

Sostre

in

The Writings of William Worthy

Solitary



# Sostre in Solitary

The Writings of William Worthy

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Page	Year Published	Title
6	2022	Introduction, by Garrett Felber
10	1968	Martin Sostre can't see lawyer, reporter in jail
14	1968	The truth will out—even in conservative white Buffalo
18	1968	Sostre in Solitary
24	1970	The Anguish of Martin Sostre
36	1971	Sostre trial witnesses recants drug testimony
38	1971	Sostre case witness may face a rocky road

**M**artin Sostre was supported by a variety of different organizations, defense committees, and individuals during his nearly nine years in prison from 1967-1976. Few were as important and consistent as journalist William Worthy. Over the course of three years, Worthy wrote almost a dozen articles about Sostre, two of which—“Sostre in Solitary” (Boston Sunday Globe, 1968) and “The Anguish of Martin Sostre” (Ebony, 1970)—were widely distributed to raise funds and awareness about his case. His appeal attorney Joan Franklin even ordered 1,000 copies of “Sostre in Solitary” for distribution by the NAACP. For the article, Worthy attempted to visit Sostre in prison but was blocked by authorities. He was also

among the handful of Black radical internationalists who financially supported his campaign in these early years, which according to Sostre included Mae Mallory, Robert F. Williams, Bobby Seale, and Jitu Weusi. Sostre eventually fired his legal team at the NAACP Legal Defense Fund in 1970 and wrote them discouraged by the lack of support he had received from Black people and organizations since his frame-up in 1967. One exception, he noted, was William Worthy.

Worthy was a veteran activist and journalist whose experiences traveling abroad to Communist nations had led him into similar struggles over censorship, state surveillance, political trials, and imprisonment. Just a few years older, Worthy claimed conscientious objector status during World War II and participated in the 1947 Journey of Reconciliation, a direct-action campaign to test the effectiveness of the recent Supreme Court ruling, *Morgan v. Virginia*, which overturned racial segregation laws on interstate travel. He became a columnist for one of the largest Black newspapers in the country, the *Baltimore Afro-American*, and landed assignments covering the Korean War and other foreign affairs. Whether in his coverage of Black prisoners of war in North Korea and Chinese prison camps or Robert F. Williams' exile in Cuba, Worthy's stories represented an important counter-narrative to the parochial anticommunism of most U.S.-based journalism during the Cold War.

Worthy was targeted for his globetrotting anti-imperialist journalism. When he applied to renew his passport in 1957, it was refused by the State Department and he became, in the language of

the ACLU, “a prisoner in his own country.” Worthy disregarded the decision and soon traveled to Cuba, the first of four trips he would make over the next several years. In 1960, he became one of the founding members of the Fair Play for Cuba Committee (FPCC), which was dedicated to assuring fair coverage of the new revolutionary Cuban government. While in Cuba, he also became the first to report on Robert F. Williams’ exile. But, surveilled by the State Department and the FBI, Worthy’s mail was intercepted and his plans to travel to Cuba without a passport made known. A Committee for the Freedom of William Worthy was formed, and he and his radical attorney, William Kunstler, made motions to transfer the venue of his political trial away from Miami, Florida. He was ultimately sentenced to 3 months in jail and nine months’ probation. His cases led to two landmark decisions regarding the constitutional right to travel: *Worthy v. Herter* (1959) and *Worthy v. United States* (1964). Worthy saw such attacks on travel as an extension of U.S. imperialism and political censorship: “Travel control is thought control and intellectual control.”

Worthy’s coverage of Sostre has gone largely unchronicled. Unfortunately, so too has his broader contribution to Black radical internationalism through his activism and journalism. The Martin Sostre Institute has compiled more than a half-dozen of Worthy’s articles on Sostre here to make both more widely available and known.



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1 Martin  
Sostre can't  
see lawyer,  
reporter in  
jail

**N**EW YORK—Governor Nelson Rockefeller will enter the Republican convention in Miami with a radical-ethnic albatross named Martin Gonzalez Sostre around his neck.

The short-fuse time-bomb issue is one that can easily be exploited by the Nixon-Reagan camps to demolish the Rockefeller image as the pro-civil rights candidate.

In an unprecedented administrative decision by Rockefeller's Commissioner of Correction, Paul McGinnis, Sostre, a prisoner since March in Green Haven State Prison in Stormville, New York has been cut off from visits and correspondence with his attorney, NAACP assistant staff counsel Joan Franklin, and also with his family and Defense Committee.

On July 27 McGinnis also denied Afro-American correspondent permission to visit Sostre who has been in solitary confinement since June 25.

MISS FRANKLIN, who was retained by Sostre after conferring with him for two hours at Green Haven in mid-May, was unexpectedly barred on Tuesday (July 23) from a second visit on the grounds that she is not a practicing New York attorney. Miss Franklin, a member of the Michigan bar, handles numerous NAACP cases around the country.

She has branded the prison decision as "purely arbitrary and capricious." Warden Harold Follette kept her waiting for three hours on Tuesday before informing her that her 2 ½ hour early morning drive from Washington was in vain.

SOSTRE, who is half Puerto Rican, was sentenced in March to 31-41 years as an alleged second offender after police had testified that they had found heroin in his Afro-Asian bookstore.

His vocal supporters in the Buffalo ghetto and at local campuses, including law professors at the University of Buffalo, brand the arrest, trial and conviction as a "political frameup" in the reprisal for his political views and for the revolutionary anti-colonial literature that he sold in his bookstore.

Early in July, Miss Franklin received a letter from Sostre in which he recounted the background of his solitary confinement:

"...On June 25 I was summoned to the warden's office where he told me that the motion for stay of trial pending application for removal (to federal court) would not be allowed to leave the

prison.

“He further told me that I was practicing law without a law degree...

“The warden also told me that he would not give me your latest letter and that he would not allow you to bring your secretary.

“He then placed me in ‘segregation’ (see correction law section 140) and took all my legal papers, law books and all property...”

Miss Franklin told this reporter Friday she will file within a few days a petition for a writ of habeas corpus, attacking the “completely absurd” rationale for Sostre’s solitary confinement, the decision cutting her off from all contact with her client, and “other matters.”

Miss Franklin indicated that the “harassment” of Sostre appears designed to isolate him totally at the time that his appeal is being prepared. “Access to counsel for extensive consultation is critical right at this time,” she declared.

If normal judicial procedure is followed, oral argument on the habeas corpus petition will take precedence on the Dutchess County Supreme Court calendar and will be scheduled before a sitting judge on approximately the opening day of the GOP convention.

Thus Rockefeller will be in the awkward position of having his white prison officials subpoenaed as defendants in a civil liberties court action back home while he in Miami will be seeking the crucial support of Negro and liberal Republican delegates.

The trial testimony of the Buffalo and state police is so replete with “contradictions and inconsistencies,” Miss Franklin told the Afro-American, that the Sostre case is “explosive,” racially and politically.



William Worthy, from *The Anguish of Martin Sostre*

# 2 The truth will out—even in conservative white Buffalo

Persecuted Buffalo  
militant seeks release  
from penitentiary after  
strange conviction

**B**UFFALO, N. Y. — In any community where the press is doing its job, the burning of \$200 worth of books and pamphlets on a state university campus would be front page news — especially if the dean of the university promised prompt restitution of the \$200 out of public funds.

In any community where editors are committed to the public's right to know, space would be found to report that members of a defense committee in a racial and political case had received threatening letters and that, for no discernibly valid reason, two detectives from the police intelligence unit had paid late-night visits to the defense committee secretary and to her elderly, apolitical mother who lives alone.

But in conservative Buffalo, New York over the past six weeks, these and other developments in the case of Martin Gonzalez Sostre were not regarded as news fit to print.

THE ONE exception has been the campus paper at the University of Buffalo. Over the past year it has kept on top of the Sostre case, and last week it reported that, on the night of Aug. 1, a university janitor picked up two hundred-pound boxes of books from their usual overnight storage spot in the student union, dragged the boxes to campus incinerator, and burned them to cinders.

Among the books were the "Autobiography of Malcolm X," the classic biography of John Brown by W.E.B. DuBois, works on colored history and anti-war, anti-imperialist pamphlets from Hanoi and from the National Liberation Front of South Vietnam.

The books were the property of the Afro-Asian Bookstore-in-Exile, which was set up by students at the University of Buffalo in tribute to Martin Sostre after his Afro-Asian Bookstore in the Buffalo ghetto closed down following his arrest and imprisonment in July, 1967.

SOSTRE'S NAACP staff attorney, Miss Joan Franklin, believes the case is about to break wide open after a year of prejudicial and inflammatory coverage in the Buffalo press and after practically no coverage in the national press.

To colored citizens, Martin Sostre can easily become a second Eldridge Cleaver — that is to say, a highly gifted hoodlum, dope peddler or even murderer who becomes personally and politically rehabilitated while serving a long term behind bars and who then emerges from prison to join and help lead the revolution

going on outside.

Those who saw prize-winning film “The Battle of Algiers” will recall the parallel moral and political transformation of a tough underworld figure in a French prison in Algeria. It’s a familiar pattern in anti-colonial revolutions.

In this country, Eldridge Cleaver happens to be the best known example. On his release from a California prison two years ago he joined the staff of Ramparts magazine and became the mentor of the Black Panthers.

AT PRESENT, Martin Sostre is in Green Haven State prison near Poughkeepsie, N.Y. trying to assist his attorney prepare an appeal from his conviction on charges of possession and sale of heroin. His defense committee and supporters, including several law professors at the University of Buffalo, point to a series of similar cases around the country.

They argue that the government has hit upon an easy way to get rid of colored revolutionaries who have criminal records by planting drugs on them and then imposing savagely long sentences as second offenders. White middle-class juries are only too ready to convict.

Sostre’s attorney says that even a cursory reading of the trial record shows glaring holes and contradictions in the testimony of the Buffalo and state police.

SINCE JUNE 25, Sostre has been in solitary confinement. The reason given by the warden: practicing law without a law degree. Like countless other inmates of U.S. prisons, Sostre was preparing legal motions and papers for his appeal.

A month later, on July 23, his attorney, Miss Franklin, was denied permission to visit him a second time or even to continue to correspond with him. For his ruling, the warden’s avowed reason was that she has not been admitted to the New York Bar.

On July 26, the warden, backed by the State Commissioner of Correction, refused to admit this reporter to the prison. And on August 2, an ordained clergyman was kept from seeing Martin Sostre.

These administrative rulings are, of course, untenable if challenged. Attorney Franklin began preparing a petition for a writ of habeas corpus.



THE SOSTRE Defense Committee organized political agitation designed to embarrass Governor Rockefeller at the Republican convention in Miami.

The Boston Globe queried one of Rockefeller's press secretaries on the novel rationale for Sostre's solitary confinement and for his total isolation.

Last Wednesday (Aug. 7), shortly before the balloting for the presidential nomination was about to begin, Jackie Robinson, a Rockefeller adviser, telephoned Attorney Franklin to say that she now could see her client again. Two days later she did.

# 3 Sostre in Solitary

His friends swear that black radical Martin Sostre has been framed by Buffalo authorities as part of America's colonialist suppression of black revolution.

"Deliberate injustice is more fatal to the one who imposes than to the one on whom it is imposed. The victim may die quickly and his suffering cease, but the teachings of Christianity and the uniform lessons of all history illustrate without exception that its perpetrators not only pay the penalty themselves, but their children through endless generations."

Alabama Circuit Court Judge James E. Horton, June 22, 1933 overturning in the Scottsboro "rape" case the jury's guilty verdict and death sentence. The decision predictably spelled the end of Horton's judicial career.

**U**NTIL July 14, 1967, Martin Sostre of Buffalo, New York was the proud defiant owner of the local Afro-Asian Book Store.

Before that, he had been a Black Muslim—a religious-political convert while serving 12 years in Attica, New York state prison.

Years before that, he had been a youthful peddler of narcotics and had entered prison while in his twenties.

Today Martin Sostre, age 44, is in Green Haven State Prison near Poughkeepsie. (Countless Yale Students pass right by it all the time as they drive to weekend days at Vassar). The charge: possession and sale of heroine. The sentence this time: from 31 to 41 years, plus 30 days. Judge Frederick M. Marshall imposed that extra month on the vehemently outspoken Sostre for supposed contempt of court. An articulate interracial defense committee charges an A – to – Z frame up.

RECENTLY at O'Hare Airport in Chicago I ran into the Harlem attorney who, early in the 1960s, helped Martin Sostre establish the legal right of Black Muslims to hold their own religious services behind prison walls. The wardens and state correction officials had all refused this right with every weapon of punishment at their command; but Sostre's persistence led to an important First Amendment victory. He himself did much of the legal work after having studied law on his own while in Attica prison. When the Attica officials were compelled to produce Sostre and his fellow plaintiffs in Federal court in Buffalo, they took them there in chains. In a memorable photograph that appeared at the time in the Black Muslim newspaper, the scene looked medieval.

"Martin Sostre," said the Harlem lawyer as we talked between planes, "is the most extraordinary personality I have ever met. He operates somewhere in the area of brilliance and genius."

To his deeply committed friends and supporters Sostre's personal rehabilitation years ago was complete and permanent following his conversion to the puritanical Black Muslim faith. Though no longer a Muslim, he still does not smoke, drink or eat pork. His friends say it is unthinkable, personally and politically, for him ever to be involved a second time in the peddling of drugs.

MEMBERS of the Sostre Defense Committee, including several law professors at the University of Buffalo, point to "a chain of

frame-ups” around the country. They argue that the government has hit upon an easy way to get rid of Negro revolutionaries who have criminal records by planting drugs on them and then imposing savagely long sentences as “second offenders.” White middle-class juries are only too ready to convict on the say-so of cops. Sostre’s N.A.A.C.P. attorney says that even a cursory reading of the trial record shows glaring holes and contradictions in the testimony of the Buffalo and state police.

In 1964, when Malcolm X parted company with the Muslims, Sostre, an admirer of Malcolm, broke too. After coming out of prison that year – 12 years without a single letter, single visit or single food package from the outside had miraculously not demoralized him – Sostre worked for \$146 a week in the Lackawanna steel mill, saved what he could, and soliticed and borrowed additional money to fulfill a dream: the opening of an Afro-Asian Bookstore in the Buffalo ghetto. His largely unpaid assistant, Mrs. Geraldine Robinson, mother of five, is still awaiting trial on the same heroin charges.

Shortly before his arrest in July of 1967 he took the gamble of giving up his only sure income in the steel mill, and began devoting 14 hours a day to the store which, without any pretense, was a lively center of radical political education. Sostre featured the works of Stokely Carmichael, Malcolm X., Robert F. Williams, LeRoi Jones, James Baldwin, Richard Wright and others. From abroad he imported such periodicals as China Reconstructs, African Opinion and Peking Review. As son of a Puerto Rican mother, Sostre is strongly anti-imperialist. He got oblique political “advice” from detectives who frequently visited the bookstore “not to sell those books, Marty.”

Late in June, 1967, shortly before Newark and Detroit erupted, Buffalo had its own racial upheaval. In subsequent testimony before Senator Eastland’s Internal Security Subcommittee, Police Commissioner Frank Felicetta blamed Sostre for much of the trouble. At the height of the street disorders, according to passerby, police and firemen used the pretext of a fire next door to sack the radical bookstore and to turn hoses on the literature shelves. Not book burning, book watering.

NEVERTHELESS, Sostre reopened the store, only to be raided at midnight two weeks later. He was arrested and beaten up. Originally he was held in \$50,000 bail on the heroin charges.

Charges of arson and rioting were dropped. Even when bail was reduced to \$12,500 cash, he could not raise that sum and remained in jail for eight months until his three-day trial in March, 1968. The head of the Buffalo police intelligence unit told the press that the same Martin Gonzalez Sostre who didn't have the money to bail himself out and who had difficulty in paying the bookstore's utility bill had been earning a profit of \$5000 a week from selling narcotics. (In England, that detective would have been jailed for prejudicial, inflammatory pre-trial press comments, and the Buffalo editors who published his remarks would have been jailed too. To the jurors who had read the local newspapers and later convicted Sostre there could not have been the slightest doubt of guilt.)

Over this past summer the case began to boil on several fronts. As recently as mid-June, despite the tireless efforts of the Buffalo-based Defense Committee, the Pandora's box of the highly political trial, lack of due process, allegations of perjury by prosecution witnesses, and inhuman treatment in Green Haven Prison seemed safely and permanently sealed. The national spotlight had not focused on the case. On June 25, Sostre was placed in solitary confinement. The reason given by the warden: practicing law without a law degree. Like countless other inmates of U.S. prisons, Sostre was preparing legal motions and papers for his appeal.

A month later, on July 23, NAACP staff attorney Joan Franklin was denied permission to visit him a second time or even to continue to correspond with him. For this ruling the warden's avowed reason was that Miss Franklin is a member of the Michigan but not the New York bar. On July 26, the same warden, backed by Governor Rockefeller's Commissioner of Correction, refused to admit this reporter to the prison. And on August 2, an ordained clergyman was kept from seeing Sostre.

ONCE challenged, these administrative rulings were, of course, untenable. In its Washington edition of July 30, the Afro-American reported that Attorney Franklin was preparing a petition for a writ of habeas corpus to be argued in Dutchess County Supreme Court just as the Republican national convention in Miami was scheduled to open. Rockefeller's penal officials would be named as defendants in the court action. Through several channels the Sostre Defense Committee passed word to the Rockefeller camp

that the candidate might get an embarrassing question on the case of a nationally televised interview program. Associated Press asked permission to see Sostre in Green Haven prison, and The Globe queried one of Rockefeller's press secretaries on the novel rationale for Sostre's solitary confinement and for his total isolation. On August 7, under this multi-sided pressure, the implacable official dike – cops, judges, jailers and politicians – sprang its first leak. Just hours before the balloting for the presidential nomination was about to begin, Jackie Robinson, then Rockefeller's adviser on Negro affairs, telephoned Attorney Franklin to say that she now could visit her client again. Two days later she did.

Meanwhile, in Buffalo itself, members of the Sostre Defense Committee had received threatening letters in the mail. For no discernibly valid reason, two detectives who double on the radical and narcotic squads paid late-night visits to the Committee secretary and also to her elderly, apolitical mother who lives alone and who reacted predictably to the midnight knock.

MOST sensational of the summertime developments (but, like all the others, unreported in the Buffalo press) was the July 30 nighttime burning of \$200 worth of books and pamphlets on a state university campus in Buffalo and the dean's prompt promise of restitution out of public funds. A University of Buffalo janitor had picked up two plainly marked hundred-pound boxes of books from their usual overnight storage spot in the student union, dragged the boxes to the campus incinerator, and burned them to cinders. Among the books were the "Autobiography of Malcolm X", the classic biography of John Brown by W.E.B. DuBois, works on Negro history, and anti-war, anti-imperialist pamphlets from Hanoi and from the National Liberation Front of South Vietnam. The books were the property of the Afro-Asian Bookstore-in-Exile, which was set up by white and Negro students at the University of Buffalo in tribute to Martin Sostre after his imprisonment. Students and campus groups that had no connection with the bookstore protested vigorously to the administration about the book burning.

For a northern industrial community Buffalo is exceptionally conservative. The pattern of repression there tends to be more raw and more unabashed than one might expect in the Empire State. If Martin Sostre is even half of the remarkable person that those who know him say he is – and I myself do not know him – his removal at this time from the Buffalo ghetto and the closing of his

bookstore is a serious intellectual and leadership setback to the local movement, even if a year or two from now the higher courts release him from prison on appeal. He could be released right now on bail if New York had the counterpart of the courageous San Francisco judge who on June 11, 1968 freed author-activist-Black Panther leader Eldridge Cleaver, on the grounds that his parole had been revoked two months earlier for purely political reasons. Cleave, a Ramparts magazine staff writer, is a classic example of highly gifted hoodlums, dope peddlers or even murderers who become wholly rehabilitated while serving long terms and who then emerge from prison to join and help lead an anti-colonial revolution going on outside. Those who saw the prize-winning film "The Battle of Algiers" will recall the parallel moral and political transformation of a tough underworld figure in a French prison in Algeria.

SOSTRE'S imprisonment is a major setback. But by no means a final defeat. It's nothing new. The British, French, and other colonialists tried similar methods to crush Afro-Asian independence movements. In the end, the European powers probably deepened and extended revolutionary anti-colonial militancy by these methods, and hastened their own violent expulsion from the colonies.

Here in the United States, there is no logical reason to expect a qualitatively different end product from the accelerating pace of racial repression. The future, they say, comes with the same degree of violence that is used against it. In Buffalo, the cops who raided Martin Sostre's Afro-Asian Bookstore and beat him up may well have created more teen-age revolutionaries and more urban guerrillas than did the books of ideology that Sostre used in his classes on black nationalism and sold to his customers to eke out a precarious living.

Such is the destiny of a frightened white society when it permits the de facto reign of the police mentality and the triumph of right-wing brains.

# 4 The Anguish of Martin Sostre

Persecuted Buffalo  
militant seeks release  
from penitentiary after  
strange conviction



JUDGE Carlton Fisher to Martin Sostre at a bail reduction hearing, November 15, 1967:

25

*Possibly the other jurists who have heard your previous arguments have taken into consideration your connections and ability through various organizations and through Hong Kong and the Viet Cong and Black Power to raise a much larger amount of bail than these poor individuals who do not have these outside big financial connections.*

SOSTRE (after a moment of stunned silence):

*The fact that I am here belies that, doesn't it, your Honor? A man with big financial connections overseas would not be in jail eating baloney sandwiches for four months.*

**H**AD Martin Sostre opened his revolutionary Afro-Asian Bookstore in Oakland, Calif., instead of in Buffalo, N.Y., after his 1964 release from nearby Attica State Prison, the chances are that, sooner or later, he'd have landed in one of the Bay Area's jails. But from that supercharged California launching pad, the twin cry of "Free Huey and Martin" would have brought his plight and persecution into the all-important court of world public opinion.

Although the University of Buffalo student body (including many of Sostre's Defense Committee supporters) exploded this past spring on the Buffalo campus was minimal. The protesting students on the shores of Lake Erie had no radical and effervescent Bay Area tradition and foundation to build on; Buffalo has long been stagnant, corrupt, reactionary, and culturally insipid. So far as network television and the other news media are concerned, Buffalo is isolated and off the beaten path.

With no one on the outside effectively watching and monitoring, Buffalo has earned for itself one dubious distinction. For years, its crass repression of dissenters, white and black and few though they were, anticipated what is now happening nationwide. Given their cosmopolitan-metropolitan readerships, not even the Chicago Tribune or the New York Daily News would dare to be so blatantly bourbon and insensitive as the Buffalo daily press. And even with their tainted history, the Chicago police would hardly have the gall to honor a reputed gangster. But as recently as 1956,

the Erie Club (an official Buffalo police association) bestowed its “Man of the Year” award on John C. Montana, who shortly afterwards was arrested at the famous Mafia crime convention at Appalachin, N.Y. (Buffalo was well represented in those high gangland councils; its seven-man delegation was second only to the large Mafia representation from New York City. In 1968, a dozen of George Wallace’s 43 New York electors came from Buffalo).

It is also difficult to think of another city where a top businessman and an ex-judge would feel free to rally publicly behind an identified racketeer. But even after Appalachin, a former Buffalo Chamber of Commerce president and a former judge were character witnesses at Montana’s conspiracy trial.

These were the background strikes against Martin Sostre, a totally reformed dope peddler, when he emerged in 1964 from state prison. During his 12 years there— four of them in solitary confinement for Black Muslim activity – he had not received a single letter, a single visit or a single food package from the outside. He served every day of his original six-to-twelve year sentence. The rigidity he displays in all his stances – an admirable strength in matters of principle, a serious weakness in matters of tactics – was first reflected at the time he became eligible for parole. With eight years of his life at stake, he chose that occasion to launch in the courts a legal challenge to the all-white composition of the parole board. Its members, of course, voted not to release him. It was during his subsequent years behind bars that he instituted federal suits against his jailers – legal activity, said U.S. District Judge Constance Baker Motley, which “resulted in the elimination of the more outrageously inhumane aspects of solitary confinement in some of the state’s prisons.”

Aside from the reactionary climate of Buffalo, Martin Sostre as a card-waving revolutionary hadn’t sufficiently considered a deadly colonial reality that eventually helped do him in. He took on a wholly ruthless power apparatus – with relatively few supporters (except for the inexperienced youthful patronizers of his bookstore), with no effective links to liberation forces (such as they are) beyond the city limits, and with no fall-back legal or journalistic support for the expected day when the cops would come with their handcuffs and “evidence.”

Circumstances in Buffalo were perfect for a frame-up. In the protracted freedom struggles in the classic colonies, the British in New Delhi, the French in Hanoi and the Dutch in “Batavia”

(Djakarta) could get away with less repression in the capitals than in the bush country (where facilities for exposés were minimal and where publicity techniques in the largely illiterate independence movements were almost non-existent). Like most of the United States (if lack of general political sophistication is the criterion), Buffalo is bush country, and Sostre paid the price. Even elsewhere, militants not yet in jail have still to learn that each community or each of their local groups needs at least one capable and diligent publicist – with no conflicting duties or responsibilities. As the repression intensifies and the traps multiply, the importance of those charged with getting news to the outside world increases.

LIKE so many reformed and newly politicized prisoners in the late '50s and early '60s, Martin Sostre joined the Muslims while in Attica and adhered to their strict regimen – no tobacco, no alcohol, no drugs, no pork. In 1964, when Malcolm X broke with Elijah Muhammad, Sostre also left but retained the personal discipline. On release from prison, at just about that same time, he went to work in the Lackawanna steel mill. Every penny he could save was set aside to open and operate an Afro-Asian Bookstore in the Buffalo ghetto – a dream of his later years behind bars. In a “Letter to My Revolutionary Friends,” written during his second term in jail, one can perceive the intensity and sheer impatience for the revolution that characterize his every waking moment:

*Being forced now by my decision to quit the plant to make the store not only self-supporting but also support me, I kept open an average of 15 hours a day, seven days a week. Thus I was able to wring from the ship about \$60 a week in salary... The important thing was the pass the knowledge and political ideas which could free my own people to them via the literature in the book shop...*

*True, I was always pinched for money and I was always behind on a bill to a publisher or the landlord... and my shelves were never fully stocked, but I did manage to stay open. Slowly but surely, the Afro-Asian bookshop was becoming a mecca for politically motivated local youth. Also, people from Rochester, Syracuse, Lackawanna, Erie, and Toronto came to obtain literature which was unobtainable in those cities.*

In the revolutionary make-up of Martin Sostre, there is nothing subtle, nothing of the underground operative. When our fore-fathers sensed serious trouble or danger, they were all innocence. They heard nothing, saw nothing, knew nothing. For three centuries they skillfully conned gullible white folks. Sostre will have none of this. In everything he sold, thought or believed in, he was a hundred percent open (as was, of course, his constitutional right).

The relentless Justice Department stalking of Jimmy Hoffa clearly shows that, once the government sets out to get an unbefriended man, pliant judges and juries can eventually be found. In that basic sense, Martin Sostre did not have a chance. In late June of 1967, about the time that Newark and Detroit were burning, a three-day uprising in the Buffalo ghetto provided a convenient occasion for his arrest on a drug charge. The police and the local press paved the way for a later conviction by pinning the blame for the racial trouble on the man selling radical literature to neighborhood youth. The all-white grand jury and the all-white trial jury were all too ready to buy that simplistic explanation for the "riot."

Sostre had inklings of what was coming. The "ex-con" stigma rendered him vulnerable. Unfortunately, he did not take time out to line up any defensive support. FBI agents had visited him in his bookstore. Why was he selling "this type of literature"? Two months later he had a visit from two city detectives from the Narcotics and Intelligence Squad. Police cars hovered outside his store. The warning was unmistakable.

A full account of the subsequent arrest appears in the recently published McGraw-Hill book, *The Crime of Martin Sostre*, by Vincent Copeland. On the night of July 14, 1967, federal agents and local plainclothesmen raided the bookstore, manhandled Sostre and his assistant, Mrs. Geraldine Robinson, and professed to have found 11 glassine envelopes of heroin on the premises. At Sostre's trial, the police photographer testified that, before the raid, he had stood across the street and filmed a dope transaction inside the store. At the separate and subsequent trial (where Mrs. Robinson, a mother of five, was convicted and committed to prison), NAACP defense attorney Charles T. McKinney asked the photographer what kind of film he had used at 10:30 P.M. The answer: he had forgotten to put any film in the camera. More startling is the fact that, at the time of the supposed "filming"

occurred, plywood panels covered the front of the store. Sostre had put up the panels after firemen, using the pretext of a fire next door, hosed down everything on the bookshelves.

Bail was originally set at \$50,000 on the heroin charge. The “prosecutor dropped political charges of arson and rioting – charges which carry lighter sentences (and which probably would have been hard to make stick). When bail was finally reduced to \$12,500 cash, Sostre still could not raise the sum and remained in jail for eight months, handicapped in preparing his defense, until his three-day trial in March, 1968. The head of the Buffalo police intelligence unit told the press that the same Martin Sostre who lacked the money to bail himself out, and who had often had difficulty in paying his store’s utility bills, had been earning a \$5000 a week from selling narcotics.

Defense witnesses strangely left town. Attorney’s shunned the case. (Large as it is in both population and territory. Buffalo is still something of a company town where the economic screws can be readily applied.) Result: Sostre, distrusting court-appointed lawyers, felt constrained to act as his own attorney- a risky business in the fairest of courts. In the pre-trial proceedings (two years before the Bobby Seale incident), Martin Sostre was gagged in court. But the world didn’t have its eye on Buffalo.

The trial itself recalled Southern courts of 40 years ago. Despite all the adverse pre-trial publicity, a change of venue was quickly denied by the judge before whom Sostre appeared. The white middle-class jurors were apparently ready to convict on the say-so of law-and-order cops, no matter how transparent the contradictions and inconsistencies in their testimony. Sostre’s sentence: 31 to 41 years, plus 30 days for “contempt of court.” Lawyers say the trial record is so replete with lies and contradictions that the conviction would not stand up on appeal. But because Sostre is classified as a second offender, the trial judge was able to imprison him for the duration of his protracted appeal.

NOT far from Vassar College is formidable Green Haven Prison where impervious coeds and their weekend Yale days blithely drive by, “unaware” (like the good Germans of Hitler’s time) of the spiritual and physical crimes committed inside. Three months after his arrival, Martin Sostre was placed in solitary confinement. There he remained for a little over a year before federal Judge Constance B. Motley ordered him returned to the general prison

population on July 2, 1969. The warden had cited three reasons for solitary confinement: first and foremost, practicing law without a license – that is, Sostre’s preparing a motion for change of venue for his codefendant and sharing law books with fellow prisoners; refusing to answer questions about the separatist Republic of New Africa; and telling his sister in a letter that he would “be out soon, either by having my appeal reversed in the courts or by being liberated by the Universal Forces of Liberation.”

Sostre himself did extensive work on his case in his dimly lighted cell. Although two experienced lawyers from the National Emergency Civil Liberties Committee, Victor Rabinowitz and Mrs. Kristen Booth Glen, appeared for Sostre before Judge Motley, they are the first to credit Sostre’s own research for the court’s landmark decision on May 14, 1970. After her initial temporary restraining order and injunction freeing him from solitary confinement, Judge Motley last fall held a week-long trial on the merits, at which Sostre testified at length. Four months after the final briefs were in, in a carefully reasoned, 66-page opinion, she:

- A) Awarded Sostre \$9,300 in compensatory damages and \$3,700 in exemplary damages against the warden and New York State Commissioner of Correction;
- B) Forbade prison officials to isolate him again without a hearing before a disinterested official, and ordered them to submit for her approval within 90 days rules on solitary confinement procedures and on dissemination of political literature in prisons;
- C) Enjoined the warden from censoring or keeping from Sostre any communication between him and his lawyers, the courts or public officials, from punishing him for sharing with other inmates legal books and materials.

To protect Sostre from reprisals, Judge Motley retained jurisdiction of the case. She noted that, on the day following his court-ordered release from solitary confinement, he was confined to his cell for several days for “having dust on his cell bars.” Elsewhere in her opinion she proclaimed: “It is not a function of our prison system to make prisoners conform in their political thought and belief to ideas acceptable to their jailers.” At the trial, a University of Wisconsin psychiatrist had testified that even a

week or less in solitary confinement had “gravely psychologically damaged” several dozen persons he had examined. They were “incoherent, hallucinating, depressed” and “considered suicide and felt than human.” What manner of man is this Sostre who, in his first imprisonment, took four years in solitary confinement and who, in the second round, withstood another year? Sostre also explained in testimony why he spent 24 instead of 23 hours a day in his cell, not availing himself of the one-hour daily “privilege” outdoors.

“I never went to the yard,” he testified, “because I wouldn’t subject myself to their searches. You have to strip, bend over, be searched – that is, undergo a rectal examination by the guard, like in the service – every time you go out and come back in. This is merely harassment because we (in solitary) have nothing. They will never dehumanize me.”

Winston Churchill once said: “You don’t fight crocodiles by jumping into the river.” To those walking the tightrope between revolutionary dissent from an impossible crocodile society and futile, premature self-destruction, the endless tragedy of Martin Sostre raises troublesome self-doubts about that political balancing act. At what point in the political spectrum does realistic courage end and rationalized cowardice begin?

Three days before Judge Motley’s decision, Sostre urged his Defense Committee (mainly students in Buffalo) to publish a radical, prisoner exchange proposal of his. When it is seen, he said that “Bobby Seale and the other framed-up Panthers are still firmly in the grasp of the power structure – nay, even more firmly in their grasp since security precautions around them would have been tightened up – then the cold-blooded reality and logic of my prisoner exchange article will penetrate the consciousness of the revolutionaries.”

(The battle-scarred and much harassed Defense Committee objected that it had been formed to prove Sostre’s innocence, not to be a voice for his political views.)

At this writing, Sostre’s split with his Defense Committee seems irreconcilable. Visionary as ever, indefatigable, unbelievably prolific in articles, letters, and legal petitions, this extraordinary man with a touch of greatness is prepared at age 46 to go it alone – bereft of all effective support inside or outside the medium security Wallkill Prison (to which he was transferred after his release from solitary confinement). A year ago he asked the Defense Committee

secretary: “How much can a man take?” Since then the pressures on him that would have broken most men, mentally as well as physically, have not diminished.

This summer he filed a habeas corpus petition with Judge Motley as a part of the old action still before her court. He asserted there has been a conspiracy to forestall his effort to appeal his March, 1968, conviction in the New York state courts. In the petition he cited the action of the Green Haven warden in depriving him for a while of counsel and legal materials, and recalled that in 1968 he filed a motion in Erie County Court to settle (complete) the record of his trial. A defendant does not wish to appeal on an incomplete record, and several documents which he mailed from prison and for which he has postal certified return receipts are missing from the record. The motion has never been heard.

Judge Motley could do one of three things:

- 1) Order a new trial;
- 2) Instruct the New York courts to produce the missing documents in a specified time, or discharge Sostre;
- 3) Wholly dismiss the case and free the prisoner, on the grounds that he has been frustrated in his appeal and would now have no chance (in a new trial) to find the defense witnesses who disappeared so mysteriously from Buffalo.

BECAUSE no one really knows if Martin Sostre has the makings of an effective national mobilizer, one can only speculate what measurable practical impact his release from prison would have on the demoralized and fragmented militant forces right at this time. Year by year, as lines have tightened and people have been forced to choose sides, history has absolved many of his “far-out” and absolutist ideas. With little doubt he would become a towering intellectual figure among some of the more thoughtful “brothers off the block” and among the “para-intellectuals” not yet dead, jailed or exiled. Whether he would long remain out of prison – or alive, for that matter – is open to serious doubt. In 1965, Malcolm X was marked for death, apparently at a very high level. In a manner of speaking, Malcolm was flexible and “conciliatory” if measured against the rigid line taken by Sostre.

Just in the year and a half of Nixon, Mitchell and Agnew,



enough has happened for many militants to tread warily. For ten years I have foreseen the possibility, planned or unplanned, of a U.S. version of the Sharpeville massacre in South Africa. In a peaceful 1960 demonstration, over 70 South Africans were shot in the back and killed; many more were wounded by police gunfire. The effect here of such an incident would be similar to the aftermath in South Africa – the terrorization, intimidation and silencing of millions. In such a climate of mass inactivity, Martin Sostre would be the unhappiest and most frustrated of men. At Wallkill he is even angry and impatient with those of his fellow prisoners who, eager for parole at the earliest moment, won't return his black power salutes.

With all its shattering racial implications, the rapidly forming domestic crisis over U.S. involvement in Indo-China would demolish my prognosis. Even to stalwart an Establishment figure as McGeorge Bundy of the Ford Foundation warned Nixon in a May 15 speech at the University of Texas:

“Not only must there be no new incursion of Americans across the Cambodian border, but nothing that feels like that to the American people must happen again, on the President's say-so alone.”

In prophetic words that even Martin Sostre could subscribe to, Bundy added:

*The point is, quite simply, that any major action of this general sort, if undertaken in the same fashion as the Cambodian decision – now that the domestic effects of that decision are visible – would tear the country and the administration to pieces. At the very least the Congress would stop money for the war, and the chances of general domestic upheaval would be real.*

When a society is shaken by a great elemental colonial war crisis such as Martin Sostre has long been predicting, “individuals and groups and whole social classes are pushed out of their accustomed ruts, forced to confront unprecedented situations, to think previously unthinkable thoughts,” says an editorial, “War and Crisis,” in the June issue of *Monthly Review*.

“In such circumstances, behavior patterns cannot and do not conform to expectations established in ordinary times. The hopeless are filled with hope, the inactive are drawn to action,

pent-up frustrations burst forth, enormous stores of latent energy are released, time-honored prejudices and taboos are forgotten.

“For a while, the normal processes of social life disintegrate, authority loses its legitimacy, and even the near-term future is shorn of the quality of predictability so essential for the rational functioning of established institutions... (Unlike France) when the time came to abandon colonial rule in Algeria... we have no de Gaulle waiting in the wings to return to power in a crisis situation... There is even no assurance that the U.S. ... could find a way out of this (war-created crisis). Failure could lead to chaos, attempted military takeover, even civil war with various factions of the armed forces pitted against each other...”

If that political analysis should prove correct, and if Martin Sostre should be released from prison into such a cauldron by Judge Motley or another court, his name could become overnight a household word. For I know of no one else across this land who can match his genius, his drive and his one-track determination to “seize the time.”



Geraldine Robinson with her five children,  
from The Anguish of Martin Sostre

5    Sostre  
trial  
witnesses  
recants drug  
testimony

**N**EW YORK—In a dramatic turnabout in the 1968 drug trial of Buffalo militant Martin Sostre, 33-year-old Arto (Tobey) Williams, the prosecution's principal witness, has signed an affidavit recanting his court testimony in which he claimed to have bought heroin on July 15, 1967, from the imprisoned revolutionary.

At the time of his arrest, Sostre was the owner of the Afro-Asian Bookstore, in the Buffalo ghetto where the alleged sale took place.

The five-page affidavit forms the basis for a motion for a new trial filed in Erie County Court yesterday by Manhattan Atty. Dorian Bowman, of the law firm of Rabinowitz, Boudin and Standard.

Sostre, 47, is incarcerated in medium-security Wallkill, N.Y., State Prison where he turns out prodigious quantities of legal research, letters to his attorneys, and lengthy articles for "Vanguard-Black Liberation Newsweekly."

Sostre's March 1968 trial won national and international attention only after the start of his 41-year sentence when this reporter, at first unconvinced of his innocence, broke the story of markedly contradictory court testimony in a series of articles in the Baltimore Afro-American and the Boston Sunday Globe Magazine (Sept. 8, 1968), as well as on several Newsfront broadcasts over the Eastern Educational Television Network.

In his bookstore, which he ran on a shoestring, Sostre, long an avowed revolutionary, featured the works of Stokely Carmichael, Malcolm X and W.E.B. DuBois, as well as antiwar and anti-imperialist literature from North Vietnam, China and Cuba.

While in prison in the late 1950s on drug charges he admits to, Sostre became a Black Muslim. In 1964, having won in Federal court freedom of worship rights for Muslim prisoners, he split with the sect when his hero Malcolm X, left the fold. However, he still reportedly adheres to the Muslim discipline of no tobacco, no alcohol, and no drugs.

6 Sostre  
case witness  
may face a  
rocky road

**A**FTER almost three years of living with an explosive innermost secret – one on which hangs another man’s liberty or imprisonment for 41 years – what induces an admitted heroin addict and police provocateur to announce that he helped frame a ghetto brother on a drug charge in July, 1967 in order to keep from going back to prison himself?

Fairly soon, under oath in a Buffalo, N.Y. court, Arto (Toby) Williams, 33, will probably be answering this question under hostile cross-examination from a hard-nosed prosecutor whose celebrated case against ghetto militant Martin Sostre faces collapse if his 1968 conviction is voided and the pending motion for a trial is granted.

The retrial motion is based on an affidavit signed last April 8 by Williams, in which he no says that he neither asked Sostre for any drugs nor received any as local and state plainclothesmen as well as federal narcotics agent waited outside the controversial Afro-Asian Bookstore which Sostre ran in the Buffalo ghetto.

Because of the revolutionary, anti-war and anti-imperialist literature that Sostre featured on his bookshelves, he had received numerous political warning of “trouble” from the local “subversive” squad and from the FBI.

In 1968, the House Un-American Activities Committee sought to pin on Sostre much of the responsibility for Buffalo’s four days of racial strife, which broke out three weeks before the midnight “drug” arrest.

Williams now works and lives at Tuum Est (Latin for “It’s Up To You”), a drug rehabilitation center in Venice, Calif., about eight miles from Los Angeles.

On March 26, Hollis Candy Latson, the center’s coordinator, wrote to U.S. District Court Judge Constance Baker Motley in Manhattan (with a carbon copy to this reporter), to reveal Williams’ painful decision to recant his testimony.

Latson explained to Judge Motley that “one of our basic rules here is honesty,” and he continued:

“Toby, in learning how to be honest with himself first, wants to clear his conscience and is willing to testify that he did help set up Mr. Sostre. He is afraid that the police and/or Mr. Sostre’s friends will harm him, but is still willing to follow it through.”

Last May, Judge Motley had awarded Sostre \$13,000 in damages from New York State prison officials and also injunctive relief for serious violations of his constitutional rights as a prisoner,

including arbitrary commitment to solitary confinement for 13 months.

On February 24, 1971, in a rare en banc (full nine-man bench) decision, the U.S. Court of Appeals for the Second Circuit overturned and diluted much of the landmark Motley ruling.

Hundreds of prisoners' lawsuits across the country had been held in abeyance pending the circuit Court decision.

While in prison in the late 1950s on drug charges he readily admits to, Sostre became a Black Muslim. In 1964, having won in federal court basic freedom of worship rights for Muslim prisoners, he split with the sect when his hero Malcolm X left the fold.

However, he still adheres to the strict Muslim discipline of no tobacco, no alcohol and no drugs.

WILLIAMS, a native of Winston-Salem, N.C., also has a long prison record for armed robbery, shoplifting and drug possession.

He had been in Erie County (Buffalo) Jail for two weeks in June, 1967, without bail, while awaiting a felony trial for theft of an air conditioner, according to his affidavit.

Upon intervention of narcotics squad detectives, he was suddenly released in his own recognizance just six hours before he was driven directly from police headquarters to the Afro-Asian Bookstore for the alleged purchase of heroin.

SOSTRE'S co-defendant, Mrs. Geraldine Robinson, was tried separately and in September, 1969, drew an indeterminate sentence on a charge of resisting arrest.

She has been imprisoned at the western Reformatory for Women, 40 miles east of Buffalo.

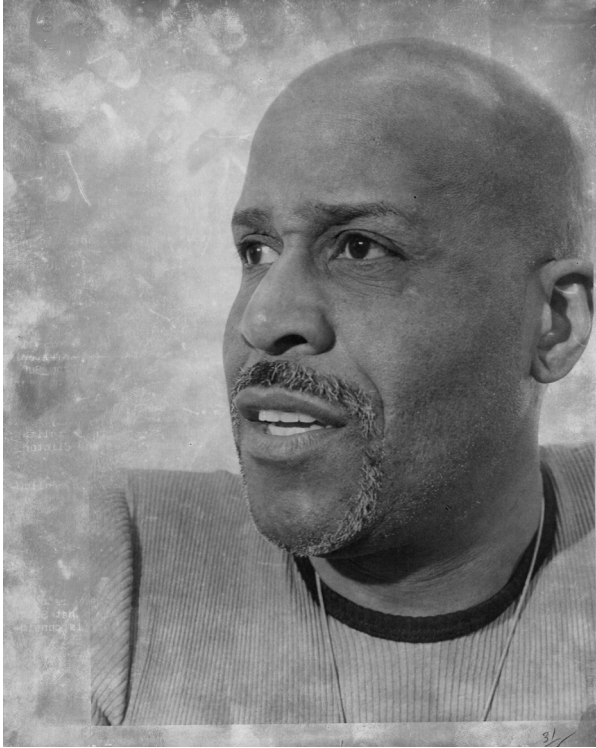
Her five children, ages 4 to 10, have been divided up and placed with several families.

Since the court's late-at-night warrant to search the Afro-Asian Bookstore hinged on information to the police that Williams now says was false, defense attorney's are expected to argue that the raid itself was illegal and that the assault charge consequently must fall.

Mrs. Robinson was a part-time assistant in the store. She had never been arrested previously.

Sostre, 47, is presently held in medium-security Wallkill, N.Y. State Prison where he turns out prodigious quantities of legal research and voluminous letters to his attorneys.





Martin Sostre (1923-2015) was a revolutionary anarchist and anti-imperialist political prisoner and jailhouse lawyer. He advocated for prisoners' rights to religious freedom, political expression, and due process regarding prison censorship and solitary confinement. He was also a teacher and mentor, as owner of the radical Pan-Africanist Afro Asian Book Shop in Buffalo, New York and a community organizer with the Juvenile Education and Awareness Project in Passaic, New Jersey.

Transcription by Cam Calisch

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