

Message from Sender:

My take on the sedition panel . . .

Conscience of juror offers guide to understanding sedition trial
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AMHERST - When I last saw Ray Levasseur 20 years ago, he was on trial for seditious conspiracy, wearing an orange jumpsuit and shackles, in a federal courtroom in Springfield.

A retracted invitation to speak at the University of Massachusetts library and then denial of permission from the U.S. Parole Commission to accept a second invitation had kept Levasseur from appearing on "The Great Western Massachusetts Sedition Trial" panel last week on campus.

I hadn't seen Barbara Hubbard for 20 years either.

Ms. Hubbard was one of the jurors whose responsibility it was to decide if Levasseur, his wife, Pat, and another member of the United Freedom Front were guilty, as the government claimed, of sedition - defined as advocacy to imminent lawless action with motive and likelihood.

Ms. Hubbard drove more than 12 hours to appear on the panel with jury forewoman Rochelle Calhoun, Pat Levasseur and five attorneys for the defense.

I remember seeing her when I sat in on the 10-month trial. I teach media law at UMass, and sedition is one of the topics covered in my class. I wanted to see what insight I could gain from observing.

Sedition, Supreme Court Justice Hugo Black once said, is "nothing more than a means to harass those on the wrong side politically," and history shows that the government used sedition legislation to silence its critics, most notably during World War I and the McCarthy era.

In more recent times, it is rare to see sedition prosecutions, with their emphasis on punishing people for what they were thinking and saying, as opposed to what they were actually doing.

There was no question that back in the day, Ray Levasseur had been doing some bad things, like bombing buildings, and the government already had successfully prosecuted him for his illegal action.

He was serving a 45-year prison sentence when the government decided to charge him and his co-defendants again, this time with sedition.

Levasseur was brought from a federal prison to a secure facility in Hartford, Conn., from which he and the other defendants were transported to the federal courthouse in Springfield each day under the tightest security.

Security also was tight for those like me attending the trial. We walked through metal detectors, found a seat and watched the jurors file into the jury box. There were more women than men and they seemed older than the average jury. Some wore sweatsuits and tennis shoes.

Who were these people, I wondered, who could give up 10 months of their lives to hear this case.

Ms. Hubbard was a remedial reading teacher, and one of about 700 people in the jury pool.

They filled out a 40-page questionnaire, and eventually 50 potential jurors were interviewed. She told the UMass audience that she'd warned her principal each time she made it through another round of elimination. After nine months, those few who would hear the case were chosen- and she was one of them.

"You can't be on that jury," she said her principal told her. "You're working with at-risk children!" And she had two boys of her own at home.

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Still, she and the other jurors gave up their personal and professional lives to a large extent to do their civic duty, to listen to hundreds of witnesses and consider 1,600 pieces of evidence in a trial that would cost the government \$10 million.

The proceedings moved slowly, and the courtroom was hot and oppressive. Unlike the jurors, I got to move around freely, hear snippets of interesting conversations in the elevator and see the T-shirts reading "Sedition is a thought crime: think about it." They, on the other hand, sat in the box, listening and carefully taking notes, day after day after day.

Ms. Hubbard talked about how seriously the jurors took their responsibility, how they never talked about the trial outside the jury room or saw any media coverage. "We read nothing," she said. "We couldn't watch the news or even Perry Mason."

She said she saw the Berlin Wall fall for the first time a few weeks ago on the 20th anniversary because the jury was sequestered for three and a half weeks and missed it the first time around.

Once arguments in the case concluded, Judge William Young instructed the jurors: "Do not do violence to your conscience." After due deliberation, they found all three defendants not guilty of sedition in November 1989.

In April 1990, I attended a speech by Pat Levasseur at Hampshire College. She talked about fighting to regain custody of her three daughters. I noticed that the second row of the auditorium was filled with people who obviously were not Hampshire students. They were older. They were applauding. Some wore sweat suits and tennis shoes.

It was the jury.

Ms. Hubbard and other jurors, after all those months in that highly charged atmosphere, had seen through the government's case and past the orange jumpsuits and the shackles.

That, to me, was the lesson of the Great Western Massachusetts Sedition Trial.

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