

A PATRIOT SPEAKS UP

Friday, February 20, 1970, Robert DePugh, founder of the Minutemen and the Patriotic Party, stood before Judge Collinson in Federal Court, Kansas City, Missouri, and was sentenced to four years in prison. The charge was "bond jumping". Mr. DePugh had failed to appear for trial on a firearms charge. He did not receive the notice of the trial. He did not know the date it was to be held.

He had not been notified of the time of sentencing. By inquiry, his parents learned it was to be the next morning. They hurried to Leavenworth to tell him. He is now in Leavenworth prison, unjustly serving a one-year term, as the result of a groundless indictment which was dismissed.

He stood before the Judge the following morning. After preliminary statements by the attorneys, the Judge asked Mr. DePugh if he wished to say something in his own behalf before the sentencing. Mr. DePugh answered, "Yes, Your Honor." While he spoke there was a hush in the room, such that the drop of a pin could have been heard. People leaned forward in rapt attention to hear every word. Tears welled in the eyes of the listeners and streamed down the cheeks of strong mature men. Even those of the opposition were motionless with downcast eyes.

The following is what Bob said to the Court:

"Yes, Your Honor, I would like just a few minutes to mention some things of which the court may not be aware but which may weigh in my favor. At the same time and with equal candor I will mention some things that may weigh against me.

"I am forty-six years old. For the first forty-one years of my life I was a completely law abiding citizen.

"When I worked for others, I gave an honest day's work for each day's pay. When other men worked for me, I gave an honest day's pay for each day's work. I tried to be a good husband, a good father and a good neighbor. I have been given honorary membership in several scientific societies. More than 100 new medical products have resulted from my own work as a research chemist. Many of these products are in use today to help save lives and relieve pain. In this small way at least, I have the personal satisfaction of knowing that the world is a little better place for my having been here.

"Even today, those who know me best will confirm that few people set for themselves as rigid a code of personal conduct as the prisoner who stands before you. My personal code of conduct does not permit me to use profanity, or to drink or even smoke. My personal code of conduct does not permit me to gossip about other people's affairs or to hurt another person's feelings by sarcasm or innuendo. My personal code of conduct does not permit me to make myself look good at another person's expense.

"During the past five years, I have been repeatedly accused of crimes I did not commit. As a private citizen I have been forced to marshal my limited resources, financial and psychological, over and over again to defend myself against the awesome power of State and Federal Governments, and the cost has been high--higher than you can ever know.

"Now, Your Honor, for the other side of the coin. I stand before the Court tried and found guilty. At this point it is no doubt traditional for the prisoner to offer some expression of repentance, but in all sincerity, I cannot do so. To make matters worse, I cannot, in good conscience, give the court the slightest assurance that I will ever change my ways.

"It may be of little importance but I would like to say this: I have never broken the law wantonly. I have never done anything that I thought was morally wrong or anything that actually hurt my fellowman.

"Of course, the government's position must be that the individual citizen cannot decide for himself which laws he thinks are right and which laws he thinks are wrong. Every government that has ever existed has told its citizens the same thing. At first impression this seems reasonable enough. Its usually not too difficult to obey the law. In fact, its very easy--easy that is for those who have no great convictions.

"Such a man will attend to his own affairs. He will 'keep his nose clean'. He will stay out of trouble. He will obey the law.

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"They obeyed the law, Your Honor, and stood aside while Jesus was nailed to the cross.

"They obeyed the law, Your Honor, while their fellowmen were sold into slavery, and pocketed their share of the profit.

"They obeyed the law, Your Honor, and turned their Jewish neighbors in so they could be legally and lawfully transported to the gas chambers.

"In Cuba today, it is the most law abiding wife who turns her husband in to the police for an insulting remark about Castro.

"In North Vietnam today it is the law abiding citizen who takes part in the public execution of American prisoners of war.

"But for the man who has strong beliefs regarding the basic principles of right and wrong, the path is not always so clear--and he has few precedents to guide him.

"The government would naturally argue that there is a great difference between our laws and the laws of Nazi German or North Vietnam. . . and every government prosecutor in the Soviet Union will say the same thing.

"It is ironic perhaps, that in this nation of all nations, in a nation born of revolution that the man of strong principle faces problems that are most complex. Has the prisoner before you now committed any crime that was not committed by John Hancock, Benjamin Franklin, Thomas Jefferson, Ceasar Rodney and all the other American patriots who signed the Declaration of Independence? Did they too not break the law? Did they too not become fugitives from justice?

"What would have happened to these men if the Colonies had lost the Revolutionary War? There would be no Constitution; there would be no Congress and the laws I am accused of breaking would not even exist.

"Naturally, the government will say, 'That's all well and good but now we have our Constitution and Congress and laws and they must all be obeyed. But must they really? Are we a people so vain as to think we have achieved perfection? Are we a nation so egotistical as to think the future cannot improve upon the past?

"The best of all we have today--of what we call Western Civilization was given us by men who broke the law. Think of Galileo sitting in prison for teaching that the earth revolves around the sun. Lister, Harvey and many other physicians broke the laws of their day to conduct the medical research for which we are now so thankful. Every person who is ever bitten by a rabid animal can thank his lucky stars that Louis Pasteur broke the law flagrantly while doing the research that makes the Pasteur treatment possible.

"It is in the field of law itself that laws have most often been broken. The Magna Carta was not given to the people of England as the gratuity of a generous monarch. It was fought for by men who broke the law to create better laws. How many heads rolled from the guillotine to bring a new set of laws to France? The laws of this nation and every other nation are written in blood.

"Of all my family--grandparents, parents, wife, brother, children, aunts, uncles, cousins, nephews and nieces, I am the only one that has ever been convicted of a felony. Criminal behaviour does not run in our family. If I am a criminal I must be of a very special kind. My family knows me well, and of them all, I know of none that would not be proud to stand here in my place and accept the sentence of this court upon their shoulders.

If I had been tried as a revolutionary, then I would have pled guilty for such behavior does run in our family. Many months before the Battle of Lexington and Concord one of my ancestors was executed by the British for revolutionary activity.

"Yes, he broke the law--but if he had not broken the law, this Court would not sit today.

"It is said of the revolutionary, that while he still fights he is never shown mercy; if he wins he is seldom thanked and if he loses he is never forgiven. I do not ask for thanks, forgiveness or mercy.

"I would appreciate justice. But if I am not given justice, then I will accept injustice, and I will fashion even that into a weapon to continue the fight for principle, for pride, for honor. I will never give up."