIATED AND THAT HIS CONVICTION ON THOSE CHARGES WAS UNJUST AND UNWARRANTED."

MR. CHAIRMAN, MY PURPOSE IS NOT TO MAKE A CASE FOR GARVEY'S INNOCENCE. IN THIS RESPECT I DEFER TO OTHER WITNESSES WHO WILL LATER TESTIFY TO DO SO. THEY ARE ACADEMICIANS AND LEGAL EXPERTS WHO HAVE PORED OVER THE TRIAL NOTES, THE INTELLIGENCE REPORTS OF THE BUREAU OF INVESTIGATION AS WELL AS JUSTICE DEPARTMENT DOCUMENTS AND ARE THEREFORE MORE QUALIFIED THAN I AM TO SHED LIGHT ON THE PECULIAR CIRCUMSTANCES OF GARVEY'S CONVICTION AND IMPRISONMENT. RATHER, I APPEAR BEFORE YOU TODAY TO CONVEY THE FERVENT DESIRE OF THE GOVERNMENT AND PEOPLE OF JAMAICA TO CLEAR THE GOOD NAME OF OUR FIRST NATIONAL HERO, THE RIGHT EXCELLENT MARCUS MOSIAH GARVEY. I SHALL ALSO ATTEMPT TO EXPLAIN WHAT GARVEY AND HIS PHILOSOPHY MEAN TO JAMAICA AND INDEED TO BLACK PEOPLE EVERYWHERE.

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GARVEY'S SOJOURN IN THE UNITED STATES COVERED THE YEARS 1916 TO 1927, A PERIOD WHICH MARKED THE HIGH-POINT OF HIS CAREER AS AN INTERNATIONAL LEADER. THE ORGANIZATION WHICH HE FOUNDED, THE UNITED NEGRO IMPROVEMENT ASSOCIATION AND AFRICAN COMMUNITIES LEAGUE WAS BY 1921 UNQUESTIONABLY THE LARGEST BLACK ORGANIZATION IN HISTORY WITH A MEMBERSHIP RUNNING INTO MILLIONS AND SPANNING THREE CONTINENTS. NEVER BEFORE, NOR SINCE THEN HAS THERE BEEN A MASS MOVEMENT COMMANDING SUCH WIDE GEOGRAPHIC SUPPORT. UNIA BRANCHES EXISTED IN ALL THE CARIBBEAN COUNTRIES, ALL THE STATES OF THE UNITED STATES, IN PANAMA, COSTA RICA, ECUADOR AND VENEZUELA, IN ENGLAND, WALES, AND IN AFRICAN COUNTRIES SUCH AS GHANA, LIBERIA, NIGERIA, SIERRA LEONE AND SOUTH AFRICA.

GARVEY'S PHILOSOPHY AND WORK ENGENDERED MUCH CONTROVERSY AS HE PITTED HIMSELF AGAINST THE CONVENTIONAL ATTITUDES THAT RELEGATED PEOPLE OF AFRICAN ORIGIN TO AN INFERIOR STATUS. HE DEDICATED HIS LIFE TO REVERSING THIS NEGATIVE PERCEPTION. HE HAD TO FIGHT NOT JUST THE WHITE ESTABLISHMENT AND VESTED INTERESTS, BUT PRIVILEGED BLACKS AND SOME BLACK INTELLECTUALS WHO, SUBSCRIBING TO THE INTEGRATIONIST APPROACH - REGARDED HIS FORMULA FOR SOLVING THIS PROBLEM AS ANATHEMA.

GARVEY PREACHED BLACK PRIDE, BLACK SELF-RELIANCE AND THE CONFRATERNITY OF AFRICAN PEOPLES. HE EXHORTED THEM WITH THE RINGING WORDS, "UP YOU MIGHTY RACE, YOU CAN ACCOMPLISH WHAT YOU WILL." IN EXPLAINING THE AIMS OF THE UNIVERSAL NEGRO IMPROVEMENT ASSOCIATION, GARVEY STATED: "WE ARE ORGANIZED FOR THE ABSOLUTE PURPOSE OF BETTERING OUR CONDITION INDUSTRIALLY, COMMERCIALLY, SOCIALLY, RELIGIOUSLY AND POLITICALLY. WE ARE ORGANIZED NOT TO HATE OTHER MEN, BUT TO LIFT OURSELVES, AND TO DEMAND RESPECT TO ALL HUMANITY."

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MARCUS GARVEY BELIEVED THAT THE BLACK MAN COULD ACHIEVE ANYTHING IF ONLY HE BELIEVED IN HIMSELF, BUT HE WOULD HAVE TO BREAK THE SHACKLES OF 400 YEARS OF OPPRESSION, DENIGRATION, AND CRIPPLING PREJUDICE WHICH HAD CREATED A STATE OF "MENTAL SLAVERY". GARVEY THEREFORE SOUGHT TO DEMONSTRATE THROUGH TANGIBLE COMMERCIAL PROJECTS THAT BLACK PEOPLE COULD TAKE CHARGE OF THEIR OWN DESTINY. HE ALSO FELT THAT AS LONG AS AFRICA WAS NOT FREE, BLACK PEOPLE WOULD NEVER GAIN FULL RESPECT BEFORE THE WORLD. AFRICAN REDEMPTION WAS THUS A CENTRAL PART OF GARVEY'S PHILOSOPHY.

MR. CHAIRMAN, IT IS WORTH NOTING THAT AS AN ACTIVIST AND MASS LEADER, GARVEY WAS PERHAPS UNIQUE IN HIS SCRUPULOUS RESPECT FOR THE LAWS OF THE LAND. WHEREVER HE WENT, HE TOOK GREAT CARE TO CAUTION HIS FOLLOWERS TO "GIVE UNTO CAESAR THE THINGS THAT ARE CAESAR'S." IN HIS OWN WORDS, "I WAS NOT DISLOYAL TO ANYTHING AMERICAN, TO ANYTHING BRITISH, OR TO ANY CONSTITUTED GOVERNMENT IN THE WORLD. ALL I WAS INTERESTED IN WAS THE LIBERATION OF THE PEOPLE WHO LOOK LIKE ME.....THE WORLD HAS MADE BEING BLACK A CRIME.....AND INSTEAD OF MAKING IT A CRIME I HOPE TO MAKE IT A VIRTUE. THAT WAS ALL I HAD IN MIND WHEN I TRAVELLED FROM ONE PART OF AMERICA TO THE NEXT."

LIKE ALL GREAT LEADERS WHO ATTEMPT TO CHANGE THE SOCIAL ORDER FOR THE BETTERMENT OF THEIR PEOPLE, GARVEY WAS SUBJECTED TO PERSECUTION, CHICANERY, SABOTAGE, MISREPRESENTATION AND RIDICULE; HE SUFFERED IMPRISONMENT, ESCAPED AN ASSASSINATION ATTEMPT AND FACED REPEATED BETRAYALS BY PEOPLE HE TRUSTED. YET, HIS DETERMINATION NEVER WAVERED. THIS UNRELENTING PURSUIT OF HIS MISSION IS IN ITSELF AN INSPIRATION.