

Published on *Indian Country Today Media Network.com*
<http://indiancountrytodaymedianetwork.com>

[Home](#) > Obama Should Free AIM Activist Leonard Peltier

Obama Should Free AIM Activist Leonard Peltier

On October 31, Mexican president Enrique Peña Nieto utilized new presidential powers of pardon on the very day that they went into effect to free Mayan school teacher Alberto Patishtán Gómez. We hope that President Obama was paying attention. Patishtán had been imprisoned for 13 years following a trial riddled with irregularities and violations of his constitutional rights. Condemned to 60 years in prison for his ostensible participation in an ambush in which seven policemen were killed, his unjust imprisonment was denounced by Amnesty International and human rights organizations throughout Mexico and the world. His case is one of many in which the legal system served the interests of groups holding political power and demonstrates how structural racism continues to generate lack of access to justice for indigenous peoples, in Mexico and throughout the Americas.



This history of injustice has many parallels in a story from the United States: that of Leonard Peltier. The American Indian Movement (AIM) activist has been in prison for 36 years, convicted of killing two FBI agents in 1975. The incident and the many irregularities in the investigation and the legal case against Peltier are documented in the film “Incident at Oglala,” narrated by actor Robert Redford. Like Patishtán’s incarceration, the imprisonment of Peltier should be understood as part of an enduring history of colonialism in Native communities in the United States. The 1973 occupation of Wounded Knee (site of a historical massacre of Lakota people) marked the beginning of a three-year period of political violence on the Pine Ridge Reservation that was largely government generated. In the 1970s, the FBI carried out significant operations against organized American Indians through the COINTELPRO program. Documents later released show extensive surveillance, infiltration, and government participation in the generation of paramilitary violence on the Pine Ridge reservation in South Dakota. The paramilitaries, known as GOONS, killed more than 60 people, many of them elderly and children. No charges were ever filed.

It was in this context that Leonard Peltier and AIM activists came to be at Pine Ridge, invited by traditionalists terrified by the increasing violence. On June 26, 1975 two FBI agents in unmarked cars followed a pick-up truck onto the compound where a number of AIM families were camped. The families immediately became alarmed and feared a GOON attack. Shots were heard and a shoot-out erupted. More than 150 agents, GOONS, and law enforcement surrounded the ranch. Despite the fact that more than 40 people took part in the firefight, 3 were singled out: Bob Robideau, Darrell Butler and Leonard Peltier. In a trial that preceded Peltier’s, Robideau and Butler were found innocent based on self-defense, as the jury recognized that in this context of extreme violence they had rightly interpreted themselves to be at extreme risk. Apparently infuriated by their loss in this case, prosecutors went after Peltier with a vengeance. Like Alberto Patishtán, Leonard Peltier has been a victim of institutional racism and political manipulation of the legal system. His trial was riddled with irregularities and violations of his

constitutional rights. He was wrongfully extradited from Canada, key witnesses were suppressed, and witnesses that did testify against him later recanted and told of the terrible threats they were subject to. The context of extreme violence in which the incident took place was never presented at the trial, as it was in the cases of two others accused. During the 36 years since the trial, evidence of Peltier's innocence has continued to mount, leading organizations such as Amnesty International, as well as notable individuals such as Nobel peace prize winner Desmond Tutu, to declare him a political prisoner and call for his release.

While Patishtán's pardon did not bring him the recognition of innocence that he demanded, nor does it reform the structural conditions that facilitated the violation of his rights, Mexico's new law – and the willingness of Mexico's president to act on it - made ending his unjust detention possible. President Obama has always held the power to commute Peltier's sentence, through what is commonly known as a presidential pardon. As leader of a country that generally believes itself to be above the political manipulation of the legal system and the holding of political prisoners, Obama might take a lesson from the Mexican president and free a man who has been unjustly imprisoned for most of his adult life. Peltier recently turned 69, and suffers from high blood pressure and diabetes, as well as a debilitating jaw disease. His continued imprisonment is an injustice that represents, for Native Americans, many centuries of injustices perpetrated against them. President Obama should act immediately to free Leonard Peltier. As his campaign slogan stated, "Yes we can."

Dr. Shannon Speed (Chickasaw) is an Associate Professor of Anthropology and Director of Native American and Indigenous Studies (NAIS) at the University of Texas at Austin. She has worked for the last two decades in Mexico with Mayan communities, and her research and teaching interests include indigenous politics, indigenous women's rights, human rights, indigenous-state relations, law and social systems, indigenous migration, and activist research. She has published five books and edited volumes, including Rights in Rebellion: Human Rights and Indigenous Struggle in Chiapas; Human Rights in the Maya Region: Global Politics, Moral Engagements, and Cultural Contentions; and Dissident Women: Gender and Cultural Politics in Chiapas. Her current research is on indigenous Latin American women migrants and gender violence. She was recently honored as the Chickasaw Nation Dynamic Woman of the Year.

Rosalva Aída Hernández Castillo is Professor and Senior Researcher at CIESAS, the Center for Research and Advanced Studies in Social Anthropology in Mexico City. She earned her doctorate in anthropology from Stanford University in 1996. She is currently a fellow in the Center of Latin American Studies at the University of Cambridge and this year recipient of the Simon Bolívar Chair (2013). Her research interests include indigenous studies, legal and political anthropology, postcolonial feminisms and activist research. She is the author of Histories and Stories from Chiapas: Border Identities in Southern Mexico (UT Press 2001), Sur Profundo. Identidades Indígenas en la Frontera Chiapas-Guatemala (CDI-CIESAS 2012), and is co-editor of Justicias Indígenas y Estado Violencias Contemporáneas (FLACSO-CIESAS 2013), Dissident Women. Gender and Cultural Politics in Chiapas (UT Press 2006), El Estado y los indígenas en tiempos del PAN: neoindigenismo, identidad y legalidad (Porrúa 2004), Mayan Lives, Mayan Utopias: the Indigenous Peoples of Chiapas and the Zapatista Rebellion (Rowman & Littlefield 2003), and The Other Word: Women and Violence in Chiapas Before and After Acteal (IWGIA 2001).

Full name:

Shannon Speed & Rosalva Aída Hernández Castillo

Source URL: <http://indiancountrytodaymedianetwork.com/2013/12/09/obama-should-free-aim-activist-leonard-peltier>