

One of America's most historic political trials is undoubtedly that of Angela Davis. Opening with a letter from James Baldwin to Davis, and including contributions from numerous radicals such as Black Panthers George Jackson, Huey P. Newton, Bobby Seale and Erica Huggins, this book is not only an account of Davis's incarceration and the struggles surrounding it, but also perhaps the most comprehensive and thorough analysis of the prison system of the United State.

Since the book was written, the carceral system in the US has seen unprecedented growth, with more of America's black population behind bars than ever before. The scathing analysis of the role of prison and the policing of black populations offered by Davis and her comrades in this astonishing volume remains as pertinent today as the day it was first published.

'Angela Davis taught me that I did not have to tolerate the racism I was suffering in the playground ... It was in this book that I first came across the word "solidarity"'

—Benjamin Zephaniah

'Davis's arguments for justice are formidable ... The power of her historical insights and the sweetness of her dream cannot be denied'

—*New York Times*

Angela Y. Davis is a political activist, scholar, author, and speaker. She is the author of numerous books, including *Women, Race, and Class* and *Are Prisons Obsolete?* She is Distinguished Professor Emerita at the University of California, Santa Cruz.

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# Edited by Angela Y. Davis If They Come in the Morning... *Voices of Resistance*

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*Angela Y. Davis*

*and*

*George Jackson    Bobby Seale*  
*Ruchell Magee    James Baldwin*  
*Fleeta Drumgo    John Clutchette*  
*Julian Bond      Huey P. Newton*  
*Erika Huggins    Bettina Aptheker*

*and others*

*raise impassioned voices in defense of the American political prisoner. Many speak from brutal, firsthand experience at the hands of a judicial and penal system that does not hear—or will not listen. Others, as leaders in the struggle to alter—or overturn—that system. Together, they have produced an explosive document that is truly of and for our time.*

# *If They Come in the Morning*

**VOICES OF RESISTANCE**

*Angela Y. Davis*

**Ruchell Magee, the Soledad Brothers  
and Other Political Prisoners**

*With a Foreword by Julian Bond*

This book was edited and prepared for publication by Angela Y. Davis, Bettina Aptheker and other members of the National United Committee to Free Angela Davis and All Political Prisoners.



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To all who have fallen in the liberation struggle—Jonathan Jackson, William Christmas, James McClain, Jon Huggins, Bunchy Carter, lil' Bobby Hut-ton, Fred Hampton, Mark Clark, Sam Napier . . . They must live again through us and our struggles. Through our children and our unborn, they must enjoy the rewards of victory—a victory towards which they have already made infinite contributions.

Now also for George, who fiercely resisted to the very end. Under a hail of enemy fire, he fell August 21, 1971, at San Quentin prison. His love for his oppressed kin was unbounded, his revolutionary dedication unconditional, and his contributions to our struggle incalculable. Though his keepers sought to destroy him, George lives on, an example and inspiration for us all.

August, 1971

Angela Y. Davis

Some of us, white and black, know how great a price has already been paid to bring into existence a new consciousness, a new people, an unprecedented nation. If we know, and do nothing, we are worse than the murderers hired in our name.

If we know, then we must fight for your life as though it were our own—which it is—and render impassable with our bodies the corridor to the gas chamber. For, if they take you in the morning, they will be coming for us that night.

JAMES BALDWIN

from *An Open Letter to My Sister, Angela Y. Davis*

## The Social Functions of the Prisons in the United States

by Bettina Aptheker

Officially it is maintained that there are no prisons in the United States. There is a Department of Corrections, and there are "correctional facilities" equipped with "educational programs," "vocational training" and the necessary "psychiatric therapy." There are also no prisoners in the United States; there are only "inmates." There are most certainly no *political* prisoners in the United States; only "terrorists" and those who "perpetrate criminal violence"—which is known in the international arena as "criminal communist aggression."

The semantic somersaults of the prison and State bureaucracy serve a calculated and specific ideological function. Once we penetrate this linguistic shield we have the key to understanding the social and political functions of the prison system.

The dominant theoretical assumption among social and behavioral scientists in the United States today is that the social order is functionally stable and fundamentally just.

This is a very basic premise because it means that the theory *must* then assume the moral depravity of the prisoner. There can be no other logical explanation for his incarceration. It is precisely this alleged depravity that legitimates custody. As George Jackson put it: "The textbooks on criminology like to advance the idea that the prisoners are mentally defective. There is only the merest

suggestion that the system itself is at fault . . . .”<sup>\*\*</sup> Indeed, the assistant warden at San Quentin, who is by profession a clinical psychologist, tells us in a recent interview that prisoners suffer from “retarded emotional growth.” The warden continues: “The first goal of the prison is to isolate people the community doesn’t want at large. Safe confinement is the goal. The second obligation is a reasonably good housekeeping job, the old humanitarian treatment concept.”<sup>\*\*\*</sup> That is, once the prisoner is adequately confined and isolated, he may be treated for his emotional and psychological maladies—which he is assumed to suffer by virtue of the fact that he is a prisoner. We have a completely circular method of reasoning. It is a closed-circuit system from which there is no apparent escape.

The alleged criminal characteristics of the prisoner must, in accord with this logical sequence, arise from *within* the prisoner himself—the prisoner is “crime-prone” like some people are supposed to be “accident-prone.” In the nineteenth century, leading theorists put forth the idea that the criminal had certain *physical* characteristics which shaped his destiny of crime, e.g. slanted eyes and a broad forehead. The alleged depravity and criminality of the poor—because they are poor—is an even older theme in class society, e.g. the ancient idea of the “dangerous poor”; and the oft-repeated phrase of the Founding Fathers, “the rich, the wellborn and [therefore] the able.” Now our leading penologists and criminologists are much more subtle and sophisticated. They have a veneer of humanitarian instinct but it quickly falls away revealing the racist, anti-human core.

Now, it is argued, the criminal may look like anybody else; but he has acquired certain *psychological* characteristics which dictate his pattern of criminal behavior. To “unacquire” these characteristics a leading behavioral scientist, James V. McConnell, explains that: “We have but two means of educating people or rats or flatworms—we can either reward them or punish them . . . .”<sup>\*\*\*</sup> The treatment for what McConnell calls “brainwashing the criminals” to ultimately restructure their entire person-

\*George Jackson, *Soledad Brother*, Bantam Books, New York, 1970, p. 29.

\*\*See the especially good article by Jessica Mitford, “Kind and Usual Punishment: The California Prisons,” *The Atlantic Monthly*, March 1971.

\*\*\*James V. McConnell, “Brainwashing the Criminals,” *Psychology Today*, April 1970, Vol. 3, No. 11.

ality is an alternating sequence of reward and punishment (including especially so-called Shock Treatment) until the prisoner has “learned” what the society defines as non-criminal behavior.

The source of criminality then is psychological rather than social. The solution to the problem is obvious: quarantine the afflicted individuals; then subject them to treatment. Hence we have *correctional* facilities rather than prisons; and we have *inmates* (as in any asylum for the insane) rather than prisoners.

As Herbert Marcuse has so aptly described it: “The language of the prevailing Law and Order, validated by the courts and by the police, is not only the voice but also the deed of suppression. This language not only defines and condemns the Enemy, it also *creates* him; and this creation is not the Enemy as he really is but rather as he must be in order to perform his function for the Establishment . . . .”<sup>\*\*</sup>

In this instance the Enemy is the criminal or the prisoner. The single most important thing to understand in all of this is that the behavioralist view of the criminal has *nothing to do with breaking the law*. Let us explain this with some well-known statistics.<sup>\*\*</sup>

First, it is a matter of common knowledge that only a small number of law violations is detected and reported. Further, even of reported violations only a small percentage actually result in police investigations and arrest.

Second, 90 per cent of all criminal defendants in the United States today *plead guilty without a trial* because they cannot afford a lawyer, and hope for judicial leniency.

Third, 52 per cent of all people in county and city jails have not been convicted of any crime; they simply cannot afford bail. Many will spend months and even years in jail, awaiting trial.

Fourth, between 30–50 per cent of the prisoners in various cities and states are Black and Brown, while Black people, for example, constitute about 15 per cent of the total population. In the State prisons in California there are 28,000 prisoners, 45 per cent of whom are classified as “non-white.”

It should be perfectly clear that thousands upon thousands of people are being treated as criminals for no reason other than their race or color.

\*Herbert Marcuse, *Essay on Liberation*, Beacon Press, Boston, 1970, p. 74.

\*\**Time* magazine, “U.S. Prisons: Schools for Crime,” January 18, 1971.

sands of people presently in jail and prison have broken no laws whatsoever.

The conclusion from all of this is apparent. Professor Theodore Sarbin of the University of California criminology department put it very well: "... membership in the class of people known as 'law-breakers' is *not* distributed according to economic or social status, but membership in the class 'criminals' is distributed according to social or economic status . . . ."\*

Example: the ten executives of the General Electric Company convicted in 1961 of price-fixing involving tens of millions of dollars are law-breakers, and some of them actually served some months in prison. Still, the society does not consider them criminals.

By way of contrast, a Chicano or Black youth alleged to have stolen ten dollars from a grocery store is not only considered a criminal by the society, but this assumption allows the police to act with impunity. They may shoot him down in the street. Chances are it will be ruled justifiable homicide in a coroner's inquest.

What then is the political function of the criminal and the prisoner as they are created and described by the bourgeois penologists and criminologists?

Consider penology as one aspect of the theory and practice of containment on the domestic front; that is, consider penology as the confinement and treatment of people who are *actually* or *potentially* disruptive of the social system.

In an increasing number of ways the entire judicial and penal system involving the police, the courts, the prisons and the parole boards has become a mechanism through which the ruling powers seek to maintain their physical and psychological control, or the threat of control, over millions of working people, especially young people, and most especially Black and Brown young people. The spectre of the prisons, the behavioral psychologists, the Adult Authority, the judicial treadmill, haunts the community.

Examine for a moment the operations of the Adult Authority. In California roughly 97 per cent of the male prisoners are eventually released from prison—all of them via parole. A man is sentenced to a term in prison. In addition to whatever time he actually serves in prison, he

\*Theodore R. Sarbin, "The Myth of the Criminal Type," Monday Evening Papers #18, Center for Advanced Studies, Wesleyan University, 1969.

is released on parole for five, even ten or more years. The conditions of his parole are appalling. For example, he can be stopped and searched at any time; his house can be entered without a warrant; he needs the permission of his parole officer to borrow money, to marry, to drive a car, to change his job, to leave the county, and so forth. If parole is revoked the prisoner is returned to custody without trial to complete his full sentence. Members of the Adult Authority are appointed by the Governor. They are answerable to no one. This, combined with California law which allows "indeterminate sentences" for felony convictions, e.g. one year to life imprisonment, gives the parole board incredible powers.

This entire complex is a system of tyranny under which an ever-increasing number of working people—again especially Black and Brown people—are forced to live. As such, it is a prelude to fascism. Indeed, Professor Herbert Packer of the Stanford Law School is exactly right in his conclusion that "... the inevitable end of the behavioral view is preventive detention . . . ."

For once you accept the behaviorist view of the criminal as morally depraved or mentally defective it is perfectly logical to preventively detain *all* persons who manifest such tendencies and are therefore *potential* criminals. Thus, in April 1970 a leading physician and close associate of President Nixon proposed that the government begin the mass testing of 6- to 8-year-old children to determine if they have criminal-behavior tendencies. He then suggested "treatment camps" for the severely disturbed child and the young hard-core criminal.

Even more consequential in terms of their potential political impact are the proposals of Edward C. Banfield, a professor of Urban Government at Harvard, and the chairman of President Nixon's task force on the Model Cities Program. Professor Banfield has recently written a book entitled: *The Unheavenly City: The Nature and Future of Our Urban Crisis*. Banfield's analysis of the urban crisis exactly coincides with the behaviorists' view of the criminal. That is, the cause of the urban crisis lies with the existence of what Banfield calls the "lower classes" who are poverty-prone. These lower classes are of course working people, and Black and Brown people in particular. They are, Banfield would have us believe, morally depraved

\*Herbert L. Packer, "Crimes of Progress," *New York Review of Books*, October 23, 1969.



and mentally defective. For example, Banfield describes people of the lower classes (quoting from different passages in his book) as: "feeble . . . suspicious and hostile, aggressive yet dependent . . . no attachment to community, neighbors or friends . . . lives in the slum and sees little or no reason to complain . . . does not care how dirty and dilapidated his housing is . . . nor does he mind the inadequacy of such public facilities as schools, parks and libraries . . . features that make the slum repellent to others actually please him . . . prefers near-destitution, without work to abundance with it . . . the morality of lower-class culture is pre-conventional, which means that the individual's actions are influenced not by conscience but only by a sense of what he can get away with. . . ."

Banfield's description of the lower class is in fact a description of the criminal. And it is precisely at this moment when the description of the lower class and the description of the criminal coincide that we have a central aspect of the ideological basis for fascism and genocide. This is exactly Banfield's program.

Summarizing the most salient points in Banfield's program we find these proposals: that the government avoid all rhetoric holding out high expectations for resolving the urban crisis or any of its aspects; that it try to reduce unemployment by eliminating all minimum-wage laws and by repealing all laws which give trade unions "monopolistic powers," e.g. the closed shop; that the government abolish all child labor laws and cut compulsory education from 12 to 9 years; that it change poverty definitions from those which encompass relative standards of living to a "fixed standard" and that it encourage or require all persons who fall into this fixed poverty standard to live in an institution or semi-institution; that the government institute vigorous birth control measures for the incompetent poor and send their children to public nurseries; that the government intensify police control and specifically permit the police to 'stop and frisk' and to make misdemeanor arrests on probable cause; that the government speed-up trials and the punishment process; and that the government "abridge to an appropriate degree the freedom of those who in the

\*Edward C. Banfield, *The Unheavenly City: The Nature and Future of Our Urban Crisis*, Little, Brown, Boston, 1970, pp. 53, 62, 112, 122, 163 and 211, respectively. See the review/essay of this book by Herbert Aptheker, "Banfield: The Nixon Model Planner," *Political Affairs*, December 1970.

opinion of a court are extremely likely to commit violent crimes . . . ."

This is a fascist program. It is a genocidal program. Aspects of it are already to be found in Nixon's Organized Crime Control Bill signed into law in October (1970). For example, this bill provides for a special category of 'criminals' known as "special dangerous offenders." Such a person is defined, in part, as an offender who has been convicted of two or more offenses of a kind punishable by death or imprisonment for one year, one of which offenses occurred within the past five years and for one of which he has been imprisoned. As the *New Republic's* columnist, TRB, noted: "That's a curious juxtaposition—'punishable by death or imprisonment for more than one year.' Quite a range, eh?" The "special dangerous offender" can be imprisoned for 20 years at the discretion of the judge, regardless of the prescribed punishment for the original offense for which he was brought to trial.

Here then lies the final significance of a mass political movement to expose the prisons and free the prisoners. The issue is not only reform, but also to mount a struggle to abolish the present functions and foundations of the prison system, an effort which can finally succeed only with the abolition of capitalism. For, as Engels observed more than a century ago, the prison system under capitalism is overwhelmingly a repressive institution, an appendage of its state apparatus employed to maintain exploitative and oppressive social conditions. Of course, what reforms can be won in day-to-day battle on the legal and political front will be important concessions. But the point is to attack the whole foundation—all the assumptions—involved in maintaining a rehabilitative prison system which must assume the moral and mental defectiveness of its victims, in the midst of a morally bankrupt, racist, defective and generally deteriorating social order. To do this now is to launch a front-line offense against the increasingly fascist thrust of the present administrations in Washington and Sacramento.\* For the movement to abolish the present functions of the prison system attacks a basic ideological pillar of fascism at its root.

It is on the basis of these realities that we in the radical and revolutionary movements must broaden and develop

\**Ibid.*, pp. 245-246.

\*See Susan Castro, "Line of Defense Against Fascism," *People's World*, June 1970, p. 10.

our concept of the political prisoner. For the prison system and its various appendages such as the Adult Authority is increasingly used as a political instrument of mass intimidation, subversion, manipulation and terror against working people and the Black and Brown communities, as a whole.

In this regard we may consider four groupings of prisoners who are prisoners by virtue of their political views and activities or are specially victimized on the basis of class, racial and national oppression. First, of course, there are those who become effective political leaders in their communities, and therefore become the victims of politically inspired police frame-ups. They are not imprisoned for any violations of law; but for their political beliefs. Such political prisoners include Bobby Seale, Ericka Huggins, Reies Tijerina and Angela Davis. There is a second, though similar category of political prisoner; that is, those who have committed various acts of civil disobedience, or refused, for example, to be inducted into the Armed Forces. They are in technical violation of various laws; but their violations were clearly political acts, and they are political prisoners. Such political prisoners include the Berrigan Brothers, and many thousands of draft resisters. Moreover, there are many in the liberation movements who engage in specific acts of resistance or armed self-defense—both within and outside the prisons—which may constitute violations of law. These actions are politically conceived and engendered by the overt acts of brutality, terror and suppression inside the prisons, and in the ghettos and barrios.

Third, there are many thousands of originally non-political people who are the victims of class, racial and national oppression. Arrested for an assortment of alleged crimes, and lacking adequate legal or political redress they are imprisoned for long years, in violation of fundamental civil and human rights though they are innocent of any crime.

Finally there are many in prison who have committed various offenses, but who, in the course of their imprisonment, and due to the social conditions they experience, begin to develop a political consciousness. As soon as they give expression to their political views they become victims of politically inspired actions against them by the prison administration and the parole boards. They too may become victims of politically inspired frame-ups within the prison. There are today many who were either never guilty

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of any crime at all, or were guilty of some offense, and later developed a political consciousness. These include the Soledad Brothers, Ruchell Magee, and the Folsom Strikers.

The intensification of the oppressive functions of the prison system and the emergence of the liberation movements on a new level in the Sixties create the basis for a change in the political consciousness of people in the communities. More and more people have begun to understand the practical consequences of the prison-police-judicial apparatus. It is this fact which now offers us new opportunities to secure greater and greater mass opposition to the frame-ups and jailings of all political prisoners.

Further, it is precisely this intensification of the socially oppressive function of the prison system, and the stunning rise of the liberation movements, that creates the basis for a political consciousness among the prisoners as a whole leading to individual acts of resistance and other forms of struggle, including mass political work stoppages by the prisoners and temporarily taking over prison facilities. The greatest achievement of this movement is its growing awareness of the class nature of the prison system. In this way it has been able to unite Black, Brown and white prisoners around specific demands such as we saw in the magnificent Manifesto of the Folsom Prisoners.

The development of a mass movement to free all political prisoners represents the emergence of another front—another aspect—of the growing coalition of all oppressed and exploited peoples against capitalist rule.

If we begin to grapple with some of these developments; if we begin to see the relationship between the prison system and fascist ideology and program; if we begin to see that we must develop our concept of the political prisoner; and if we begin to see the relationship between containment at home and counterinsurgency and aggression abroad—then, we will have opened up whole new avenues for legal and political defense involving many thousands of people which will, in fact, constitute an important part of a peoples' offensive against the Nixon-Reagan-Agnew axis.

Seize the Time!

the Black community, their vehement defense of the rights of their people inevitably engendered violent, hysterical reactions in the police force and in government.

On October 28, 1967, a policeman radioed to his headquarters that he was following a "Panther car." Shortly afterwards Brother Huey had been shot four times in the stomach. One cop was dead, another wounded. Huey P. Newton was charged with murder.

The Black Panther Party spearheaded a nationwide Free Huey campaign, as they continued to increase in size and influence. The impact of this movement, coupled with Brother Huey's manifest innocence, resulted in his acquittal on the murder charges, but, in what was clearly a political compromise, he was convicted of manslaughter and sentenced from 2 to 15 years in prison. Governor Reagan had made no secret of his attitude toward the Panthers.

As the Free Huey movement continued to gain support, the courts could no longer blatantly disregard the interests of justice and the demands of the people. In the summer of 1970, Brother Huey's conviction was reversed on an appeal, and he was released on bail pending the outcome of a new trial.

Temporarily free after almost three years' imprisonment, Brother Huey's first remarks expressed a renewed commitment on his behalf and on behalf of his party to energetically struggle for the liberation of all political prisoners.

*The following article was written in captivity.*

When a person studies mathematics, he learns that there are many mathematical laws which determine the approach he must take to solving the problems presented to him. In the study of geometry, one of the first laws a person learns is that "the whole is not greater than the sum of its parts." This means simply that one cannot have a geometrical figure such as a circle or a square which in its totality, contains more than it does when broken down into smaller parts. Therefore, if all the smaller parts add up to a certain amount, the entire figure cannot add up to a larger amount. The prison cannot have a victory over the prisoner, because those in charge take the same kind of approach and assume if they have the whole body in a cell that they have there all that makes up the person. But a prisoner is not a geometrical figure, and an approach which is successful in mathematics, is wholly unsuccessful when dealing with human beings.

## 4

### Prison, Where Is Thy Victory?

by Huey P. Newton

For Black youth throughout the United States, Huey P. Newton, the Minister of Defense of the Black Panther Party, is a radiant leader, a bold fighter, a hero and a genuine brother. They identify with the battle he has fought against the forces of racism and reaction. They identify with this principled revolutionary struggle against a system which ineluctably spells misery and destitution for the mass of Black people.

Very early, the Black Panther Party played a decisive part in unleashing the new tide of Black militancy. In the Fall of 1966, Brother Huey, together with Brother Bobby Seale and Brother Bobby Hutton (later assassinated by Oakland policemen) established the groundwork for the Party. After formulating a basic 10-point program for the Black Liberation struggle (calling for full employment, housing, education, the cessation of police hostilities, and an end to the railroading of Black men and women into jails and prisons), they began to take action. Their first step was an attempt to deal with one of the most immediate and most injurious symptoms of oppression—police brutality.

Armed with lawbooks, rifles, shotguns and pistols, they patrolled Oakland's Black community, monitoring the police, observing arrests and informing brothers and sisters of their rights. Their vigilance produced a marked decrease in police harassment and brutality. Black people in Oakland, California, were impressed.

The increasing influence of the Black Panther Party in

In the case of the human, we are not dealing only with the single individual, we are also dealing with the ideas and beliefs which have motivated him and which sustain him, even when his body is confined. In the case of humanity the whole is much greater than its parts, because the whole includes the body which is measurable and confutable, and also the ideas which cannot be measured and which cannot be confined. The ideas are not only within the mind of the prisoner where they cannot be seen nor controlled, the ideas are also within the mind of the people. The ideas which can and will sustain our movement for total freedom and dignity of the people cannot be imprisoned, for they are to be found in the people, all the people, wherever they are. As long as the people live by the ideas of freedom and dignity there will be no prison which can hold our movement down. Ideas move from one person to another in the association of brothers and sisters who recognize that a most evil system of capitalism has set us against each other, when our real enemy is the exploiter who profits from our poverty. When we realize such an idea then we come to love and appreciate our brothers and sisters who we may have seen as enemies, and those exploiters who we may have seen as friends are revealed for what they truly are to all oppressed people. The people are the idea, the respect and dignity of the people, as they move toward their freedom, is the sustaining force which reaches into and out of the prison. The walls, the bars, the guns and the guards can never encircle or hold down the idea of the people. And the people must always carry forward the idea which is their dignity and their beauty.

The prison operates with the idea that when it has a person's body it has his entire being—since the whole cannot be greater than the sum of its parts. They put the body in a cell, and seem to get some sense of relief and security from that fact. The idea of prison victory then, is that when the person in jail begins to act, think, and believe the way they want him to, then they have won the battle and the person is then "rehabilitated." But this cannot be the case, because those who operate the prisons have failed to examine their own beliefs thoroughly, and they fail to understand the types of people they attempt to control. Therefore, even when the prison thinks it has won the victory, there is no victory.

There are two types of prisoners. The largest number are those who accept the legitimacy of the assumptions upon which the society is based. They wish to acquire the same

goals as everybody else, money, power, greed, and conspicuous consumption. In order to do so, however, they adopt techniques and methods which the society has defined as illegitimate. When this is discovered such people are put in jail. They may be called "illegitimate capitalists" since their aim is to acquire everything this capitalistic society defines as legitimate. The second type of prisoner, is the one who rejects the legitimacy of the assumptions upon which the society is based. He argues that the people at the bottom of the society are exploited for the profit and advantage of those at the top. Thus, the oppressed exist, and will always be used to maintain the privileged status of the exploiters. There is no sacredness, there is no dignity in either exploiting or being exploited. Although this system may make the society function at a high level of technological efficiency, it is an illegitimate system, since it rests upon the suffering of humans who are as worthy and as dignified as those who do not suffer. Thus, the second type of prisoner says that the society is corrupt and illegitimate and must be overthrown. This second type of prisoner is the political prisoner. They do not accept the legitimacy of the society and cannot participate in its corrupting exploitation, whether they are in the prison or on the block.

The prison cannot gain a victory over either type of prisoner no matter how hard it tries. The "illegitimate capitalist" recognizes that if he plays the game the prison wants him to play, he will have his time reduced and be released to continue his activities. Therefore, he is willing to go through the prison programs and do the things the prison authorities want to hear. The prison assumes he is "rehabilitated" and ready for the society. The prisoner has really played the prison's game so that he can be released to resume pursuit of his capitalistic goals. There is no victory, for the prisoner from the get-go accepted the idea of the society. He pretends to accept the idea of the prison as a part of the game he has always played.

The prison cannot gain a victory over the political prisoner because he has nothing to be rehabilitated from or to. He refuses to accept the legitimacy of the system and refuses to participate. To participate is to admit that the society is legitimate because of its exploitation of the oppressed. This is the idea which the political prisoner does not accept, this is the idea for which he has been imprisoned, and this is the reason why he cannot cooperate with the system. The political prisoner will, in fact, serve

his time just as will the "illegitimate capitalist." Yet the idea which motivated and sustained the political prisoner rests in the people; all the prison has, is a body.

The dignity and beauty of man rests in the human spirit which makes him more than simply a physical being. This spirit must never be suppressed for exploitation by others. As long as the people recognize the beauty of their human spirits and move against suppression and exploitation, they will be carrying out one of the most beautiful ideas of all time. Because the human whole is much greater than the sum of its parts. The ideas will always be among the people. The prison cannot be victorious because walls, bars and guards cannot conquer or hold down an idea.

## 5

### Prisoners in Rebellion

*Prisoners from New York to California, in city jails and state and federal penitentiaries, have organized massive protests against the inhuman and brutal conditions of their existence. The single greatest achievement of their collective resistance has been the growing unity of Black, Brown and White prisoners, for the fomenting of racial hatreds by the prison authorities has been the main bulwark of the uncurbed terror.*

*The formation of a chapter of the Black Panther Party inside San Quentin, of a Chicano prisoners' organization, also at San Quentin, of prisoners' unions at the Men's Colony in San Luis Obispo and Folsom Prison in California, attest to the politicalization of thousands of prisoners. Indeed, during all of the rebellions across the country, the prisoners have indicated that their oppression is not simply a matter of overcrowded prisons, filthy conditions and guard brutality; but that it is centered in the institutionalized racism and class discrimination of the judicial system itself. Behind their concrete demands for relief there is a radical political consciousness.*

*The solitary confinement of prisoners for months and even years, often generates a tendency toward individual acts of resistance. However, mass, collective, organized rebellions are also now much in evidence, and the attempted rescue by Jonathan Jackson of three Black prisoners from the Marin County Court House on August 7, 1970—while involving only a few individuals—had a dramatic impact on this mass movement inside the prisons.*

*A rebellion at Long Island City Prison in New York touched off a five-day, city-wide revolt from October 1 through October 6, 1970. Over 2,000 prisoners took part in the uprisings, which were finally crushed by police acting on the authority of the Mayor, John Lindsay, who*

volvement in the struggle, as we have seen, grew out of the deep roots cast in the bloodstained earth of her Southern childhood, her experience of alienation as a token Black in an all-white university, the small, everyday indignities of being a Black woman in racist America; they are the result of her constant and continual resistance to injustice and inequality; her search for solutions to our problems of racism, exploitation, repression; her refusal to be silenced in that search by force or intimidation.

Of what, then, is Angela Davis guilty? Of being the natural product of a society based upon racism, exploitation, and dehumanization? Of her struggle for a socialist society? Her accusers have locked her into their cells of silence for they fear what she professes, what she freely and courageously declares. But when they cannot silence her even here, when her words echo far beyond these closed and soundproofed walls, then they seek to take her life. The final solution—Death.

So, for her, the life—the struggle, are one. Not merely in conjecture, in abstract theory, but in brutal fact. For her beliefs, for her life, Angela Davis stands accused. Her life is at stake. And yet she is innocent. Innocent of the charges of murder and kidnap. She stands guilty only of loving humanity and fighting with her life for the freedom of all of us.

FREE ANGELA! FREE OUR SISTER!  
FREE ALL POLITICAL PRISONERS!

The National United Committee  
to free Angela Davis, Nov. 1970

## 19

### Prison Interviews with Angela Y. Davis

**Q. Are you hopeful of winning justice in the courts, or not?**

**A.** The court system in this country is increasingly becoming a powerful instrument of repression. It is being used to crush the struggle for the liberation of oppressed people and not only to crush the conscious revolutionary but to break the rebellious spirit of Black people, Chicanos and Puerto Ricans in general. And I think that one of the best methods of radicalizing an individual today is to have him spend a day in court witnessing the way we are unceasingly railroaded into the jails and prisons. Now even the facade of democracy is beginning to fall. Therefore we can't expect justice from a repressive judicial system and I'm sure that an exclusively legalistic approach to my defense would be fatal. So what we have to do is to talk about placing the courts on trial. Oppressed people must demonstrate in an organized fashion to the ruling class that we are prepared to use every means at our disposal to gain freedom and justice for our people.

*I understand that you have been getting mail from all over the world. Could you give us some idea of your thoughts on the worldwide support that you're getting and what the nature of your mail has been?*

Well, the support from abroad has been overwhelming. All the socialist countries have lodged protests in some way or form. I was particularly pleased to hear of the activity that has been going on in Cuba and in Europe, especially in Germany, Italy and France. Demonstrations have been organized. Petition campaigns, poster and button cam-

paigns have been initiated and funds are being raised. Right now I receive from 100 to 400 letters a day, at least half of them originating from abroad, including many countries in Latin America, Asia and Africa. The thousands of letters from schoolchildren in the GDR have been tremendously moving. Just recently the World Council of Peace met at Stockholm and decided to wage an international campaign in my defense. The international support I've been receiving is extremely important but I think it is all the more important that this campaign be extended, that its limits be extended to become a fight to release all political prisoners within this country.

*In your own formation as a revolutionary you spent a good deal of time in countries like France, West Germany and Cuba. Can you compare your experiences abroad in this regard?*

One can't really be a true revolutionary without being cognizant of the need to link up with forces all over the world battling with imperialism. My trips abroad, most of which were undertaken for purposes involving my university studies, contributed a great deal to my own political development. In Paris in 1962 experiences which were transmitted to me by partisans of the Algerian struggle provided a stark contrast to our civil rights struggle in the United States. The increasingly aggressive posture being assumed by the Algerians gave me a concrete idea of the general direction in which our own movement should be heading; that is, if we were really serious about total change. As for the French themselves, they conveyed to me the idea, free from abstraction, that repression was a universal phenomenon wherever there were people struggling for freedom and justice. In a number of demonstrations, I personally felt the cutting streams of water from the firehoses manned by French police. And of course my Algerian acquaintances were incessantly subjected to police harassment.

My trip to Germany, inspired by a desire to learn more about the philosophical tradition out of which Marxism arose, taught me one basic fact. Marx was right when he said in the 11th of the *Feurbach* theses that philosophers as philosophers have simply interpreted the world and that the point, however, is to change it.

This I experienced by witnessing and participating in the student movement growing conscious of itself, growing

conscious of the need to break away from the mentors—the very philosophers who had stimulated the students to comprehend the nature of Marxism—and begin to act, to act directly. This action took the form of increasingly militant demonstrations against U.S. imperialism, its aggression in Vietnam, its flunkies in West Germany and also the form of moving to organize the dispossessed at a grass-roots level and the attempt to involve labor. It was my involvement in the demonstrative political activity led by German SDS (Socialist Students League) which made me realize that I had to come home to wage the fight among my own people, Black people.

The Cuban experience was immensely enlightening. My first prolonged contact with a socialist country through my own eyes and limbs too, I might add, since I cut cane for a while. Through discussions with Cubans throughout the country—workers, students, Communist Party leaders—I became aware of the tremendous commitment, sacrifice and knowledge that is required in order to make a revolution work. We saw the problems as well as the achievements and I think that the brother in The Battle of Algiers was unquestionably correct when he contended that although a revolution is hard to initiate and although it is even harder to sustain to the point of seizing power, the most difficult period of all is the building of the revolutionary society after the seizure of power.

I was most concerned with the transformations that had occurred with respect to the position of Black people. The total picture was overwhelmingly positive, but we detected vestiges of cultural racism which have to be combated, of course, in order to insure the continued success of the revolution. Cubans, both Black and white, were very receptive to our comments which were often critical in this regard. Learning from the Cuban variety of prerevolutionary racism which was certainly much less ingrained in the institutional and psychological makeup of Cuba under the puppet regimes of North American imperialism than is the U.S. variety, it became obvious that we would have to wage a relentless battle against racism at all times and on all levels. The Cuban experience was very invigorating. The people's day-to-day achievements as well as the problems they confronted in constructing socialism in their country through identification with all struggles against U.S. imperialism, particularly with the militant fights of Africans in America, all this infused me with more determination

to return home and help to advance our struggle to higher planes.

*Could you tell us, Angela, what led you to join the Communist Party here in the United States?*

My decision to join the Communist Party emanated from my belief that the only true path of liberation for Black people is the one that leads toward a complete and total overthrow of the capitalist class in this country and all its manifold institutional appendages which insure its ability to exploit the masses and enslave Black people. Convinced of the need to employ Marxist-Leninist principles in the struggle for liberation, I joined the Che-Lumumba Club, which is a militant, all-Black collective of the Communist Party in Los Angeles committed to the task of rendering Marxism-Leninism relevant to Black people. But mindful of the fact that once we as Black people set out to destroy the capitalist system we would be heading in a suicidal direction if we attempted to go at it alone. The whole question of allies was crucial. And furthermore aside from students, we need important allies at the point of production. I do not feel that all white workers are going to be inveterate conservatives. Black leadership in working-class struggles is needed to radicalize necessary sectors of the working class.

The practical perspective of the Che-Lumumba Club is based on an awareness of the need to emphasize the national character of our people's struggle and to struggle around the specific forms of oppression which have kept us at the very lowest levels of American society for hundreds of years, but at the same time to place ourselves as Black people in the forefront of a revolution involving masses of people to destroy capitalism, to eventually build a socialist society and thus to liberate not only our own people but all the downtrodden in this country. And further, recognizing the international character of the revolution especially in this period when the battle against our homegrown capitalists is being carried out all over the world, in Indo-China, Africa and Latin America. My decision to join the Communist Party was predicated in part on the ties the party has established with revolutionary movements throughout the world.

*How do you see the relationship of Blacks and whites in terms of united struggle here in this country? Do you think*

*that Black-white unity is possible and if so, on what grounds?*

Well, the point has been made often that the Black people acting alone are capable of overthrowing the capitalist system in this country. If we organize ourselves correctly, this position continues, we can unleash enough violence to bring the country to its knees; we can destroy it entirely. Perhaps this is true, I don't know—but nonetheless, I think there is a fundamental fallacy in the notion of revolution that's implied in this position, for the essence of a successful revolution in this country will not be the destruction of the country but rather the destruction of institutions which deter the people from having access to their own creations. And no one can deny that the genesis of U.S. capitalism was inextricably bound up with the exploitation of slave labor. Black people created the basis for all the wealth and riches accumulated in the hands of a few, powerful families in this country today. We therefore have a right to this wealth. Therefore, our fundamental strategy ought to consist not in destroying this wealth, but rather in abolishing the property relations which allow those few to hoard wealth while the masses of Black people eke out their existence at an extremely low economic level. We must destroy the institutions in which racism and exploitation are crystallized and project at the same time new institutions which will allow us to be free.

But while the former position—the one that says Black people can destroy the country acting alone—bases its activity on military strategy alone, the latter position of course will have to call for political strategy in the context of which perhaps military tactics will play a subordinate role together with all the varying tactical considerations we decide will best carry us to victory. Now starting with the assumption that we African men and women, super-exploited over the centuries in all and sundry forms, want total liberation from capitalism, we must inevitably draw the conclusion that our thrust toward liberation must be organically bound up with the movement involving large numbers of white people who through a socialist revolution will liberate themselves. And particularly whites at the point of production, for after all we want to take over, not destroy, the production apparatus in order to revolutionize the relations of production so that the people who work that apparatus collectively receive the fruits of their labor. This is the only way we as Black people can come into our



own and this is the only way the masses of white people can cease to be puppets for the ruling class. But we can never lose sight of the fact that insofar as the oppression of Black people is concerned, the majority of whites in this country has been deluded not only in the sense of accepting the racist policies of the capitalist class and its government but they've also actively perpetuated racism to the degree that it has become absolutely imbedded in the social fabric of this country. Therefore, the whole problem of Black-white unity is a very tenuous one under these circumstances and precisely because of the all-pervasive nature of racism, the issue of Black-white unity can be resolved only by recognizing the necessity for Black people to provide the leadership for the total struggle.

Black-white unity with Black people in the forefront—because the phenomenon of racism and super-exploitation under capitalism has not only placed Black people at the very lowest plane of the social order but it has also paralyzed the ability of whites to struggle in a radical fashion. The reactionary tendencies of many trade unions are directly proportional to their inability to transcend their own racist policies. Black people, on the other hand, have unfolded in response to our oppression an increasingly revolutionary understanding as well as an increasingly militant practice to rid ourselves of our oppressors. In order for Black-white unity to become a reality it will be imperative for whites to acknowledge the central necessity of combating racism on all levels. It will be imperative for whites to accept the leadership of Black people.

*Do you think it is possible to beat back and defeat the Nixon administration's attempt to drive the country to the right?*

First of all, if we attempt an objective appraisal of conditions in this country, I'm convinced that we will not infer that fascism in its full maturity has descended upon us. This evaluation, however, does not indicate that we now live within the confines of a perfect bourgeois democracy—by no means. This country is galloping at high speed down the path leading to South African-type fascism. The very fact that political prisoners are rapidly increasing in number and are emerging as a central focus around which masses of people are mobilizing is indicative of the fascist tendency of the time. And we should never forget that fascist tactics have been employed against Black people,

Black communities, for centuries. Fascist tactics of repression should, however, not be confused with fascism. To do so would be to obfuscate the nature of our struggle today—for once we have acknowledged the existence of a mature fascism our struggle takes on a purely defensive character and virtually all of our energies are concentrated on the task of defending ourselves from the onslaught of oppression, for the circumstances surrounding our existence have so degenerated that we have lost all possibility of movement; that the only alternative for organizing is the clandestine type. Conditions in this country have not yet deteriorated to that level. We still retain a slight degree of flexibility. Therefore, we must continue to make use of the legal channels to which we have access which of course does not mean that we operate exclusively on the legal plane. At this point, the underground movement has its role to play also. The important thing is to realize that we must do everything in our power to consolidate and solidify a mass movement devoted to struggling not only against repression but with the positive idea of socialism as its goal. This means, of course, that we assume an offensive rather than a defensive posture.

*As an active campaigner for the freedom of political prisoners before your own arrest and now as a political prisoner yourself, how do you see this fight in its relation to the movement as a whole?*

The movement which is beginning to crystallize around political prisoners is extremely important on a number of different levels. Under fascism such a movement would be virtually impossible, relating to what I said before. At this juncture the success of that movement will be determined not only by its ability to secure the release of political prisoners, but perhaps more important by its ability to expand into a movement geared to overthrow the system itself.

It is important in this connection to realize the Black political prisoner is very often a communist, whether she or he be a member of the Communist Party, as I am, or an independent communist such as George Jackson [brother of the slain Jonathan Jackson and a prisoner in Soledad]. The meaning of scientific socialism and therefore the underlying reason for many of the frameups of Black revolutionaries must be revealed to the masses of people, particularly Black people. And eventually the fight around

political prisoners will become one of the many components out of which a mass, socialist-inspired movement for liberation of Black and white will emerge.

This means people must begin to understand not only that George Jackson and the other Soledad Brothers have been falsely accused of killing a prison guard of that "correctional facility" as it's called, but that George was singled out because he is a Black communist and in fact, he had been previously compelled to do 10 years for a crime which ordinarily entails no more than two years by the oppressive California parole board precisely because of his politics and his efforts to persuade his fellow captives to enlist in the struggle for Black liberation, to enlist in the struggle for the destruction of capitalism.

To move to another level on which the fight around political prisoners must be waged, we must also link up the circumstances leading to the frameup of so many Black revolutionaries with the generalized genocidal attack on our people and thereby relate the issue of the political prisoner to the concrete needs and interests of Black people.

For it is not often that one encounters in any Black ghetto in this country a family that has not experienced some immediate contact with the corrupt judicial system and a repressive prison apparatus. It is not only impossible for a Black revolutionary to get justice in the courts, but Black people in general have been the victims rather than the recipients of bourgeois justice.

Therefore, a major focus of the struggle around political prisoners ought to be offensive rather than defensive in character and should consist in placing the bankrupt judicial system and its appendages, the jails and prisons, on trial. We must lay bare the whole system and concretely associate the movement to liberate political prisoners with the grass-roots movements that are exploding in the dungeons all over this country.

*The press, as you know, has vilified David Poindexter and some of this feeling has been picked up by sections of the left. Can you say something about David Poindexter?*

The bourgeois press will always resort to the most devious means of discrediting those who rebel against the establishment. They consciously contrived an image of David Poindexter as the "mysterious companion" implying

often that, in fact, it might have been this man about whom nothing was known who turned me in.

Those individuals on the left who drew such conclusions allowed themselves to be led into a trap set by agents of our enemy. I insist that David Poindexter should be admired for his acts, for he put his life on the line in order to assist me to escape my executioners. And I ask this question, how many of those who have criticized him would have been willing to go so far?

*How do you see the women's movement? Also, do you consider it to have a special role for Black women?*

Let me begin by saying this: no revolutionary should fail to understand the underlying significance of the dictum that the success or failure of a revolution can almost always be gauged by the degree to which the status of women is altered in a radical, progressive direction. After all, Marx and Engels contended that there are two basic facts around which the history of mankind revolves: production and reproduction. The way in which people obtain their means of subsistence on one hand and in which the family is organized on the other hand.

Further, if it is true the outcome of a revolution will reflect the manner in which it is waged, we must unrelentingly challenge anachronistic bourgeois family structures and also the oppressive character of women's role in American society in general. Of course, this struggle is part and parcel of a total revolution. Led by women, the fight for the liberation of women must be embraced by men as well. The battle for women's liberation is especially critical with respect to the effort to build an effective Black liberation movement. For there is no question about the fact that as a group, Black women constitute the most oppressed sector of society.

Historically we were constrained not only to survive on an economic level as slaves, but our sexual status was that of a breeder of property for the white slave master as well as being the object of his perverse sexual desires. Our enemies have attempted to mesmerize us, to mesmerize Black people, by propounding a whole assortment of myths with respect to the Black woman. We are inveterate matriarchs, implying we have worked in collusion with the white oppressor to insure the emasculation of our men. Unfortunately, some Black women have accepted these myths without questioning their origin and without being

aware of the counterrevolutionary content and effect. They're consequently falling into behind-the-scenes positions in the movement and refuse to be aggressive and take leadership in our struggle for fear of contributing to the oppression of the Black male.

As Black women, we must liberate ourselves and provide the impetus for the liberation of Black men from this whole network of lies around the oppression of Black women which serve only to divide us, thus impeding the advance of our total liberation struggle.

There is much to be learned from the progression of George Jackson's ideas around the issue of Black women. His book ["*Soledad Brother*"] ought to be read from that perspective. Unfortunately a letter to me that dealt extensively with the transformation he had experienced himself with respect to Black women was not among the few that were published in the book. Perhaps it can be published at a later date.

*Can you describe how you are being treated in the Women's House of Detention?*

This is a prison and the atrocious conditions that characterize virtually every American prison are present in this place. Rather than start with the specific treatment I have been receiving, I would like to delineate the circumstances under which all of us are compelled to exist.

First of all, the prison is filthy. It is infested with roaches and mice. Often we discover roaches cooked into our food. Not too long ago, a sister found a mousetail in her soup. A few days ago I was drinking a cup of coffee and I was forced to spit out a roach.

Roaches literally cover the walls of our cells at night, crawling across our bodies while we sleep. Every night we hear the screams of inmates who wake up to find mice scurrying across their bodies. I discovered one in bed with me last night in fact.

The medical conditions here are abominable. The doctors are racists and entirely insensitive to the needs of the women here. One sister who is housed in my corridor complained to the doctor not too long ago that she had terrible pains in her chest.

After which the doctor suggested to her that she get a job without once examining her. It was later discovered that the sister had tumors in her breast and needed imme-

diate hospital attention. This is indicative of the way we are treated here.

We spend most of our time in either 5 x 9 cells with filth and concrete floors or outside on the bare corridors. We are not even allowed to place blankets on the floor where we must sit to protect ourselves from the filth and the cold.

To talk a little about the library, they have a collection of adventure stories and romances which they have designated the library. It is important to realize that although the prison population is 95 per cent Black and Puerto Rican, I found only five or six books about Black people and literature in Spanish is extremely scarce.

I could go on and on but perhaps now I will turn to the specific kinds of treatment I have been receiving myself. I am convinced that the authorities in this place have been instructed to make life as difficult as possible for me, probably in order to convince me to stop fighting extradition.

Of course after the courts overruled them and they were compelled to release me from solitary confinement and 24-hour guard, they had to seek other ways to assert their dominance.

Unlike the other women who are being held for trial, I am forced to wear institutional clothing. They say I am a high security risk and they want to make it difficult for me to escape.

They refuse to permit my attorneys to give me legal material unless they first read it over, demonstrating that they have no respect whatsoever for the confidentiality which is supposed to exist between lawyer and client.

I could continue to enumerate a hundred little things that have been done in the hope of breaking me but I continue to give notice to them that there is absolutely nothing they can do to break my determination to keep struggling.

The only way they can accomplish this is by taking my life and then they would have to face the wrath of the people. The same holds true for Ericka, Bobby, George, the Soledad Brothers, etc.

*What is your relationship with the other prisoners?*

I have never encountered such an overwhelmingly warm and cordial welcome. Obviously the reason why the prison authorities isolated me was the enthusiastic welcome I

received. Each time I go from one area of the jail to another, the sisters hold up their clenched fists and convey expressions of solidarity.

While I was in solitary confinement, the sisters on the floor conducted demonstrations in my behalf. When I embarked upon a hunger strike, many of them joined.

After I was transferred into population, some of the sisters on my corridor, with whom I had spent a great deal of time, were helping me answer letters from the outside. They were all immediately transferred to another floor but we still find ways to communicate with one another.

I have already mentioned the state of the so-called library. After many requests and arguments, I was told that if books were sent directly from the publishing company I could receive them.

Now the authorities allow me to bring up five of these books at a time per week. The sisters are immensely interested in the reading material I receive—everything from George Jackson's prison letters to works by Lenin.

The books circulate all over the floor and are the occasion for many a discussion. Since the authorities have indicated that they are totally insensitive to the desires of the inmates, I would hope that brothers and sisters in the streets take it upon themselves to donate relevant literature to the library here.

WOMEN'S HOUSE OF DETENTION  
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