


5. Editor's note: In the late 1970s and early 1980s, the Ku Klux Klan witnessed a resurgence in visibility and membership in the United States and Canada. The Anti-Defamation League of B'Nai B'Rith estimated that in 1980, the Klan boasted 10,000 members and 100,000 "sympathizers" in twenty-two states, representing the largest increase in membership in ten years. A Justice Department study during the same year warned that the "Invisible Empire, Knights of the Ku Klux Klan," a faction headed by Bill Wilkinson, posed a serious threat because of its use of violence. See "US Study Urges Agencies to Cooperate Against Klan," The New York Times, 24 November 1980, A19; "Ku Klux Klan Is Seeking New Members in Toronto," The New York Times, 30 June 1980, A8.

6. Editor's note: Between August 1979 and January 1981, sixteen black children, two girls and fourteen boys, disappeared from their homes in and around Atlanta; several of the bodies were found suffocated, bludgeoned, shot, or strangled. Police reported that they were "battled by the absence of an apparent motive for the slayings." See "Hundreds Search in Atlanta after Discovery of Skeletons," The New York Times, 1 January 1981, 20.

7. Editor's note: On September 22-24, 1980, four African American men were shot in the head in Buffalo. On October 8 and 9 of the same year, two black Buffalo taxi drivers were murdered and found with their hearts cut out. On December 29 and 30, two more black men were found stabbed in Buffalo and Rochester respectively. In addition, three African Americans and one Latino were stabbed to death in New York City, an incident police suspected to be linked to at least some of the Buffalo-area murders. Although Joseph Christopher, a white private in the U.S. Army, was convicted of three of the Buffalo shootings, the decision was overturned by the New York State Court of Appeals in 1985. See "Murder Convictions Against 22-Caliber Killer Overturned," Los Angeles Times, 6 July 1985, 11; "Inquiry on Killings Shifted to Georgia," The New York Times, 26 April 1981, 43.

8. Editor's note: Bukhari-Alston likely refers to the killing of thirty-year-old Dorothy Brown, a pregnant black woman, by a white police officer in Jackson, Mississippi, on August 29, 1980. Police contend that, upon receiving a call from neighbors claiming that Brown was drunk and threatening them with a gun, Officer Gary King arrived on the scene and, when himself threatened with Brown's weapon, shot her four times. Witnesses, however, claim that Brown had calmed down prior to King's arrival. On September 6, black and white members of the community marched in front of City Hall protesting Brown's death and calling for the resignation of Police Chief Ray Pope, accused of covering up numerous incidents of police brutality against African Americans. See "Blacks in Jackson, Miss. Protest Killing of Woman," The New York Times, 7 September 1980, 250.

9. Editor's note: Ronald Reagan was inaugurated as the fortieth president of the United States on January 20, 1981.
searching for black militants. In the ensuing shootout, in which Panther Zayd Shakur and police officer Werner Foerster were killed, and Assata Shakur wounded, Acoli escaped only to be captured two days later. Inconclusive and contradictory ballistics evidence obscures how Trooper Foerster was killed. The two bullets that were found in Foerster’s body were revolver bullets rather than those of a pistol, the type of weapon found in the pulled-over vehicle. Considerable controversy, including allegations of prosecutorial malfeasance, surrounded the trial. Nonetheless, Assata Shakur and Sundiata Acoli were convicted of the murder of Trooper Foerster in separate trials, both with all-white juries. They were each sentenced to life plus thirty years in prison. (Shakur escaped from prison in 1979.)

Acoli was confined in Trenton State Prison, a Management Control Unit (MCU) created for him and other politically associated prisoners. For five years, he lived in an isolation cell smaller than the Society for the Prevention of Cruelty to Animals’ standard space requirement for a German shepherd. Suffering from tuberculosis, Acoli was transferred in September of 1979, even though he had no federal charges or sentences, to one of the highest-security prisons in the United States, Marion Control Unit prison, cited by Amnesty International for its human rights abuses. He, as were other political prisoners, was locked down twenty-three hours a day in a stripped cell. Acoli was in Marion for eight years before he was transferred in July 1987 to Leavenworth, Kansas. In the fall of 1992, he was eligible for but denied parole, and the New Jersey Parole Board (his trial took place in New Jersey) ruled, in its twenty-minute hearing, that he would only be eligible again after another twenty years. Acoli was not allowed to attend the parole meeting. He is currently incarcerated in the USP Allenwood in White Deer, Pennsylvania, in the general population. Following September 11, 2001, Sundiata Acoli was placed in solitary confinement and held incommunicado until January 3, 2002.

REFERENCES


NOTES

Research and drafting for this biography were provided by Hans Tauber.

1. Sekou Mboogbo Abdullah Odinga is a New African Prisoner of War. In 1965, Odinga became a member of the Organisation of African American Unity (OAAU, founded by Malcolm X in 1965). After Malcolm X’s death, Odinga became involved with the New York chapter of the Black Panther Party. Due to increased police surveillance and repression, Odinga went underground in 1969. Captured in 1981, he was charged with six counts of attempted murder of police officers (during a police chase in which Mayarha Shabaka Sundiata was killed by police) and nine acts of a Racketeer Influenced and Corrupt Organization (RICO) indictment. Odinga was sentenced to twenty-five years to life for the attempted murders and twenty years and a $25,000 fine for two counts of the RICO indictment (which addressed the liberation/escape of Assata Shakur and the expropriation of money from an armored truck). He is incarcerated in Marion, Illinois. See Can’t Kill the Spirit: Political Prisoners in the U.S. A Collection of Biographies, 5th ed. (Chicago: Committee to End the Marion Lockdown, 2002), 142–44.


An Updated History of the New Afrikan Prison Struggle (Abridged)

The New Afrikan liberation struggle behind the walls refers to the struggle of Black prisoners, "behind the walls" of U.S. penal institutions, to gain liberation for ourselves, our people, and all oppressed people. We of the New Afrikan Independence Movement spell "Afrikan" with a "k" as an indicator of our cultural identification with the Afrikan continent and because Afrikan linguists originally used "k" to indicate the "c" sound in the English language. We use the term "New Afrikan," instead of Black, to define ourselves as Afrikan people who have been forcibly transplanted to a new land and formed into a "new Afrikan nation" in North America.

THE BLACK LIBERATION ERA

Black Panthers Usher in the Black Liberation Movement

Midstride the 1960s, on February 21, 1965, Malcolm X was assassinated, but his star continued to rise and his seeds fell on fertile soil. The following year, October 1966, in Oakland, California, Huey P. Newton and a handful of armed youths founded the Black Panther Party for Self Defense on principles that Malcolm had preached—and the Black Liberation Movement (BLM) was born.

Subsequently the name was shortened to the Black Panther Party (BFP) and a ten-point program was created which stated:

We want freedom. We want power to determine the destiny of our Black community.

We want full employment for our people.

We want an end to the robbery by the CAPITALIST of our Black community.

We want decent housing, fit for the shelter of human beings.

We want education for our people that exposes the true nature of this decadent American society. We want education that teaches us our true history and our role in the present day society.

We want all Black men to be exempt from military service.

We want an immediate end to POLICE BRUTALITY and MURDER of Black people.

We want freedom for all Black men held in federal, state, county and city prisons and jails.

We want all Black people when brought to trial to be tried in court by a jury of their peer group or people from their black communities, as defined by the Constitution of the United States.

The Panthers established numerous programs to serve the Oakland ghetto—free breakfasts for children, free health care, free day-care, and free political education classes. The program that riveted the ghetto's attention was their campaign to "stop police murder and brutality of Blacks." Huey, a community college pre-law student, discovered that it was legal for citizens to openly carry arms in California. With this assurance the Black Panther Party began armed car patrols of the police cruisers that patrolled Oakland's Black colony. When a cruiser stopped to make an arrest, the Panther car stopped. They fanned out around the scene, arms at the ready, and observed, tape recorded, and recommended a lawyer to the arrested victim. It didn't take long for the police to retaliate. They confronted Huey late one night near his home. Gunfire erupted, leaving Huey critically wounded, a policeman dead and another wounded. The Panthers and the Oakland/Bay community responded with a massive campaign to save Huey from the gas chamber. The California Senate began a hearing to rescind the law permitting citizens to openly carry arms within city limits. The Panthers staged an armed demonstration during the hearing at the Sacramento Capitol to protest the Senate's action, which gained national publicity. That publicity, together with the Panthers' philosophy of revolutionary nationalism, self-defense, and the "Free Huey" campaign, catapulted the BFP to nationwide prominence.

But not without cost. On August 25, 1967, J. Edgar Hoover issued his infamous Counter Intelligence Program (COINTELPRO) memorandum which directed the FBI and local police officials to disrupt specified Black organizations and neutralize their leaders so as to prevent "the rise of a Black messiah."

Attacks Increase on Revolutionaries

The Panthers rolled eastward, establishing offices in each major northern ghetto. As they went, they set up revolutionary programs in each community that were aimed to provide community control of schools, tenant control of slum housing, free breakfast for school children, free health, day-care, and legal clinics, and free political education classes for the community. They also initiated campaigns to drive dope pushers and drugs from the community, and campaigns to stop police murder and brutality of Blacks. As they went about the community organizing these various programs they were frequently confronted, attacked, or arrested by the police, and some were even killed during these encounters.

Other revolutionary organizers suffered similar entrapments. The Revolutionary Action Movement's (RAM) Herman Ferguson and Max Stanford were arrested in
1967 on spurious charges of conspiring to kill civil rights leaders. In the same year Amiri Baraka a.k.a. LeRoi Jones (the poet and playwright) was arrested for transporting weapons in a van during the Newark riots and did a brief stint in Trenton State Prison until a successful appeal overturned his conviction. SNCC's Rap Brown, Stokely Carmichael, and other orators were constantly threatened or charged with "inciting to riot" as they crisscrossed the country speaking to mass audiences. Congress passed so-called "Rap Brown" laws to deter speakers from crossing state lines to address mass audiences lest a disturbance break out leaving them vulnerable to federal charges and imprisonment. And numerous revolutionary organizers and orators were imprisoned.

This initial flow of revolutionaries into the jails and prisons began to spread a revolutionary nationalist hue through New Afrikans behind the walls. New Afrikans were also influenced by the domestic revolutionary atmosphere and the liberation struggles in Africa, Asia, and South America. Small groups began studying on their own, or in collectives, the works of Malcolm X, Huey P. Newton, The Black Panther Newspaper [Intercommunal News Service], The Militant Newspaper, contemporary national liberation struggle leaders Kwame Nkrumah, Jomo Kenyatta, Frantz Fanon, Che Guevara, Fidel Castro, Ho Chi Minh, and Mao Tse-tung, plus Marx, Lenin, and Bakunin too. Increasing numbers of New Afrikans and Third World prisoners became more conscious of national liberation politics. The percentages of New Afrikans and Third World prisoners increased while the number of White prisoners decreased throughout U.S. prisons. Under this onslaught of rising national liberation consciousness, increased percentages of New Afrikans and Third World prisoners, and decreased numbers of White prisoners, the last of the prisoners' overt segregation policies fell by the wayside.

THE NEW AFRIKAN INDEPENDENCE MOVEMENT

The seeds of Malcolm took further root on March 29, 1968. On that date the Provisional Government of the Republic of New Afrika (RNA) was founded at a convention held at the Black-owned Twenty Grand Motel in Detroit. Over 500 grassroots activists came together to issue a Declaration of Independence on behalf of the oppressed Black Nation inside North America, and the New Afrikan Independence Movement (NAIM) was born. Since then, Blacks desiring an independent Black Nation have referred to themselves and other Blacks in the U.S. as New Afrikans.

That same month, March 1968, during Martin Luther King's march in Memphis, angry youths on the fringes of the march broke away and began breaking store windows, looting, and firebombing. A sixteen-year-old boy was killed and fifty people were injured in the ensuing violence. This left Martin profoundly shaken and questioning whether his philosophy was still able to hold the youth to a nonviolent commitment. On April 4th he returned to Memphis, seeking the answer through one more march, and found an assassin's bullet. Ghettos exploded in flames one after another across the face of America. The philosophy of Black Liberation surged to the forefront among the youth.

But not the youth alone. Following a series of police provocations in Cleveland, on July 23, 1968, New Libya Movement activists set an ambush that killed several policemen. A "fortyish" Ahmed Evans was convicted of the killings and died in prison ten years later of "cancer." More CIA dope surged into the ghettos from the Golden Triangle of Southeast Asia. Revolutionary stepped up their organizing activities on both sides of the walls. Behind the walls the New Afrikan percentage steadily increased.

THE STREET GANGS

There were numerous Black, White, Puerto Rican, and Asian street organizations, i.e., "gangs," in New York City during the 1950s. Among the more notorious Black street gangs of the era were the Chaplain, Bishops, Sinners, and Corsair Lords; also here was the equally violent Puerto Rican Dragons. All warred against each other and other gangs that crossed their paths.

By the 1960s, the post-World War II heroin influx had taken its toll. Most of the New York street gangs faded away. Their youthful members had succumbed to drugs, either through death by overdose, or had ceased gang activities in order to pursue full time criminal activities to feed their drug habit or were in prison because of drug-crime activities or youth gang assaults and killings.

Lumumba Shakur, warlord of the Bishops, and Sekou Odinga, leader of the Sinners, were two such youths who had been sent to the reformation for youth gang assaults. They graduated up through the "Gladiator Prisons"—Woodburn and Stonestock—to mainline Attica, became politicized by the stark brutal racism in each prison and at age twenty-one were spit back upon the streets. When the Panthers reached the east coast in 1968, Lumumba and Sekou were among the first youths to sign up. Lumumba opened the Harlem Chapter of the Black Panther Party as its Defense Captain. Sekou opened the Queens Chapter as a Lieutenant and later transferred to Harlem to co-head it with his boyhood pal, Lumumba.

ORIGIN OF THE GANGSTER DISCIPLES STREET GANG

The Gangster Disciples were founded in the 1960s in Chicago under the name "Black Disciples" by the late David Barksdale, known historically in gang circles as King David. The group's name was later changed to "Black Gangster Disciples" and later still the name was shortened to "Gangster Disciples," or simply as "GD." Gang colors are blue and black.
COINTELPRO ATTACKS

In 1969 COINTELPRO launched its main attack on the Black Liberation Movement. It began with the mass arrests of Lumumba Shakur and the New York Panther 21. It followed with a series of military raids on Black Panther Party offices in Philadelphia, Baltimore, New Haven, Jersey City, Detroit, Chicago, Denver, Omaha, Sacramento, and San Diego, and was capped off with an early morning four-hour siege that poured thousands of rounds into the Los Angeles BPP office. By mid-morning, hundreds of angry Black residents gathered at the scene and demanded that the police cease fire. Fortunately Geronimo Ji-Jaga, decorated Vietnam vet, had earlier fortified the office to withstand an assault, and no Panthers were seriously injured. However, repercussions from the event eventually drove him underground. The widespread attacks left Panthers dead all across the country—Fred Hampton, Mark Clark, Bunchy Carter, John Huggins, Walter Toure Pope, Bobby Hutton, Sylvester Bell, Frank "Capt. Franco" Diggs, Fred Bennett, James Carr, Larry Robeson, John Savage, Spurgeon "Jake" Winters, Alex Rackley, Arthur Morris, Steve Bartholemeu, Robert Lawrence, Tommy Lewis, Nathaniel Clark, Welton Armstead, Sidney Miller, Sterling Jones, Babatunde Ompolaw, Samuel Napier, Harold Russle, and Robert Webb among others. In the three years after J. Edgar Hoover’s infamous COINTELPRO memorandum, thirty-one members of the BPP were killed, nearly a thousand were arrested, and key leaders were sent to jail. Others were driven underground. Still others, like BPP field marshall Donald “D.C.” Cox, were driven into exile overseas.

The RNO was similarly attacked that year. During their second annual convention in March 1969, held at Reverend C. L. Franklin’s New Bethel Church in Detroit, a police provocation sparked a siege that poured 800 rounds into the church. Several convention members were wounded; one policeman was killed, another wounded, and the entire convention, 140 people, was arrested en masse. When Reverend Franklin (father of "The Queen of Soul," singer Aretha Franklin) and Black State Representative James Del Rio were informed of the incident they called Black judge George Crockett, who proceeded to the police station where he found total legal chaos. Almost 150 people were being held incomunicado. They were being questioned, finger printed, and given nitrate tests to determine if they had fired guns, in total disregard of fundamental constitutional procedures. Hours after the roundup, there wasn’t so much as a list of persons being held and no one had been formally arrested. An indignant Judge Crockett set up court right in the station house and demanded that the police either press charges or release their captives. He had handled about fifty cases when the Wayne County prosecutor, called in by the police, intervened. The prosecutor promised that the use of all irregular methods would be halted. Crockett adjourned the impromptu court, and by noon the following day the police had released all but a few individuals who were held on specific charges. Chaka Fuller, Rafael Vierra, and Alfred 2X Hibbits were charged with the killing. All three were subsequently tried and acquitted. Chaka Fuller was mysteriously assassinated a few months afterwards.

On Friday June 13, 1969, Clarence 15X, founder of The Five Percenters, was mysteriously assassinated in the elevator of a Harlem project building by three male Reggie’s. His killers were never discovered but his adherents suspect government complicity in his death. News reports at the time hinted that BOSS instigated the assassination to try to ferment a war between the NOI and The Five Percenters. Revolutionaries nationwide were attacked and/or arrested—Tyari Uhuru, Maka, Akuso, and the Smyrna Brothers in Delaware, Jojo Muhammad Bowens and Fred Burton in Philadelphia, and Panthers Monde We Langa, Ed Poindexter, and Venessa Daoud Bowens, Jr., in Omaha.

Police mounted an assault on the Panther office in the Desiree Projects of New Orleans which resulted in several arrests. A similar attack was made on the Peoples Party office in Houston. One of their leaders, Carl Hampton, was killed by police and another, Lee Otis Johnson, was arrested later on an unrelated charge and sentenced to forty-one years in prison for alleged possession of one marijuana cigarette.

THE RISE OF PRISON STRUGGLES

Like the Panthers, most of those arrested brought their philosophies with them into the prisons. Likewise, most had outside support committees to one degree or another so that this influx of political prisoners linked the struggle behind the walls with the struggles in the outside local communities. The combination set off a beehive of political activity behind the walls, and prisoners stepped up their struggle for political, African, Islamic, and academic studies, access to political literature, community access to prisoners, an end to arbitrary punishments, access to attorneys, adequate law libraries, relevant vocational training, contact visits, better food, health care, housing, and myriad other struggles. The forms of prison struggle ranged from face-to-face negotiations to mass petitioning, letter writing and call-in campaigns, outside demonstrations, class action law suits, hunger strikes, work strikes, rebellions, and more drastic actions. Overall, all forms of struggle served to roll back draconian prison policies that had stood for centuries and to further the development of the New African liberation struggle behind the walls. These struggles would not have been as successful, or would have been much more costly in terms of lives lost or brutality endured, had it not been for the links to the community and the community support and legal support that political prisoners brought with them into the prisons. Although that support was not always sufficient in quantity or quality, or was sometimes nonexistent or came with hidden agendas, or was marked by frequent conflicts, on the whole it was this combination of resolve, community support, and legal support which was most often successful in prison struggles.
THE CHANGING COMPLEXION OF PRISONS

As the 1960s drew to a close New African and Third World nationalities made up nearly fifty percent of the prison population. National liberation consciousness became the dominant influence behind the walls as the overall complexion neared the changeover from White to Black, Brown, and Red. The decade long general decrease in prisoners, particularly Whites, brought a drop of between 16,000\(^9\) and 28,000\(^{10}\) in total prison population. The total number of White prisoners decreased between 16,000 and 23,000 while the total number of New African prisoners increased slightly or changed insignificantly over the same period.\(^9\) Yet the next decade would begin the period of unprecedented new prison construction, as the primary role of U.S. prisons changed from “suppression of the working classes” to “suppression of domestic Black and Third World liberation struggles inside the U.S.”

ORIGIN OF CRIP\(^{20}\)

There existed street organizations in South Central, Los Angeles, before the rise of the Black Panther Party. These groups, criminal in essence, were indeed the wells from which the Panthers would recruit their most stalwart members. Alprentice “Bunchy” Carter, who chartered the first L.A. Chapter of the Party was the leader of perhaps the most violent street organizations of that time—the Slaughters. James Carr, former cell mate of Comrade George Jackson, and author of BAD, was a member of the Farmers. There were the Gladiators, the Businessmen, the Avenues, Blood Alley, and the Rebel Reouters to name but a few.

After the 1965 rebellion in Watts, there came an unsteady truce of sorts that caused the street organizations to focus on a larger, more deadly enemy—the L.A.P.D. (Los Angeles Police Department). So, by the time the Black Panther Party came to L.A., in 1968, a shaky peace existed among the larger groups. The Party offered the street combatants a new direction in which to vent their anger, respond to injustice and represent their neighborhoods.

By and large, the Party usurped the youthful rage and brought the street organizations of that time to an end. Of course, the U.S. government also did its share by drafting young brothers into the Vietnam War.

These, however, were the storm years of COINTELPRO and the Party was the focal point. Thus, by late ’69, the aboveground infrastructure of the FBI was in shambles due to its own internal contradictions and subsequently the weight of the state. Confusion set in among the people creating, if you will, a window of opportunity of which both the criminals and the counter revolutionists in the government took advantage.

Community Relations for an Independent People (CRIP) was a city funded team (meeting place) on the east side of South Central L.A. that played host to some of the area’s most rowdy youth. One such brother was Raymond Washington, who at that time belonged to a young upstart clique called the Baby Avenues. The team post became center ground to an ever widening group of youth who eventually took its title, CRIP, as a name and moved westward with it. With the vanguard in shambles and the local pigs turning a deliberate deaf ear, the CRIPs flourished rapidly. In its formative years, the Party’s influence was evident. For the same uniform/dress code of the Party’s influence was that of the CRIPs. Yet, a sinister twist developed whereas New African people were targets of the young hoodlums. And with no vanguard forces readily available to teach and train these youth, they spiraled out of control, taking as their nemesis the Brims who later developed into the city wide Bloods. The founding of the CRIPs is established as 1969. Their gang color is blue, and sometimes also the color white.

ENTER THE 1970s

A California guard, rated as an expert marksman, opened the decade of the 1970s with the January 13th shooting at close range of W. L. Nolen, Cleveland Edwards, and Alvin “Jug” Mille in the Soledad prison yard. They were left lying where they fell until it was too late for them to be saved by medical treatment. Nolen, in particular, had been instrumental in organizing protest against guard killings of two other Black prisoners—Clarence Causey and William Powell—at Soledad in the recent past, and was consequently both a thorn in the side of prison officials and a hero to the Black prison population.\(^{21}\) When the guard was exonerated of the triple killings two weeks later by a Board of Inquiry, the prisoners retaliated by throwing a guard off the tier.

George Jackson, Fleeta Drumgo, and John Cluchette were charged with the guard’s death and came to be known as the Soledad Brothers. California Black prisoners solidified around the Soledad Brothers case and the chain of events led to the formation of the Black Guerrilla Family (BGF). The Panthers spearheaded a massive campaign to save the Soledad Brothers from the gas chamber. The nationwide boondoggle of prisoners and support groups around the case converted the scattered, disparate prison struggles into a national prison movement.

On the night of March 9, 1970, a bomb exploded, killing Ralph Featherstone and Che Payne in their car outside a Maryland courthouse where Rap Brown was to appear next day on “Inciting to Riot” charges. Instead of appearing, Rap went underground, was captured a year later during the robbery of a Harlem so-called Boise bar,” and was sent behind the walls. He completed his sentence and was released from prison.\(^{22}\)

On August 7, 1970, Jonathan Jackson, younger brother of George, attempted to liberate Rachell “Cinque” Magee, William Christmas, and James McClain from the Marin County courthouse in California. Jonathan, McClain, Christmas, and the trial judge were killed by SWAT teams who also wounded the prosecutor and para-
lyzed him for life. Miraculously, Russell and three wounded jurors survived the fusillade. Jonathan frequently served as Angela Davis's bodyguard. She had purchased weapons for that purpose, but Jonathan used those same weapons in the breakout attempt. Immediately afterward she became the object of an international "woman hunt." On October 13, Angela was captured in New York City and was subsequently returned to California to undergo a very arduous trial with Magee. She was acquitted on all charges. Magee was tried separately and convicted on lesser charges. He remains imprisoned to date, over three decades all total, and is our longest held political prisoner.

ORIGIN OF THE BLOODS

Most South Central street organizations, commonly called "gangs," "sets," or "orgs," take their names from prominent streets: Slauson, Denver Lane, Piru, Hoover, etc., that run through their neighborhood. The CRIPs had already formed, were massed up and rolling together. Their strength attracted other sets to become CRIPs. As they moved into territories occupied by other South Central organizations, they clashed with and met stiff resistance from those neighborhood sets who did not want to align with or be taken over by them.

Among those gang leaders resisting the CRIP invasion were Peabody of the Denver Lanes, Puddin of the Westside Piru, Rooster of the thirty Piru, and the Westside Brims, perhaps the most well known and respected of the lot, although their leader is unknown today. Using their prestige and influence, the Brims began going into other neighborhoods to start other Brim families and to recruit other sets to join their side in opposition to the CRIPs. As the various sets began hooking up with each other and the Brims, they formed a loose coalition whose main point in common was their opposition to the CRIPs. In the early 1970s, the federation solidified and formally united into the citywide Bloods. They adopted the color red as their banner; they also use the colors green or brown.

Prison is a normal next step for many gang members. The first Bloods sent to Chino, a mainline California prison, are commonly referred to in Blood circles as the "First Bloods to walk the line at Chino." To increase their prison membership and recruitment, they created a Bloodline (BL) Constitution patterned after the constitution of the BGF, a Panther-influenced group already established in the California prison system at the time. The BL Constitution contained the Blood's code of conduct, history, and by-laws and was required reading for each new recruit. To speed up recruitment, the older "First Bloods" made reading the constitution an automatic induction into their ranks and thereafter began tricking younger prisoners into reading it. Once read, the new recruit could only reject membership at the risk of serious bodily harm.

The press-ganging of young recruits at Chino set off ripples of dissatisfaction and breakaways among Bloods in other California prisons. Those disaffected centered around Peabody at Old Folsom prison who took parts from the BL and the BGF constitutions and created a new United Blood Nation (UBN) Constitution designed to unify all Bloods in prison. Since then, Bloods have chosen which constitution they would come under.

Blood members under either the BL or UBN Constitution are held to a higher standard than other members; they hold positions and are similar to the Officer's Corps of a military organization. Those Bloods not under a constitution are the foot soldiers. The BL and UBN organization spread throughout the California prison system, and are strictly prison organizations. Once a Blood leaves prison he returns to his old neighborhood set. From South Central, the Bloods spread to Pasadena, Gardenia, San Diego, Sacramento, Bakersfield, and throughout the state and its prison system.

CALIFORNIA BAY AREA GANGS

San Francisco's Bay Area gangs or "clicks" can be traced back to the early 1960s and are usually identified by, or named after, their neighborhoods or communities. Most of those functioning today came from splinter groups of the BPP after it broke up.

In Oakland, the 69th Street Mob, founded by Felix Mitchell in the early 1970s, still exists despite the government's best efforts to derail it. In East Oakland the Rolling Twenties and the 700 Club, along with the Acorn Gang in West Oakland, are the powerhouse clicks on the streets.

In San Francisco, there is Sunnydale and Hunters Point, the city's largest street gang, which is divided into several clicks—Oakdale, Harbor Road, West Point, etc. East Palo Alto is the home of the Professional Low Riders (PLR) who are a major influence in the South Bay Area—and in Vallejo there is the North Bay Gangsters and Crestview.

Most Bay Area gangs don't have colors but align primarily on the basis of money and hustling endeavors. Many are associated with the Rap music industry and with various prison groups—the 415s, BGF, or ANSARs.

GROWTH OF THE GANGSTER DISCIPLES

In 1970, Gangster Disciple (GD) Larry Hoover was convicted for a gang related murder and sentenced to a 150 to 200 year state sentence. He is the current leader of the GDs and runs the syndicate from an Illinois prison cell.

As drugs flooded into the Chicago ghettoes, young Black men flooded into the Illinois prisons where they were given GD application forms to fill out. If their references proved solid, they were indoctrinated into the gang. Everyone who joined had to memorize the GD's sixteen-rule code. The GDs spread throughout the Illinois
and Midwest prison systems. The flow of GIs back into the streets enabled them to expand their street network which is an intricate command and control structure, similar to a military organization.26

COMRADE GEORGE ASSASSINATED

On August 21, 1971, a guard shot and killed George Jackson as he bolted from a control unit and ran for the San Quentin wall. Inside the unit lay three guards and two trustees dead. The circumstances surrounding George Jackson's legendary life and death, and the astuteness of his published writings,27 left a legacy that inspires and instructs the New African liberation struggle on both sides of the walls even today, and will for years to come.

September 13, 1971, became the bloodiest day in U.S. prison history when New York's Governor Nelson Rockefeller ordered the retaking of Attica prison. The previous several years had seen a number of prison rebellions flare up across the country as prisoners protested widespread maltreatment and inhumane conditions. Most had been settled peacefully with little or no loss of human life after face to face negotiation between prisoners and state and prison officials. At Attica Black, Brown, White, Red, and Yellow prisoners took over one block of the prison and stood together for five days seeking to negotiate an end to their inhumane conditions. Their now famous dictum declared, "We are men, not beasts, and will not be driven as such." But Rockefeller had presidential ambitions. The rebelling prisoners' demands included a political request for asylum in a non-imperialistic country. Rockefeller's refusal to negotiate foreshadowed a macabre replay of his father John D's slaughter of striking Colorado miners and their families decades earlier. Altogether forty-three people died at Attica. New York State trooper bullets killed forty people—thirty-one prisoners and nine guards—in retaking Attica and shocked the world by the barbarity of the U.S. prison system. Yet the Attica rebellion too remains a milestone in the development of the New African liberation struggle behind the walls, and a symbol of the highest development of prisoner multinational solidarity to date.

NEW WORLD CLASHES WITH THE NATION OF ISLAM

In 1973 the simmering struggle for control of Newark's NOI [Nation of Islam] Temple No. 25 erupted into the open. Warren Marcello, a New World of Islam member assassinated NOI Temple No. 25 Minister Shabazz. In retaliation several NWI members were attacked and killed within the confines of the New Jersey prison system, and before the year was out the bodies of Marcello and a companion were found beheaded in Newark's Weequahic Park. Ali Hassan, still in prison, was tried as one of the co-conspirators in the death of Shabazz and was found innocent.

THE BLACK LIBERATION ARMY

COINTELPRO's destruction of the BPP forced many members underground and gave rise to the Black Liberation Army (BLA)—a New African guerrilla organization. The BLA continued the struggle by waging urban guerrilla war across the U.S. through highly mobile strike teams.28 The government's intensified search for the BLA during the early 1970s resulted in the capture of Geronimo Ji-Jaga in Dallas, Dhoruba Bin-Wahad and Jalal Joseph in New York, Sha Sha Brown and Blood McCreary in St. Louis, Nuh Washington and Julil Muntain in Los Angeles, Herman Bell in New Orleans, Francisco and Gabriel Torres in New York, Russell Maroon Shoats in Philadelphia, Chango Monges, Mark Holker, and Kamau Hilton in New York, Asasta Shakur and Sundiata Acoli in New Jersey, Aschanti Alston, Tariki; and Waldin in New Haven, Safiya Bukhari and Masai Gibson in Virginia, and others. Left dead during the government's search and destroy missions were Sandra Pratt (wife of Geronimo Ji-Jaga, assassinated while visibly pregnant), Mark Essex, Woodie Changa Green, Twymen Kukuyu Olubula Meyers, Frank "Heavy" Fields, Anthony Kimu White, Zayid Shakur, Melvin Rema Kerney, Alfred Kambui Butler, Ron Carter, Rory Hirtle, and John Thomas, among others.29 Red Adams, left paralyzed from the neck down by police bullets, died from the effects a few years later.

Other New African freedom fighters attacked, hounded, and captured during the same general era were Imari Obadele and the RNA-11 in Jackson, Mississippi,30 Don Taylor31 and De Mau Mau of Chicago, Hanif Shabazz, Abdul Aziz, and the VI-5 in the Virgin Islands, Mark Cook of the George Jackson Brigade (GB) in Seattle, Ahmed Obafemi of the RNA in Florida, Abe Shanna in Chicago, Mafundi Lake and Sekou Kambui in Alabama, Robert Aswad Duren in California, Joko Bomani Sababu and Dharuba Cinque in Trenton, John Partee and Tommie Lee Hodges of Alkebulan in Memphis, Gary Tyler in Louisiana, Kareem Saif Allah and the Five Percenter-BLA-Islamic Brothers in New York, Ben Chavis and the Wilmington 10 in North Carolina, Delbert Africa and MOVE members in Philadelphia, and others doubtless too numerous to name.32

POLITICAL CONVERTS IN PRISON

Not everyone was political before incarceration. John Andaliwa Clark became so, and a freedom fighter par excellence, only after being sent behind the walls. He paid the supreme sacrifice during a hail of gunfire by Trenton State Prison guards. Hugo Dahuriki Pinell also became political after being sent behind the California walls in 1964. He has been in prison ever since. Joan Little33 took an ice pick from a White North Carolina guard who had used it to force her to perform oral sex on him. She killed him, escaped to New York, was captured, and forced to return to the same North Carolina camp where she feared for her life. Massive public vigil-
lance and support enabled her to complete the sentence in relative safety and obtain her release. Dessie Woods and Cheryl Todd, hitching through Georgia, were given a ride by a White man who tried to rape them. Woods took his gun, killed him, and was sent to prison where officials drugged and brutalized her. Todd was also imprisoned and subsequently released upon completion of the sentence. Woods was denied parole several times, then finally released.

Political or not, each arrest was met with highly sensationalized prejudicial publicity that continued unabated to and throughout the trial. The negative publicity blit was designed to guarantee a conviction, smearscreen the real issues involved, and justify immediate placement in the harshest prison conditions possible. For men this usually meant the federal penitentiary at Marion, Illinois. For women it has meant the control unit in the federal penitentiary at Alderson, West Virginia, or Lexington, Kentucky. In 1988 political prisoners Silvia Baraldini, Alejandrina Torres, and Susan Rosenberg won a D.C. District Court lawsuit brought by attorneys Adjoa Aiyetoro, Jan Suiter, and others. The legal victory temporarily halted the practice of sending prisoners to control units strictly because of their political status. The ruling was reversed by the D.C. Appellate Court a year later. Those political prisoners not sent to Marion, Alderson, or Lexington control units are sent to other control units modeled after Marion/Lexington but located within minimum security state prisons. Normally this means twenty-three hour a day lockdown in long term units located in remote hinterlands far from family, friends, and attorneys, with heavy censorship and restrictions on communications, visits, and outside contacts, combined with constant harassment, provocation, and brutality by prison guards.

EFFECT OF CAPTURED FREEDOM FIGHTERS ON PRISONS

The influx of so many captured freedom fighters (i.e., prisoners of war—POWs) with varying degrees of guerrilla experience added a valuable dimension to the New Afrikan liberation struggle behind the walls. In the first place, it accelerated the prison struggles already in process, particularly the attack on control units. One attack was spearheaded by Michael Deutsch and Jeffrey Haas of the People’s Law Office, Chicago, which challenged Marion’s H-Unit boxcar cells. Another was spearheaded by Assata Shakur and the Center for Constitutional Rights which challenged her out of state placement in the Alderson, West Virginia, control unit.

Second, it stimulated a thoroughgoing investigation and exposure of COINTELPRO’s hand in the low-intensity warfare waged on New Afrikan and Third World nationalities in the U.S. This was spearheaded by Geromino ji-Jaga with Stuart Hanlon’s law office in the West and by Dhoruba Bin-Wahad with attorneys Liz Fink, Robert Boyle, and Jonathan Lubell in the East. These COINTELPRO investigations resulted in the overturn of Bin-Wahad’s conviction and his release from prison in March 1990 after he had been imprisoned nineteen years for a crime he did not commit.

Third, it broadened the scope of the prison movement to the international arena by producing the initial presentation of the U.S. political prisoner and prisoner of war (PP/POW) issue before the UN’S Human Rights Commission. This approach originated with Jalil Mutsaqim, and was spearheaded by him and attorney Kathryn Burke on the West Coast and by Sundiata Acoli and attorney Lennox Hinds of the National Conference of Black Lawyers on the East Coast. This petition sought relief from human rights violations in U.S. prisons and subsequently asserted a colonized people’s right to fight against alien domination and racist regimes as codified in the Geneva Convention.

Fourth, it intensified, clarified, and broke new ground on political issues and debates of particular concern to the New Afrikan community, i.e., the “National Question,” spearheaded by Aliba Shanna in the Midwest.

All these struggles, plus those already in process, were carried out with the combination in one form or another of resolute prisoners, and community and legal support. Community support when present came from various sources—family, comrades, friends; political, student, religious, and prisoner rights groups; workers, professionals, and progressive newspapers and radio stations. Some of those involved over the years were or are: the National Committee for Defense of Political Prisoners, the Black Community News Service, the African Peoples Party, the Republic of New Afrika, the African Peoples Socialist Party, The East, the BlasChord Communication Network, Liberation Book Store, WDAS Radio Philadelphia, WBLS Radio New York, WBAI Radio New York, Third World Newsreel, Liberator (political Journal of the Puerto Rican Movimiento de Liberación Nacional [MLN]), the Prairie Fire Organizing Committee, the May 19th Communist Organization, the Madame Binh Graphics Collective, The Midnight Express, the Northwest Iowa Socialist Party, the National Black United Front, the Nation of Islam, Arm The Spirit, Black News, International Class Labor Defense, the Real Dragon Project, the John Brown Anti-Klan Committee, the National Prison Project, the House of the Lord Church, the American Friends Service Committee, attorneys Chuck Jones and Harold Ferguson of Rutgers Legal Clinic, the Jackson Advocate newspaper, Rutgers law students, the Committee to End the Marion Lockdown, the American Indian Movement, and others.

THE END OF THE 1970s

As the decade wound down, the late 1970s saw the demise of the NOI following the death of Elijah Muhammad and the rise of orthodox Islam among significant segments of New Afrikans on both sides of the wall. By 1979 the prison population stood at 300,000, a whopping 100,000 increase within a single decade. The previous 100,000 increase, from 100,000 to 200,000, had taken thirty-one years, from
1927 to 1958. The initial increase to 100,000 had taken hundreds of years, since America's original colonial times. The 1960s were the transition decade of White flight that saw a significant decrease in both prison population and White prisoners. And since the total Black prison population increased only slightly or changed insignificantly over the decade of the insurgent 1960s through 1973, it indicates that New Africans are imprisoned least when they fight hardest.

The decade ended on a master stroke by the BLA's Multinational Task Force, with the November 2, 1979, prison liberation of Assata Shakur—"Soul of the BLA" and a prominent political prisoner of the era. The Task Force then whisked her away to the safety of political asylum in Cuba where she remains to date.40

THE DECADE OF THE 1980s

In June 1980, Ali Hassan was released after sixteen years in the New Jersey state prisons. Two months later, five New World of Islam (NWI) members were arrested after a North Brunswick, New Jersey, bank robbery in a car with stolen plates. The car belonged to the recently released Ali Hassan, who had loaned it to a friend. Ali Hassan and fifteen other NWI members refused to participate in the resulting mass trial which charged them in a Racketeering Influenced Corrupt Organization (RICO) indictment with conspiracy to rob banks for the purpose of financing various NWI enterprises in the furtherance of creating an independent Black Nation. All defendants were convicted and sent behind the walls.

The 1980s brought another round of BLA freedom fighters behind walls—Basheer Hamed and Abdul Majid in the 1980s; Sekou Odinga, Kuswai Balagoon, Chui Ferguson-Bi, Jamal Joseph again, Mutulu Shakur, and numerous BLA Multinational Task Force supporters in '81; and Terry Khalid Long, Ojore Lutalo, and others in 1982. The government's sweep left Mtayari Shabaka Sundiata dead, Kuswai Balagoon subsequently dead in prison from AIDS, and Sekou Odinga brutally tortured upon capture, torture that included pulling out his toenails and rupturing his pancreas during long sadistic beatings that left him hospitalized for six months.

But this second round of captured BLA freedom fighters brought forth, perhaps for the first time, a battery of young, politically acute New African attorneys—Chokwe Lumumba, Jill Soofiayah Elijah, Nkechi Taifa, Adjoa Aiyetoro, Ashanti Chimurenga, Michael Tarif Warren, Evelyn Williams, Joan Gibbs, Florence Morgan, and others. They are not only skilled in representing New African POWs but the New African Independence Movement too, all of which added to the further development of the New African liberation struggle behind the walls.7

The decade also brought behind the walls Mumia Abu-Jamal, the widely respected Philadelphia radio announcer, popularly known as the "Voice of the Voiceless." He maintained a steady drumbeat of radio support for MOVE prisoners.

He was driving his cab on the night of December 9, 1981, when he happened to spot a policeman beating his younger brother.

Mumia stopped, got out of his cab and was shot and seriously wounded; the policeman was killed. Mumia now sits on death row in greatest need of mass support from every sector, if he's to be saved from the state's electric chair.41

Kazi Toure of the United Freedom Front (UFF) was sent behind the walls in 1982. He was released in 1989. In 1985, the United States Penitentiary (USP) at Marion, Illinois, was permanently locked down, and the entire prison was converted into one huge control unit making it the nation's first control prison. The concept would spread across country in the next decade.

The New York 8—Coltrane Chimurenga, Viola Plummer and her son Robert "R.T." Taylor, Roger Wardant, Omowale Clay, Lateefah Carter, Colette Pean, and Yvette Kelly—were arrested on October 17, 1984, and charged with conspiring to commit prison breakouts and armed robberies, and to possess weapons and explosives. However, the New York 8 were actually the New York 8 + because another eight or nine people were jailed as grand jury resisters in connection with the case. The New York 8 were acquitted on August 5, 1985.

That same year, Ramona Africa joined other MOVE comrades already behind the walls. Her only crime was that she survived Philadelphia Mayor Goode's May 13, 1985, bombing which killed eleven MOVE members, including their babies, families, home, and neighborhood.

The following year, on November 19, 1986, a twenty-year-old Bronx, New York, youth, Larry Davis—now Adam Abdul Hakeem—made a dramatic escape during a shoot out with police who had come to assassinate him for absconding with their drug sales money. Several policemen were wounded in the shoot out. Adam escaped unscathed but surrendered weeks later in the presence of the media, his family, and a mass of neighborhood supporters. After numerous charges, trials, and acquittals in which he exposed the existence of New York police controlled drug ring that coerced Black and Puerto Rican youths to push police supplied drugs, he was sent behind the walls on weapon possession convictions. During incarceration, numerous beatings by guards confirmed him to a wheelchair for several years.

On July 16, 1987, Abdul Haqq Muhammad, Arthur Majeed Barnes, and Robert "R.T." Taylor, all members of the Black Men's Movement Against Crack, were pulled over by state troopers in upstate New York, arrested, and subsequently sent to prison on a variety of weapon possession convictions. Each completed his sentence and returned to the streets and the struggle.

Herman Ferguson, at sixty-eight years of age, voluntarily returned to the U.S. on April 6, 1989, after twenty years of exile in Ghana, Afrika, and Guyana, South America. He had fled the U.S. during the late 1960s after the appeal was denied on his sentence of three and a half to seven years following a conviction for conspiring to murder Civil Rights leaders. Upon return he was arrested at the airport and was moved constantly from prison to prison for several years as a form of harassment.
Only after serving his full sentence was he released back into the streets where he continues the struggle for Afrikann liberation.

The 1980s brought the Reagan era's rollback of progressive trends on a wide front and a steep rise in racist incidents. White vigilantes and police murder of New Afrikan and Third World people. The CIA flooded South Central, Los Angeles, with cheap "crack" cocaine and guns. It set off a tidal wave of intermecine violence that eventually engulfed communities of color all across the country.

Like the Crips, the Bloods were initially influenced by the Black Panther Party, but with the deluge of CIA-Counta crack and guns into South Central, and with no revolutionary vanguard to direct them, the Bloods took the path of least resistance. Using their widespread network, rocks, firepower, and Blood rap videos, they spread their enterprise eastward through cities big and small.

The Reagan 1980s also brought about the rebirth and reestablishment of the NOI under the leadership of Minister Louis Farrakhan, the rapprochement with the Soviet Union, a number of New Afrikan POWs adopting orthodox Islam in lieu of revolutionary nationalism, the New Afrikan People's Organization (NAPO) and its chairman, Chokwe Lumumba's emergence from RNA as a banner carrier for the New Afrikan Independence Movement (NAIM), the Malcolm X Grassroots Movement (MXGM), the New Orleans assassination of Lumumba Shakur of the Panther 21, and an upsurge in mass political demonstrations known as the "Days of Rage" in New York City spearheaded by the December 12th Movement and others.

The end of the decade brought the death of Huey P. Newton, founder of the Black Panther Party, allegedly killed by a young Black Guerrilla Family adherent on August 22, 1989, during a dispute over "crack." Huey taught the Black masses socialism and popularized it through the slogan "Power to the People!" He named the Black struggle and popularized it through the slogan "Political Power grows out of the barrel of a gun." For that, and despite his human shortcomings, he was a true giant of the Black struggle, because his particular contributions are comparable to that of other modern-day giants, Marcus Garvey, Elijah Muhammad, Malcolm X, and Martin Luther King, Jr.

AIDS, crack, street crime, gang violence, homelessness, and arrest rates all exploded throughout the Black colonies. The prison population on June 30, 1989, topped 673,000, an incredible 372,000 increase in less than a decade, causing the tripling and doubling of prison populations in thirty-four states, and sizable increases in most others. New York City prisons became so overcrowded that they began using ships as jails. William Bennett, former U.S. Secretary of Education and then so-called Drug Czar, announced plans to convert closed military bases into concentration camps.

The prison-building spree and escalated imprisonment rates continued unabated. The new prisoners were younger, more volatile, with long prison sentences, and overwhelmingly of New Afrikan and Third World nationalities, including women who were being incarcerated at increasing rates. Their percentage of the prison population rose to five percent in 1980 from a low of three percent in 1970.

Whites continued to be arrested at about the same rate as in Western Europe while the New Afrikan arrest rate surpassed that of Blacks in South Africa. In fact, the U.S. Black imprisonment rate was now the highest in the world, with ten times as many Blacks as Whites incarcerated per 100,000 population.

THE 1990s AND BEYOND

As we began to move through the 1990s, the New Afrikan liberation struggle behind the walls found itself coalescing around campaigns to free political prisoners and prisoners of war, helping to build a national PP/POW organization, strengthening its links on the domestic front, and building solidarity in the international arena. 1991 brought the collapse of the Soviet Union and the end of the Cold War. It freed many of the CIA's Eastern Europe personnel for redeployment back to America to focus on the domestic war against people of color. In the same manner that COINTELPRO perfected techniques developed in the infamous Palmer raids at the end of WWI and used them against the Communist Party-USA, SCCL, SNCC, CPP, NOI, RNA, and other domestic movements, repatriated CIA operatives used destabilization techniques developed in Eastern Europe, South Africa, Southeast Asia, etc., to wreak havoc in New Afrikan and other domestic communities of color today.

Although the established media concentrated on the sensationalism of ghetto crack epidemics, street crime, drive-by shootings, and gang violence, there was a parallel long, quiet period of consciousness raising in the New Afrikan colonies by the committed independence forces. The heightened consciousness of the colonies began to manifest itself through apparent random sparks of rebellion and the rise of innovating cultural trends, i.e., Rap/Hip Hop "message" music, culturally designed hair styles, dissemination of political cultural video cassettes, reprportioning of insurgent periodicals, and the resurrection of forgotten heroes; all of which presaged an oppressed people getting ready to push forward again. Meanwhile the U.S. began building the ADX Control Prison at Florence, Colorado, which would both supersede and augment USP Marion, Illinois. ADX at Florence combined, in a single hi-tech control prison complex, all the repressive features and techniques that had been perfected at USP Marion.

In 1992, Fred Hampton, Jr., son of the martyred Panther hero, Fred Sr., was sent behind the walls. He was convicted of the firebombing of a Korean "deli" in Chicago in the aftermath of the Simi Valley, California, verdict that acquitted four policemen of the Rodney King beating which set off the Los Angeles riots.

In 1994, Shiriki Ugashika responded to the call of POWs Jalil Muntasim, Sekou Odinga, Geronimo ji-Jaga, and Mutulu Shakur, by hosting a national conference in Kansas City, Missouri, where various NAIM organizations discussed forming themselves into a National Front. After a year of holding periodic negotiations in various cities, the discussion bore fruit in Atlanta, Georgia. On August 18, 1995, NAPO
The so-called “War on Drugs” sent Blacks and other people of color, more commonly associated with crack cocaine, to prison in droves while allowing White offenders to go free. Five grams of crack worth a few hundred dollars is punishable by a mandatory five-year prison sentence, but it takes 500 grams or $50,000 worth of powdered cocaine, more commonly associated with wealthier Whites, before facing the same five years. In the mid ‘90s, 1600 people were sent to prison each week, three out of four were either Black or Latino, with the rate of African women imprisonment growing faster than that of African men.

Blacks were ninety percent of the federal crack convictions in 1994. The normal assumption is that Blacks are the majority of crack users. Wrong! Whites are the majority of crack users but were less than four percent of the crack convictions and no White person had been convicted of a federal crack offense in the Los Angeles area since 1986 or ever in Chicago, Miami, Denver, or sixteen states according to a 1992 survey. As a result, there are now more African men in prison than in college and one out of every three African men aged nineteen to twenty-nine are in prison, jail, or on probation or parole. Most of the convictions were obtained by an informant’s tainted testimony only, no hard evidence, in exchange for the informant’s freedom from prosecution or prison.

After lobbying Congress for a few years, Families Against Mandatory Minimums (FAMM), a predominately White lobby group, succeeded in getting the harsh mandatory sentences lowered for marijuana and LSD convictions. Both drugs are more commonly associated with White offenders and FAMM’s success resulted in the release of numerous White offenders from long prison sentences.

Blacks and other prisoners of color patiently waited for similar corrections to be made to the gross disparity between crack and powdered cocaine sentences. Several years passed before the answer came during a 1995 C-SPAN TV live broadcast of the Congressional session debating the disparity in sentencing. The Congress voted to continue the same 100 to 1 disparity between crack and powder cocaine sentences. Instantly, prisons exploded in riots, thirty-eight in all, although most were whitewashed of the news media while across the country, prison officials instituted a nationwide federal prisons lock down. The disparity in crack/powder cocaine sentencing laws remains to date; the only change made was the removal of the ‘C-SPAN TV channel from all federal prisons’ TVs.

Only two prison elements grew faster than the African prison population. One was the number of jobs for prison guards and the other was prison slave labor industries. A California guard with a high school diploma makes $44,000 after seven years, which is more than the state pays its PhD university associate professors and is $10,000 more than its average public school teacher’s salary. The national ratio for prisons is one guard for each 4.38 prisoners, meaning that each time the state locks up five new prisoners, usually Black or others of color, they hire another prison guard, usually White, since most prisons are built in depressed, rural White areas to provide jobs to poor, unemployed White populations.

After decades of the U.S. loudly accusing China of using prison labor in their
export products, the U.S. quietly removed its ban against the sale of U.S. prison products to the public. It set off a stampede by Wall Street and private corporations—Smith Barney, IBM, AT&T, TWA, Texas Instruments, Dell Computers, Honda, Lexus, Spalding, Eddie Bauer, Brill Manufacturing Co., and many others—to shamelessly invest in prisons, set up slave labor factories in prisons and to exploit every facet of the prison slave labor industry for super profits while callously discarding civilian workers for prison slave laborers.\(^{63}\)

From 1980 to 1994, prisoners increased 221 percent, prison industries jumped an astonishing 358 percent, and prison sales skyrocketed from $392 million to $1.31 billion. By the year 2000, it is predicted that 30 percent of prisoners (or 500,000) will be industry workers producing $8.9 billion in goods and services.\(^{64}\)

Although crime has been decreasing for five straight years, as we approach the new millennium, we find that prison expansion has continued at record pace and that the prison population has mushroomed over the last decade to an astonishing 1.75 million souls—\(^{65}\) the majority of whom are Black, period—not counting the half million persons in county and city jails for a grand sum of 2.25 million prisoners total. The prisons/jails have been majority Black since 1993 when Blacks ascended to fifty-five percent. Other prisoners of color made up eighteen percent and Whites shrank to twenty-seven percent of the prison population. There are now over two Blacks for every White prisoner,\(^{66}\) and the ratio increases daily.

The incarceration of women continues to accelerate. There are over 90,000 women in prison today, fifty-four percent are women of color and the vast majority of women in prison are single mothers. Upon imprisonment they lose contact with their children, sometimes forever. There are 167,000 children in the U.S. whose mothers are incarcerated.\(^{67}\)

The term “crime” has become a code word for “Black and other people of color.” The cry for “law and order,” “lock 'em up and throw away the key,” and for “harder prisons” is heard everywhere. Nothing is too cruel to be done to prisoners. Control units and control prisons abound across the landscape and prison brutality and torture is the order of the day. The “War on Drugs” continues space, by now transparent to all as a “war, actually a pre-emptive strike, on people of color” to knock out our youth—our warrior class—and to decrease our birth rate, destablize our families, re-enslave us through mass imprisonment, and ultimately to eliminate us. The threat is serious and real. To ignore it would be at our own peril.

Despite government mass imprisonment of our youth and covertly fomenting deadly internecine wars among Black street gangs, the abhorrence of the African community and persistent “Peace Summits” sponsored by African spiritual, community, and prison leaders have produced somewhat positive, although checkered results. The Gangster Disciples, at Larry Hoover’s direction, have struggled to transform their image from a criminal organization to a formidable organization for grassroots empowerment called “Growth and Development.” Throughout Chicago’s ghettos they have organized neighborhood cleanups and food drives in which hundreds of bags of Cornish hens and soul food dinners were given away to the poor.

Their political action committee, 21st Century, financed Chicago voter registration drives, conducted gang “peace summits,” and held rallies in support of health care reform that eventually won support from the ghetto schools, churches, and community leaders which gave them a measure of mainstream political power. Former GD “war counselor,” Wallace “Gator” Bledsoe ran for Alderman and lost both times, but in January 1994, he was admitted to the White House with Jesse Jackson to speak with Clinton about “combating crime.” The GD’s power continues to grow although in May 1997, still imprisoned Larry Hoover and six associates were found guilty of narcotic conspiracy.\(^{68}\)

A shaky peace maintains between the Bloods and Crips despite intermittent flare-ups and constant provocations by police to reignite the conflict. Gradually, some Blood and Crip sets in the West are changing their focus and becoming more involved in endeavors that uplift and protect the New African community. The Bloods and CRIPS joined the armed contingent led by Da’khal Muhammad and Aaron Michaels of the New Black Panthers of Dallas, Texas, which confronted the Klan demonstration in Jasper, Texas following the brutal pick-up murder there by White racists of a Black hitchhiker, James Byrd, Jr. Some Latin King\(^{69}\) sets in New York City are doing similar positive work for the Puerto Rican community which is likely the main reason for the recent mass roundup and arrest of ninety-four Latin Kings in New York. Latin Kings were in the streets on Rapital Justice Day and took part in the takeover of the Brooklyn’s D.A. Office to demand justice for the police murder of Yong Xin Huang and Anibal Carasquillo. When Francis Livoti, cop murderer of Anthony Baet was acquitted in 1996, the Latin Kings joined other protestors in the Bronx. They were among the first on the train to Brooklyn as news of the police rape/torture of Abner Louima hit the streets. Their leader, King Tone, a.k.a. Anthony Fernandez, and a Latin King contingent marched in the October 22, 1997, National Day of Protest Against Police Brutality. The Latin Kings also took part in the protest to demand a new trial for death-row Political Prisoner Mumia Abu-Jamal.\(^{70}\) Similar positive results have been obtained on occasions by the Code in their work with the Black street organizations of Brooklyn and Queens, New York.

Over the last two decades, the GDs have grown to roughly 30,000 members with GD chapters in about thirty-five states, primarily in the midwest.\(^{71}\) The Bloods have reached New York City, and have sets in almost every state. They became the first Black street gang to spread coast to coast in both streets and prisons.\(^{72}\) Today there are approximately 235 sets of Crips in L.A. and the surrounding area. Reportedly, there are Crip sets in seventeen states and thirty-six cities, including New York. Government sources put their collective number at 90,000. Sanyika Shakur asks rhetorically, “Had we not begun as predators of New Afrikans would we have been allowed to last this long?”\(^{73}\)

The latter part of the decade witnessed the June 17, 1997, release of BPP/BLA POW Geronimo j-i-jaga after twenty-seven years of unjust imprisonment. He was set with a tumultuous welcome home from the masses wherever he traveled and
Speeches were made by Damien of Harlem's Boys Choir, Farrakhan Muhammad—son of Dr. Khalid, Phile Chionesu, Dr. Josef Ben-Jochannan, Dr. Leonard Jeffries, Attorneys Malik Shabazz and Roger Wareham, Ernie Longwalker and Warrior Woman, Minister Conrad Muhammad, Al Sharpton, and others. Messages were read from various PP/POWs. Valentine, a spectator and twenty-three-year-old member of the United Blood Nation, said one reason he came was "to show his organization had positives" and "to bring understanding." He wore a red and white bandanna around his head to represent his group, and a Million Youth March dog collar around his neck. Dr. Khalid Muhammad's speech concluded the March at which time, a police helicopter buzzed low over the dispersing crowd, and a police contingent rushed the stage to cut off the sound system. A melee ensued leaving one spectator and fifteen police injured. The Harlem community was incensed at Mayor "Adolph" Giuliani and the police department for their racist/fascist posture leading up to and throughout the march, and for their brazen provocations at its end, all of which fell short of their intended effect.

The New African struggle behind the walls now follows the laws of its own development, paid for in its own blood, intrinsically linked to the struggle of its own people, and rooted deep in the ebb and flow of its own history. To know that history is to already know its future development and direction. The times are serious. Our youth, our women, and therefore our very survival as a people are at stake. We need only, both inside and out, to unite around a struggle agenda, organize, and fight for it, and we shall win without a doubt.

Sundiala Acoli
USP Allenwood
White Deer, PA
December 7, 1998

NOTES


2. Editor's note: See Ward Churchill and Jim Vander Wall, The COINTELPRO Papers: Documents from the FBI's Secret Wars against Dissent in the United States (Boston: South End Press, 1990), 396.
3. Editor's note: The Civil Rights Act was passed in 1968. Its "conspiracy" provision—popularly known as "The Rap Brown Law"—made it a federal crime to cross state lines "with intent to incite riot," or theoretically advocate social change.


8. The “Latin Kings” street organization, officially named the Almighty Latin King and Queen Nation, is thought to be traceable back to the same “King David” who founded the Gangster Disciples but time constraints did not permit the author to pursue verification. Robert D. McFadden, “94 in Latin Kings Are Arrested Citywide,” New York Times, 15 May 1998, states that the Latin Kings were founded in 1945 by Hispanic inmates in a Chicago jail and later established chapters in the Midwest and Northeast.

9. From author’s conversation with, and paper provided by, Derek “D” Williams of the Gangster Disciples.


16. Editor’s note: BOSS (Bureau of Special Services) was a division of the New York Police Department that spied on and attempted to disrupt black and Puerto Rican radical groups in the 1970s (see: Court Action Quarterly no. 67, Spring-Summer 1999). The Five Percent Nation was a religious organization that split from the Nation of Islam in 1964.


18. See Calahan, Correction Statistics.

19. Author’s conclusions based on results of his calculations using data from both Calahan’s Correction Statistics and Sourcebook of Criminal Justice Statistics—1986.

20. From a paper “Origin of the CRIP,” submitted to the author by Sanyika Shakur, author of Monster and an early CRIP member, and through author’s conversations with CRIP member, “Popa” Scott and his close affiliate Marcus Dean.


24. From the author’s conversations with Mudrock Vinegar and "Steve-O" Gecot, members of the Bloods, and Marcus Dean of the Bay Area Gangs.

25. From author’s conversation with, and paper submitted by, Marcus Dean of the Bay Area Gangs.


35. On Sept. 8, 1989, the D.C. Court of Appeals reversed the decision of the D.C. District Court in Baralini v. Thornburgh.

36. Dhouruba Bin-Wahad, People of the State of New York v. Dhouruba Bin-Wahad, Index #3885-71, New York, April 1988, Motion to Vacate Conviction Pursuant to CPL 440.10. See Appendix containing 243 pages of COURTPRO files pertaining to Dhouruba alone.

37. See Acoli, Suneste, 26.


40. See Shakur, Autobiography.


42. Editor’s note: See Mao Zedong, Quotations from Chairman Mao Tse-tung (Peking: Foreign Languages Press, 1966).


44. See Calahan, Correction Statistics.


Chapter Eleven

Lorenzo Komboa Ervin

Lorenzo Komboa Ervin was born March 30, 1947, in Chattanooga, Tennessee. A street gang member in his preteen years, as twelve he joined a local National Association for the Advancement of Colored People (NAACP) youth group and participated in the 1960 sit-in protests against racial discrimination in public accommodations. In 1965, Ervin was drafted for the Vietnam War and served two years in the U.S. Army before being court-martialed for his radicalism and antiwar organizing.1

In 1967, Ervin joined the Student Nonviolent Coordinating Committee (SNCC). “I learned a lot about internal democracy by being a part of SNCC,” Ervin writes in Anarchism and the Black Revolution, “[about] how it could make or break an organization, and how it had so much to do with the morale of the members.” SNCC, he explains, “developed a working style that was very anti-authoritarian and unique to the civil rights movement.” Ervin joined the Black Panther Party (BPP) between 1967 and 1968. He credited his brief period with the Panthers as another valuable learning experience: “It taught me,” he recalled, “about the limits of—and even the bankruptcy of—leadership in a revolutionary moment . . . a realization that many times leaders have one agenda, followers have another.”

After nationwide riots followed Martin Luther King Jr.’s 1968 assassination, a grand jury in Hamilton County, Tennessee, began to investigate “SNCC and the Black Power movement’s role in planning disturbances in the city of Chattanooga.” Fearing “gun-running” charges against him and other SNCC activists and threats of violence from the police and Klansmen, Ervin left the city and went into hiding. The Federal Bureau of Investigation (FBI) utilized the 1968 Civil Rights Act to pursue him on charges of allegedly “bombing Klan offices and smuggling guns to be used during a civil disturbance.” That act, which became known as the “Rap Brown Law,” made it a federal crime to cross state lines to “incite a riot,” that is, engage in political agitation.

On February 25, 1969, armed with a revolver, Lorenzo Ervin hijacked a St. Louis-San Juan, Puerto Rico, jetliner, rerouting it to Cuba.4 There, Ervin surrendered
Chapter Fourteen
Marilyn Buck

Marilyn Buck was born in 1947, in Temple, Texas, the daughter of a nurse and an Episcopal minister active in the civil rights movement. She herself first became politically active while a student at the University of Texas, and later at the University of California-Berkeley, where she protested against sexism and the Vietnam War and supported the Black Power movement. In 1967, Buck attended a teacher-organizer school led by Students for a Democratic Society (SDS) in Chicago and briefly edited the SDS’s national newsletter, New Left Notes. Committed to educational organizing, in 1968, she returned to California and began with San Francisco Newsreel, a radical filmmaking collective. Buck also worked in solidarity with indigenous groups and the black liberation movement, the Black Liberation Army (BLA), and international organizations struggling in Vietnam, Palestine, and Iran.

In 1973, Marilyn Buck became a target of the Federal Bureau of Investigation’s (FBI) COINTELPRO campaign against the Black Liberation Army and the Weathermen. Captured in her apartment in San Francisco, she was held on a $100,000 cash bail for purchasing ammunition under a false ID and for an application for a social security card using an alias. Convicted, Buck was sentenced to ten years, an unusually long term for a minor offense. The FBI accused her of being a member of the BLA and increased surveillance of Buck during her incarceration, monitoring her contacts with friends and political associates who corresponded with and visited her.

Sent to an experimental behavior modification program at the Federal Women’s Prison in Alderson, West Virginia, Buck endured psychological torture used in U.S. prisons to “neutralize” prisoners who pose the threat of political dissidence or escape. In 1977, she did not return from a work furlough; she escaped and went underground, where she continued anti-imperialist and antiracist activism.

In 1979, when Black Panther–BLA leader Assata Shakur successfully escaped from a New Jersey prison, Buck was suspected as an accomplice. In October 1981, along with codefendants Mutulu Shakur, Sekou Odinga, Silvia Baraldini, and others, she was indicted in a conspiracy that included Assata Shakur’s escape and the

"Brink’s robbery" in Rockland County, New York, which resulted in the killing of two policemen and a guard. Buck was captured in Dobbs Ferry, New York, in 1985. For the next five years, Buck faced four separate trials. In 1987, she went on trial for conspiracy under the Racketeer Influenced and Corrupt Organizations Act (RICO), used in counterinsurgency because it turned politically subversive movements into “criminal” organizations. Baraldini and Odinga were convicted in the first RICO trial. Buck and Mutulu Shakur were convicted in 1987 in the second RICO conspiracy trial, charged with conspiracy to commit armed bank robbery in support of the New African Independence struggle. She was sentenced to fifty years in addition to twenty years of previous convictions and ten years for the resistance conspiracy case (see Evans et al. biography in this volume) for a total of eighty years.

Trained as a literacy teacher, Marilyn Buck has worked in prison with immigrant women and women pursuing their graduate equivalent degrees (GEDs). Laura Whitehorn recalls witnessing Buck—then her prison cellmate—quietly getting up at five o’clock in the morning to tutor women who wanted to learn confidentially and teaching yoga classes and conducting HIV/AIDS education and support work with other prisoners. Studying for a master’s in poetics, she continues to write and publish poetry, and until recently wrote a column, “Notes from the Unrepentent,” in Prison Legal News. In the 1990s, she translated articles for the Chicago monthly magazine Latin America Update.

Marilyn Buck received a Pen Prison Writing Prize (April 2001) for her volume of poetry, Rescue the Word. Her poems also appear in Concrete Garden, Soujourner, BLU Magazine, Prosody X, 2001, and the anthologies Heading Up the Morning, Voices of Resistance: Doing Time: 25 Years of Prison Writing; and Wall Tapping: An International Anthology of Women’s Prison Writings, 200 a.d. to the Present. Following the September 11, 2001, tragedy, under the orders of Attorney General John Ashcroft, she was taken out of general population in her Dublin, California, prison and placed in isolation for several weeks, denied contact with family, friends, and attorneys.

REFERENCES


The Struggle for Status under International Law: U.S. Political Prisoners and the Political Offense Exception to Extradition

INTRODUCTION

In the following paper I discuss how I came to study international law and the political status of prisoners. I begin with my relationship to the history of the legal development of the status question inside the U.S. and from my own experience. Though not academically trained in international law, all of my previous political education—both experiential and formal—prepared me for this learning process.

I conclude with the collective work of my codefendants, Dr. Mutulu Shakur, my own, and others as we labor to produce a legal brief in response to Judge Charles S. Haight’s questions regarding “The Political Offense Exception to Extradition (POE)” and legal and political status, i.e. standing as political prisoners and/or prisoners of war. I did not do the majority of the writing. I had to appear for trial every day, rising at 4:00 AM to change into my court clothes in order to be transported from the jail to the courthouse. I did not attend legal meetings until after 6:00 or 7:00 PM, after I had returned from court and changed back into prison uniform. Other political prisoners held with us at the Metropolitan Correction Center in New York City (MCC-NY) contributed to this collective product.

NEW LEFT ACTIVISM

In the 1960s the U.S. was ablaze with social and political conflict and strife. The Civil Rights movement exploded into the Black Power and Black Liberation movement. Demonstrations for civil rights and political rights escalated into demands for self-determination. The Universal Declaration of Human Rights, signed by the U.S. in 1948, reflected on the official level of social, political and economic struggles worldwide, including in the United States. In 1966, the UN International Covenant on Civil Rights and Political Rights was elaborated. It too responded to post-World War II anti-colonial struggles, articulating some of the demands and aspirations of oppressed and exploited peoples worldwide. Here in the U.S. activists had been demanding civil rights since before the return of Black troops from WWII to Jim Crow America; now activists were demonstrating against apartheid, sitting in at lunch counters and traveling South as Freedom Riders to challenge whites only, and protesting against the U.S. war in Vietnam. The Black Panther Party (BPP) demanded the right to self-determination and to self-defense for Black people; in one electrifying demonstration in 1967, they stood with firearms before the Califor-
nia State House in Sacramento. Civil disobedience as well as active resistance burgeoned. Activists were arrested, went to jail, got bail and continued social protests.

By the end of the 1960s, political activists were being imprisoned for their radical challenge to the status quo. The questions about prisons and prisoners, and the role of incarceration in the suppression of political dissent and opposition, rose to the forefront. More and more political militants and activists spent years in jail awaiting trial or as convicted persons—Huey P. Newton and countless other Black Panthers, Ahmed Evans of the Revolutionary Action Movement (RAM), draft resisters, Puerto Rican Nationalists, and North American anti-imperialists, anti-war activists and pacifists. Thousands of political activists were inducted into Federal Bureau of Investigation (FBI) files and logged on to jail and prison rolls. They were incarcerated with other women and men who had originally been imprisoned for social and economic offenses—social prisoners. Prisoners were being treated as beasts, not men (or women). Some of these prisoners became politically conscious and struggled for human rights within the prisons.

Those of us in the political and social movements who were not in jail or prison poured a lot of energy into supporting all those women and men who had fallen into the hands of the State's repressive apparatus—the "criminal justice" system. In that period, we made little distinction about "political status": if one was in the State's clutches and/or was resisting dehumanization, support was given. By the early 1970s a debate began on who was or was not a political prisoner.

AN EXISTENTIAL QUESTION: THE EXPERIENCE OF POLITICAL DETENTION

In 1973, the question of who and what is a political prisoner became an existential question for me. As an anti-imperialist and an internationalist, I supported and worked in solidarity with Black Liberation forces including the Black Liberation Army (BLA). Suddenly, in the dawn hours of March 22, 1973, with the kicking-in of a door, I became a political prisoner. I was convicted for carrying firearms and sentenced to ten years in prison, unheard of at the time for such a minor offense (but in retrospect a short sentence for the betrayal of white supremacist culture). I went from trial to trial and was moved from jail to jail, isolation cell to isolation cell. I finally in the fall of 1974, for no other reason than "political association," was dumped into the then-experimental behavior modification program at the Federal Women's Prison at Alderson, West Virginia. After more than thirteen months of "behavior modification" (which consisted primarily of isolation and segregation with no discernible goals to be met to tend the process), I was released into the general population. There I met Lolita Lebron, the Puerto Rican Nationalist political prisoner who had been in prison since March 1, 1954. For several years we spent a lot of time together. From her I learned about other women political prisoners who had been there at different times—other Puerto Rican Nationalists such as Blanca Canales, Isabel Rosado, and American Elizabeth Gurley Flynn, a Communist. I met another political prisoner there as well, a pacifist Roman Catholic nun, Sister Jane. Most importantly, I learned from Lolita resistance, commitment and about being a political prisoner. She was a shining example of commitment to her people and of human dignity under adverse conditions.

I had experience as a political prisoner, including the particular repression we were subject to at times. (Those imprisoned for political actions and offenses are considered to be the "worse of the worst." We are subject to preventive detention or astronomically high bail; courtroom security is used to prejudice the jury; we receive disproportionate sentences; and we are subjected to isolation and efforts to break or destroy those who do not repent our political ideologies.) Nevertheless I had little knowledge of the history of political prisoners in the U.S. I began to read about the history and traditions of U.S. political prisoners: the Amistad rebellion and trial, Joe Hill, Emma Goldman, Sacco and Vanzetti, the Rosenbergs, Francisco Flores Magon, Don Pedro Albizu Campos and Don Juan Correjie, the Communists imprisoned because of the HUAC (House Un-American Activities Committee) "red scare" hearings in the 1950s, as well as countless others.

In 1978, I was granted a work furlough. I did not return. I continued my political activism underground until 1985 when I was captured.

NATIONAL LIBERATION, INTERNATIONAL LAW AND POLITICAL PRISONERS

The concept of political prisoner is as old as the history of political conflicts between and within nations and states. Those prisoners of such conflicts were recognized as political prisoners has not always been a certainty. Most nation-states unequivocally condemn the political opposition and militancy as "criminal." Nonetheless, at the end of the Second World War, European and American statesmen sat down to define war, conflicts and the rules of war for the modern world, as well as to outlaw genocide and civilian murder and displacement. The Nuremberg Charter, as well as the Geneva Conventions of 1949, were elaborated.

The rule of interpretation of international law have become broader in reach since the Second World War. For those who have been imprisoned because of their involvement in struggles against colonial oppression and for human rights—including inside the U.S. itself, it has been necessary to demand and advocate for recognition and inclusion of those struggles under international law. Forces of national liberation and anti-imperialism—excluded from the community of nations because of their colonial status—had staked wars of national liberation. Anti-colonial warfare—unconventional warfare—challenged the narrowness of the conventions, given that the conventions were elaborated relative to conventional warfare in the imperialist, developed nations. Many of the progressive changes in international law have been primarily impelled by those nations most excluded—the for-
POLITICAL PRISONERS IN THE 1960s

In the 1960s, political movements had declared that those who had acted in concert with those movements and were imprisoned for their actions were political prisoners. Many Black Liberation Movement “cases” were supported worldwide, especially those of Angela Davis, Huey P. Newton, and the Panther 21. Weathermen, pacifists, draft resisters and anti-imperialists also became political prisoners. Some social protesters, like George Jackson and the Soledad Brothers, and later the San Quentin Six and Rachell Magus, had actively opposed the racism and inhuman conditions inside prisons. They had become politicized and had paid heavy prices. They too were recognized and supported as political prisoners. The U.S. judiciary and the repressive apparatus officially denied the political nature of all those cases, relying on the FBI’s Counterintelligence Program, COINTELPRO, to quell political dissent and to maintain or restore the status quo in society.

After the defeat of the U.S. by the Vietnamese in 1975, and its other losses in Southeast Asia, the State’s repressive apparatus intensified its program to restore “order” in U.S. society. It sought to reassure or deceive the international community, as well as its own citizens, that the U.S. was indeed the leading stable force of democracy and human rights worldwide.

In the early 1970s, in the course of the domestic battles against the war in Vietnam, when the Weather Underground bombed the Capitol, it was treated as a political attack. Thereafter, during the Reagan regime, in response to ongoing domestic left political struggles, the State reconfigured its definition of “terrorism” to include political actions of dissent, opposition and resistance. Thus, in 1983 when the Capitol was bombed, it was decried and propagandized as a “terrorist” attack although the action did not fall under the Geneva Convention’s definition of terrorism; i.e., military acts of violence against the civilian population to inspire fear and subjugation. Those who were arrested or captured for political actions and protests were demonized as terrorists, not recognized as political activists. They were subjected to extreme security measures: isolation, overwhelming use of armed force to regulate their movements as political prisoners, and a steady stream of media propaganda.

The process of delegitimization of political resistance was under way.

DIFFERENT DEFINITIONS (1): U.S. V. LEFT

The U.S. government asserts that there are no political prisoners in the United States. It maintains this assertion in relation to countries with (military) dictatorships that are friendly to the U.S. While it may have signed, in part, the 1977 Additional Protocols, its practice has been to assert that political prisoners and prisoners of war (POWs) exist only in those countries that are considered inimical to or that impede U.S. interests, such as Cuba and Libya. The U.S. response to international covenants, the Geneva Conventions in particular, is to say that there are no conditions or situations of conflict within the U.S. that would result in political prisoners. It refuses to acknowledge its colonial relationships or conflicts with Puerto Rico, Native Americans, or African descendants of slaves. In 1988, in the course of the RICO (Racketeer Influenced and Corrupt Organization) conspiracy case against Dr. Mutulu Shakur and me, the Executive branch of the government submitted a brief in response to an order by Judge Charles S. Haight, which states:

it is well accepted in customary international law, the Geneva Convention, and the Protocols that the use of force by the regular military forces of a State in resisting rebels or insurgents by force is needed before any situation can be properly described as an armed conflict (whether international or internal).\(^3\)

It is the view of the Government that the actual application of the Geneva Conventions requires a political judgment on whether an international or internal armed conflict is present. Whether such a conflict of hostilities exists in a particular case presents a question that is appropriately reserved to the political branches of governments.\(^4\)

Thus, those persons arrested for their political activities are seen and treated as outlaws and criminals. To admit that there are political prisoners would open the U.S. to scrutiny over its own anti-democratic and repressive practices toward its own populations (and other nations). This would be tantamount to officially acknowledging that serious national conflicts exist within its borders.
... any decision that an armed conflict exists would have serious foreign policy and legal ramifications. Under traditional international law, for example, it would give rise to neutral rights, and thus confer the right on the belligerents (e.g. the United States and the "Republic of New Afrika") to search and seize certain neutral vessels engaged in commerce to ensure that contraband (e.g. weapons) is not being shipped to the other belligerent. It is extremely unlikely that other countries would tolerate action by the so-called "Republic of New Afrika." 

Despite its denial of the existence of political conflicts, the government's repressive measures and programs to monitor, control and destroy rising political movements and struggles is well-documented. COINTELPRO was the government's most developed political police program to fend off and undermine those political movements that have demanded the same liberation and justice advocated by the U.S. in those areas of the world where it has sought to gain both economic and political footholds. It arose out of the U.S. post-World War II "cold war" program of political control and repression. Its antecedents lie in FBI programs such as COMINFL (for communist infiltrators operating) in the 1950s in the wake of theHUAC hearings and imprisonment of "communists" who refused to bow before its ideological inquisition, coupled with the trial and execution of the Rosenbergs for espionage. Among its earliest targets was the Puerto Rican Independence movement, the Civil Rights movement, and Communists and Socialists who had not capitulated before HUAC. By the late 1960s, COINTELPRO had issued its infamous dicta about preventing the rise of a Black Messiah and the necessity to "neutralize" any potential Black leadership or movement.

Under the umbrella of COINTELPRO, the FBI, Central Intelligence Agency (CIA) and local police agencies employed nefarious, illegal activities against political activists across the Left spectrum, including white Leftists that supported the Black struggles and opposed the war in Vietnam. If the local police agencies were not before that time invested as a political, military force in what the U.S. government characterized as "actions to protect U.S. democracy against Communism," they quickly took on that mantle, particularly in communities of oppressed national "minorities.

After some of its most blatant activities were exposed and protested by the targets of its attacks, a Congressional investigation—the Church committee—was initiated. "COINTELPRO essentially federalized the local police for its politically repressive purposes, and military intelligence played a major role in the successful implementation of the program." 6

Throughout the 1970s, the National Black Task Force for COINTELPRO Litigation and Research, led by Dr. Shakur and Munu Masimela, played an important role in uncovering some of the government's illegal actions against political activists and political prisoners. Through the Freedom of Information Act (FOIA) a number of abuses were uncovered and a civil suit, Clark v. Gray, was filed through the efforts of the Black Task Force. It was subsequently settled by the government before trial. (The Task Force also played an instrumental role in building political prisoner support work.) In the late 1970s, COINTELPRO was ostensibly dismantled after such scrutiny, but the Joint Terrorist Task Force (JTTF) was created to take over the functions of COINTELPRO and continue its program of intensified repression.

DIFFERENT DEFINITIONS (2):
LEFT POLITICAL MOVEMENTS V. U.S.

Where one stands in the world shapes and defines what one sees as reality. Those of us who believe in human rights, including the right to self-determination for peoples and nations, have a different worldview, experience and definition of political prisoners and prisoners of war. This worldview is diametrically opposed to the U.S. view of both international and domestic law.

We recognize that there has been an ongoing, historical conflict within the body politic of the U.S.A. Founded on genocide and slavery under the guise of "Manifest Destiny," the United States developed as the dominant modern capitalist nation-state, and as a profoundly anti-democratic, white supremacist society with internal and external colonies. This fundamental anti-democracy shaped late U.S. twentieth-century strategies to maintain power and a modicum of social stability.

The United States has never addressed the injustices of slavery, neither through reparations nor cessation of hostilities against Black communities nationwide. It has not withdrawn from Puerto Rico despite repeated UN votes for decolonization. Both situations are unresolved political conflicts. Therefore, the U.S. is fundamentally in violation of common international law as it has developed since the Second World War, despite the fact that it ostensibly subscribes to the rule of international law while claiming paradoxically that it is not bound by international law.

International law is part of our law, and must be ascertained and administered by the courts of justice of appropriate jurisdiction. 7

It is now established that customary law in the United States is a kind of federal law, and like treaties and other international agreements, it is accorded supremacy over State law by Article VI of the Constitution. 8

The government argues that the judicial branch only enforces that which the legislative and executive branches devise as current law. On the one hand the State represents the body of law as the immutable neutral foundation of society. On the other hand, it denies the political and selective nature of the law. Laws had to be forcibly changed to outlaw slavery (reinstated in the Thirteenth Amendment, for prisoners), to protect workers' and immigrants' rights. Political movements and their political prisoners have had not only to struggle for human rights and against
exploitation and oppression in the social-political realm, but have had to do battle in the legal realm as well.

Over a period of twenty years the concept of "political prisoner" developed from the practice and experience of people detained and imprisoned for their beliefs and actions. By the late 1970s, there were political prisoners from the Black Liberation movement—the Panthers in particular—along with several U.S. anti-imperialist and anarchists, who had been imprisoned since the late 1960s for their political activities. Once the 1977 Additional Protocols were signed, political prisoners began to demand that they be treated as political prisoners and prisoners of war according to international law. The concept of the political offenses and political "crimes" began to be integrated into legal defenses in order to challenge criminal charges, criminalization, and the attempts of the U.S. to hide its endemic social-political contradictions and conflicts.

These legal claims—as challenges to the criminalization of political opposition—eventually became sharper and more clearly defined. The definition of U.S. political prisoners was agreed to by a number of movements (and their political prisoners) concerned with national self-determination, justice and human dignity. The Introduction to the fourth edition of Can't Jail the Spirit discusses the concept of political prisoner status:

Political prisoners exist as a result of real political and social conflicts in the society. There is no society free of contradictions and therefore no society that does not have political prisoners. The absurd position of the U.S. government that it alone has no political prisoners is consistent with its position that there are no legitimate social or political movements struggling for fundamental change. The strategy of criminalization and isolation of political prisoners, i.e. the denial of their existence in part allows the U.S. to propagate the lie that U.S. society has achieved social peace, and that whatever dissent there is functions solely within the existing bourgeois democratic framework.

Our movements here in the U.S., as well as liberation-directed movements in other nations and even some foreign states, are clear that there are political prisoners and POWs in the U.S. After every major attack by the State in which political activists have been arrested, we have mounted a defense struggle in the realm of the domestic, criminal court both to challenge the criminal charges and to argue for treatment as such under international law.

In 1977, William Morales, a Puerto Rican independentista was arrested in New York after a pipe bomb exploded prematurely in his hands. He refused to participate in a "criminal" trial based on his declared status as a prisoner of war under the Geneva Conventions. This case was one of the first to challenge the right of the U.S. to try him under criminal because as a colonial fighter he was eligible for POW status under international law. Morales [who escaped to Cuba] relied on the eighty-year history of struggle against Puerto Rico's colonial status, led by Don Pedro Albizu Campos and the Puerto Rican Nationalist Party, five militants who were at that time still imprisoned after at least twenty-four years of incarceration.

Within a few years thereafter, a large number of other political militants were captured, arrested and charged as "criminals" or "terrorists"—two terms increasingly conflated in order to heighten fears of terrorist attacks on civilians and civil society and thereby to justify brutal, inhumane treatment of prisoners.

BUT FOR THE EXPERIENCE

Had I not been captured, I would not have studied international law relating to political conflict and political prisoners/POWs. The experience of being a political prisoner motivated my studies. Prior to my arrest, I did not see such study to be my responsibility. My attentions and efforts were focused elsewhere in other arenas: I was immersed in other strategies both to support and to free political prisoners, many of whom had been subjected to harsh, extreme treatment inside prison.

Once again captive, Dr. Mutulu Shakur mobilized me to study international law in order to advance the struggle in international terms and to better attack politically the indictment against us. During my first trial, for escape, in West Virginia, I acted as my own attorney. I argued a "necessity defense" that had been developed at the end of the 1970s, principally by the prisoners of the anti-nuclear movement. The "necessity defense" was based on the Nuremberg Principles embodied in the Treaty of London, to which the U.S. is a signatory. It provides that

individuals have international duties which transcend the national obligations of obedience imposed by the individual state. 10

The principles recognized in the judgment of the Nuremberg Tribunal impose on individuals the affirmative duty to prevent the commission of crimes as enumerated therein at Article 6. 11

Investigating the "necessity defense," I began my engaged analysis of international law and political prisoner status. Although I had prepared a necessity defense with the help and advice of attorneys, I was not allowed to present it except to the extent that I could elaborate the concept in my opening and closing statements. I was convicted, sentenced and returned to New York.

A STUDY OF INTERNATIONAL LAW: THE NATURE OF CONFLICT AND POLITICAL STATUS

In New York, I was to stand trial for a RICO conspiracy. I began to prepare my defense case with my attorneys, and was fully engaged in all aspects. I focused on challenging the evidence, which we did successfully, initially, at lower court levels. My knowledge or understanding of the international legal tradition that defined the
concept of political prisoner was still limited. However, I was in the company of a number of other political prisoners and POWs—Grand Jury resisters, comrades from the New African Independence Movement, other North American anti-imperialists, Puerto Rican political prisoners, as well as an Irish Republican Army member, Joe Doherty. For years Joe had been fighting in the U.S. courts for political asylum against the demand by the British government that he be returned to political detention there. He had based his legal battle in international law and the Political Offense Exception to Extradition (POEE).

In interactions limited by security attempts to keep us separate, political prisoners discussed both the international and domestic laws concerning the definition and status of U.S. political prisoners. Recognizing the import of the POEE, Dr. Shakur began to explore its possibilities and educated the political prisoners, attorneys, and law student paralegals. We analyzed the history of political prisoners' challenges to U.S. criminal law, read previous briefs, and translated that history into a legal argument. Under Dr. Shakur's direction, an argument was developed that the POEE must not be limited to extradition only since it is the method used in most Western alliance countries as a guide to evaluate the political character of an offense and its common criminal elements.

The conspiracy charge against us was defined by the U.S. Justice Department as an enterprise for political purposes; that is, to free political prisoners and provide economic support for the New African Independence Movement. Nevertheless, the conspiracy and the substantive acts and counts were indicted criminal offenses. We participated in the trial to challenge the evidence against us. We also consistently showed the political nature of the acts, particularly in cross-examination of the government's central witness, a former political associate of Dr. Shakur who had succumbed to FBI/JTF coercion and had been well-paid to elaborate upon the prosecution's conspiracy case.

We argued for political prisoner status under international law based on the Geneva Conventions (1949), incorporated the International Covenant on Civil and Political Rights, and developed arguments using the Political Offense Exception to Extradition (POEE). Led by Dr. Shakur and Joe Doherty, we studied these particular aspects of international law. We referred to other political challenges to criminalization by other political prisoners and POWs including William Morales and Sekou Olango, a New African POW comrade and co-defendant in our RICO indictment.

At the beginning of our trial in November 1987, Dr. Shakur filed a "Motion to Dismiss the Indictment" based on his status as a POW. I did not seek POW status because for a Euro-American citizen of the U.S., not a colonial subject, the same arguments could not be made relative to a "civil" war. In an earlier trial it had been decided, for political reasons, that the (white) North American anti-imperialists, though acting in solidarity and in concert with the New African independence forces, would declare themselves as political prisoners and allies.

Dr. Shakur argued that African peoples inside the United States constituted a New African nation by virtue of their historical relation to the land in the South, and that as a citizen and militant of the Republic of New Africa, he had a legitimate right to defend his nation against the white supremacist, genocidal war that the U.S. had been waging against New African people as colonial subjects. In his petition, Memorandum in Support of Defense Motion to Dismiss the Indictment, he argued that the Political Offense Exception to Extradition could be extended to political conflict inside the United States.

According to the Quinn Court, there are two distinct categories of political offenses: "pure political offenses" and "relative political offenses."

Pure political offenses are acts aimed at or directed at the government and have none of the elements of ordinary crimes ... The definitional problems focus around the second category of political offenses—the relative political offenses. These include "otherwise common crimes committed in connection with a political act," or common crimes ... committed for political motives or in a political context. 13

It is the fact that the insurgents are seeking to change their governments that makes the political offense exception applicable, not the reasons for wishing to do so or the nature of the acts by which they hope to accomplish that goal. 14

He argued that within the POEE, treaties and international norms, there are various tests known as the Anglo-American test, which are the primary tests used by the judiciary to evaluate the character of the acts charged by the country demanding extradition of the defendants.

In January 1988, after the Government had filed its response to Dr. Shakur's motion, the Judge directed the Government to answer five questions "regarding the possibly political character of the acts charged in the indictment." (See SSS 82 CR, 312-CSH, Memorandum Opinion and Order by Charles S. Haight, Judge, Southern District of New York, January 19, 1988.) Those questions were:

1. What role, if any, did the United States play in the development of the 1977 protocols proposed as amendments to the 1949 Geneva Prisoner of War Convention?
2. What is the history and present status of the United States' position with respect to the 1977 protocols?
3. Do the 1977 protocols reflect the current state of international law on the issue of when prisoner-of-war treatment must be accorded to accused persons?
4. Assuming that the United States has not adopted the 1977 protocols, but that the protocols do reflect current international law, is this Court required or permitted to decline to analyze the present motion under the principles enunciated therein? Cf. Filartiga v Pena-Irala, 630 F.2d 876 (2d Cir. 1980)
5. Analyzed under the principles enunciated in the 1977 protocols, should the criminal enterprise charged in the indictment be regarded as an insurgency?
The AUSAs—Attorneys for the United States of America or federal prosecutors—forwarded the Court's order to the Department of State to make the responding brief. Abraham D. Sofaer, Legal Advisor to the Department of State, together with others, including the Chief of the Office of the Judge Advocate General of the Department of the Army and Office of the General Counsel of the Department of Defense responded. The government's political brief argued essentially that any decision on POW (or political) status or declaration that a conflict exists is reserved to the political branches:

... even were the court otherwise inclined to address the defendant's contention, it should take into account that there is an "absence of judicially discoverable and manageable standards" for determining whether hostilities or armed conflict exist for purposes of such laws and treaties.15

The government dismissed outright any condition of the Political Offense Exception to Extradition as not applicable.

The political offense exception referred to by the defendants is relevant as a matter of law solely in cases involving extradition. Under no circumstances is it a defense to prosecution in the United States. (Cites omitted) (Government Brief, 2)

We responded to that brief. In March 1988, we had requested that a number of potential political prisoner witnesses for the defense case be brought to New York. The Judge ordered Sekou Olindo and Cecil Ferguson, both convicts already convicted in our own case; David Gilbert, an anti-imperialist comrade who had been convicted in New York state courts for participation in an action that included both New Afrikans and North American anti-imperialists and was one of the substantive acts charged in our own case; Susan Rosenberg, an anti-imperialist comrade indicted in the instant RICO conspiracy but who had been relieved [i.e., the government chose not to prosecute but declined to drop charges] in order to focus the prosecution on Dr. Shakur and me; Nuh Washington, a Black Liberation Army combatant imprisoned since 1971 in NY state prison; and Geronimo ji Jaga Pratt, a Black Panther Minister of Defense who was falsely imprisoned for twenty-seven years as a target of COINTELPRO. We held joint legal meetings nightly after Dr. Shakur and I returned from court.

Each evening was a legal education session on points of international law regarding political prisoners, definitions of combatants and non-combatants and on the POSPE and its possible application to our situation inside the U.S. We approached the subject from the point of view that the court had the discretion to address this issue:

The "political offense exception" to extradition arose in Europe and America because democratic governments supported the right of individuals "to resort to political asylum to foster political change." The underlying tenets of domestic extradition law arise from

(1) the desire to insulate the executive involvement in the extradition determination, which is made by the Court; and, (2) the political decision that the executive should not help another country suppress its own internal political dissent. These concerns have governed American extradition policies for 150 years.16

In order to respond to Judge Haight's questions and challenge the government's response to those same questions we immersed ourselves deeper into the case law and the theories behind international conventions and laws, in particular the Political Offense Exception to extradition, given that the major point of contention was whether the crimes charged were political or not.

By the time we had read and discussed a significant amount of case law and international covenants related to political conflict, political offenses and judicial authority, we felt confident to write a response brief to answer the government's misrepresentations of international law. We were advised by our attorneys, Chokwe Lumumba, Jill Sofiyah Eljah and Judith Holmes, each of whom brought her or his own area of expertise and experience. Our response brief began by arguing that the U.S. political stance relative to Protocol I was based on its own history and policies. It had historically denied that political conflicts had existed internally. We argued that the real issue, assuming that the Protocols do reflect current international law, is whether there are controlling executive or legislative acts that preclude the Court from recognizing international law applicable to this case.17

We also challenged the government's assertion that if Congress doesn't ratify a law of nations then that law is not controlling.

The Senate's failure to ratify the Protocols means that these amendments do not have the status of a United States treaty. But, if the Protocols do indeed express contemporary international law, the Senate's non-ratification merely means that no codification on how such international law may or may not apply in the United States has been established.18

In response to Judge Haight's final question, we argued that the Black Liberation struggle was indeed an ongoing internal conflict.

Given the body of factual data in defendant's [Dr. Shakur] affidavit about the war against New Afrikans and the Black Liberation Movement, and the massive documentation the Church Committee revealed that chronicled the government's "secret war" involving the Army, the CIA, the FBI, the IRS and the state and local police against the Black Liberation Movement, such actions taken against any foreign nation would clearly constitute overt "acts of war" in international law. Any person captured would be considered a prisoner of war.19
The government's reply to the Court's fifth question, asking whether the criminal enterprise charged in the indictment should be regarded as an insurgency as analyzed under the 1977 Protocol, evaded the central issue: whether the conspiracy charged is a part of the ongoing conflict between Black people in America and the United States government. . . . The RICO statute has become a tool for criminalizing political movements that has enabled the government to define the New Afrikan Independence Movement as a criminal enterprise.20

Dr. Shakur posited that the Court could grant relief under the provisions for international armed conflict, because the requirements for such an evaluation existed despite the government's denials; i.e., the Political Offense Exception to Extradition could be applied by the Court to grant us political status.

In re Doherty, 599 F. Supp. 270, 27 (S.D.N.Y. 1984) elaborated a more flexible standard for applying the political offense exception. It stated:

The court rejects the notion that the political offense exception is limited to actual armed insurrections or more traditional and overt military hostilities . . .

Finally we made an "interest of justice argument and application" in which we argued that the case presented by the State pointed out the relative political nature of the acts and of the defendants. We asked that the Court hold fact-finding hearings on our political status.

In the Documentation/Appendix, The Defendants' Memorandum in Reply to the Government's Response to the January 19, 1988 Order of Judge Charles S. Haight (as printed in Wazo West) lays out all of our arguments based on the substance of the learning experience that occurred not only for myself but for all of us involved, both defendants and attorneys.

AFTERWORD

Both Dr. Shakur and I were found guilty of the RICO conspiracy and all the substantive acts therein. Post trial, as part of the defense's sentencing briefings, Judge Haight ruled against Dr. Shakur's POW petition and our joint request to be treated as political prisoners and to be allowed to go into exile to a country that would grant us political asylum. However, he accepted the government's argument that he had no jurisdiction to rule on our political status given there was no precedent in U.S. law not related to extradition. He carried forward the criminalization process by sentencing us under criminal law guidelines.

In 1989, a campaign to demand amnesty for all political prisoners and POWs (of the progressive and Left movements)—Freedom Now—was launched. In 1990, the campaign culminated in an international tribunal on U.S. political prisoners and prisoners of war. The work we had done was useful in that tribunal. Nevertheless, the work we did remains to be evaluated under changed political conditions. Perhaps our work will contribute to changes in the political conditions and, ultimately, in the law itself. Radical change generally proceeds any change in the law. The law is the foundation stone of the political and social order as it has been and is not what it is to become.

NOTES

Unedited version originally published in Prior Learning Component #2 (Fall/Winter 1999).


2. Defendants' Memorandum, 128.


4. (Cites omitted.) Government Brief, 19.

5. Government Brief, 22-23.


7. The Paquete Habana, 175 U.S. 677, [1900].


9. Can't Stall the Spirit, 4th ed. (Chicago: Committee to End the Motion Lockdown), 19.


14. Quinn v. Robinson, 783 F. 2d at 805, Memorandum in Support of Defense Motion to Dismiss the Indictment, November 2, 1987, 47.

15. (Case law cites omitted.) Government Brief, 24.


17. Defendants' Memorandum, 131.

18. Defendants' Memorandum, 132.

19. Defendants' Memorandum, 133.

20. Defendants' Memorandum, 133.

21. Defendants' Memorandum, 139.
Chapter Fifteen

Rita Bo Brown

Born in 1947, Bo (Rita Darlene) Brown grew up in a white working-class neighborhood in Klamath, Oregon. Her first experience with the U.S. prison system came when she was sentenced to seven months at Terminal Island Penitentiary for stealing forty dollars from the post office in Seattle where she worked. Upon release, she returned to Seattle and became involved in prison and lesbian rights work, helping to found Leftist Lezzies, an organization to combat the invisibility of lesbians in the antiwar movement. Eventually, Brown became a member of the George Jackson Brigade; her involvement with the Brigade and its armed robberies led to eight additional years of incarceration.

Based in Seattle, the Brigade emerged as a multiracial, nonhomophobic, anti-capitalist, anti-imperialist underground organization. It was largely composed of individuals who were former prisoners, or had used or advocated armed struggle in opposition to U.S. policies and in solidarity with Native struggles for sovereignty, Seattle Auto Workers' strikes, and Washington State prisoners' human rights. In solidarity with the United Farm Workers, the Brigade allegedly bombed a Safeway supermarket; in support of the American Indian Movement, the organization allegedly bombed the Bureau of Indian Affairs in Everett, Washington, and the Federal Bureau of Investigation (FBI) office in Tacoma, Washington.

The Brigade publicized the political nature of its actions through communiqués distributed to news media across the country, announcing the bombings and explaining their political motivations. Attempting to make a distinction between terrorism and the Brigade's actions, Brown asserted in an article in the feminist publication Off Our Backs:

Terrorism is armed action which deliberately and callously ignores the welfare of the people. It is the institutionalized sick violence of the ruling class and its police forces—i.e., the senseless bombings of Viet Nam; the Attica massacre; the Kent State massacre; the Jackson State massacre; the individual murders of Clifford Grover, Karen Silkwood, and George Jackson; the continuing murders and sterilizations of Native Americans and Puerto Ricans..."Armed Struggle" is the use of controlled violence such as armed occupations, kidnappings, prisoner escapes, armed robberies, bombings, etc. A primary factor is that concern for the welfare of innocent people is always a vital part of the planning and execution of these actions."

Bo Brown was finally captured on November 4, 1977, in Seattle, Washington, and extradited to Oregon that month to stand trial. Although charged with five counts of robbery and two weapons charges, all remaining charges were dropped when, on January 11, 1978, Brown pleaded guilty to a 1977 armed robbery of a Wilsonville Branch of the National Bank of Oregon. The press often covered news of the Brigade's activities, yet the FBI allegedly withheld information from the media after Brown's arrest in order to limit publicity for the George Jackson Brigade. Limited media coverage made the organization of a political defense all the more difficult for Brown and her allies. Sentence on February 21, 1978, to twenty years for robbery and an additional five years on the firearms charge, Brown appealed, arguing that she could not be sentenced to two consecutive terms for the same crime; the initial ruling was upheld.

Once sentenced, Brown was held in solitary confinement in the Federal Correctional Institution in Pleasanton, California, until March 21, at which point she was transferred to the Federal Correctional Institution at Alderson, West Virginia. At Alderson, she was placed in the prison's Maximum Security Unit (MSU) in Davis Hall, which also housed Asata Shakur. Women in Davis Hall were locked in their cells the majority of the day, with exceptions for meals, two hours of personal visits, and, sometimes, for work.

While housed in Davis Hall, arguably the first special control unit for political women in the federal system, Brown and other inmates attempted to publicize the unfair conditions of the unit. After pressure from progressive segments of the legal community, community activists, and inmate activists, the MSU was terminated as a program; however, it continued to be used as a general punitive segregation unit and, occasionally, as a control unit. (Held there in the 1980s were Lucy Rodriguez, Haydie Torres, Dylcia Fagan, and Laura Whitehorn.)

After Brown was released from prison in 1987, she cofounded Out of Control Lesbian Committee to Support Women Political Prisoners, and began support work for people with AIDS in prison, and for battered women convicted of killing their abusers. Organized initially around the campaign to close the Lexington Control Unit for Women, Out of Control now works to support women political prisoners. Brown also participated in the Jericho '98 Campaign to Free Political Prisoners and Prisoners of War and the Norma Jean Croy Support Committee for the release of Norma Jean Croy, a Native lesbian wrongfully imprisoned for nineteen years. Brown has directed and produced Shasta Woman, a documentary on Croy's case.

REFERENCES

NOTES

Research and draft for this biography were provided by Nicole Kiehl.


White North American Political Prisoners

October 1992

I am very honored to be here today, at this tribunal condemning 500 years of genocide and celebrating 500 years of resistance. I came to speak about some thirty-five white political prisoners presently being held in U.S. prisons and jails—many of whom are imprisoned because of their solidarity with oppressed nations and peoples in the United States and around the world. I speak from experience and deep feeling, for I am a former political prisoner myself, and spent almost a half year in federal prisons around the country because of my actions as a member of the George Jackson Brigade. In those years, I was moved from prison to prison. During that time, I spent almost a year in isolation in Davis Hall at Alderson. This was the first special control unit for political women in the federal system. Sister Assata Shakur and I were held there together with reactionary and Nazi prisoners—the government's threat to us was very clear. I was also kept for extra long periods in isolation and threatened and harassed specifically because I am a Lesbian. This was not all that unusual treatment, however, for my experience mirrors that of all the political prisoners. Yet our very existence is still denied by the U.S. government and not seen or understood by most people in this country.

The strategy of the U.S. government towards all political prisoners and POWs held in prisons is to criminalize them—to disguise their political identities under the rhetoric of criminal activity. But they are not criminals. All of these white North American political prisoners have been convicted of and imprisoned for activities that are strictly political in nature. These political prisoners and POWs are not a new phenomenon but are part of the history of the resistance in the Americas. In fact, under international law as well as the Constitution of the United States, people not only have the right, but the absolute responsibility to resist the illegal policies and practices of the oppressor and colonizing nation. And that's what they have done.

The North American political prisoners draw on a history of resistance that includes the anti-slavery/abolitionist movement, those who helped in the Underground Railroad, women's rights activists, labor and working-class organizers, and supporters of anti-colonialism and anti-militarism. Some of their names are familiar: John Brown, Emma Goldman, Eugene Debs, Ruth Reynolds, and Ethel and Julius Rosenberg; but most of the names of our historical grandmothers and grandfathers remain unknown to us because the historians don't want us to know about them. Some of these political prisoners come from working-class or poor communities, some were already ex-cons, and still others were college students, but a common thread runs through all their stories—the decision to take action. Action in support of self-determination; action against racism; action against U.S. military and nuclear policy; action against apartheid in South Africa and action in solidarity.
create psychological and physical damage and destruction. It meant creating a society based on self-determination for oppressed peoples both inside and outside the United States, based on an end to white supremacy, a society that was not based on class divisions. It meant creating a society where Lesbians and gay men could be proud of who they were. And it meant creating a non-sexist society where women could be equal, free, and unfraid. Finally all these people are driven by a vision of a future based not on greed and profit but one that truly answers people's needs.

This vision and spirit of resistance continued to move North Americans to action during the 1970s and 1980s. Thousands of people organized to resist the building of nuclear weapons, the intervention in Nicaragua and El Salvador, and in solidarity with Black forces against apartheid in South Africa. Many whites demonstrated and organized against racism and the growth of the Klan and other white supremacist groups. Thousands of people signed pledges of resistance to participate in civil disobedience if Nicaragua was invaded and participated in these acts as intervention in Central America increased. Women marched en masse against curfews in reproductive rights and protected abortion clinics against attacks. Lesbians and gay men demanded that the society deal with the AIDS pandemic and pushed for broader acceptance of Lesbian and gay rights. Again, during the Gulf War, thousands of white people joined in the streets protesting U.S. policy.

Not much has changed. We can understand the desire to resist very well. Genocidal conditions are increasing for Blacks and other communities of color. There is a rise of police brutality, drugs, and jailings and, as we all know, dramatic cuts to social services. Violence against women is increasing—a woman gets raped every two minutes. The right-wing scapegoats and whips up hysteria against gays and Lesbians with a propaganda campaign for their “family values.” Abortion is all but gone; the courts are making one right-wing decision after another; and if we don’t look out, soon we won’t even have air we can breathe or earth we can stand on.

Before we get more specific about who the prisoners are, we’d like to take time to define what we mean by political prisoner. For some of us, this definition means those in prison as a direct result of their political actions, affiliations, and beliefs. Still others wish to extend that definition to those imprisoned for social crimes who have become politicized while inside prison and who therefore suffer extra repression for it. Some of us also think it important to extend the definition of political prisoner to those imprisoned for their sexual orientation (adopted by Amnesty International in 1992) and to those imprisoned for defending themselves against and/or fighting their abusers, such as women imprisoned for killing their batterers.

So let’s get down to specifics. First, there are prisoners who consider themselves to be revolutionary anti-imperialists. The Jonathan Jackson-Sam Melville Brigade and United Freedom Front (UFF) were armed clandestine organizations that emerged from the experiences of working-class people in poor communities, in the military, and in prison. The Jackson-Melville Brigade was held responsible for a number of bombings of government and corporate offices in the mid- to late-1970s. These actions raised the demands of independence for Puerto Rico and an end to
Ploughshares. Taking their name from the famous biblical quote about turning swords into ploughshares, these anti-nuclear and anti-military activists come from a religious conviction and tradition that insists that they must not sit by while weapons of destruction are being made and used. Over the last ten years many have entered military bases and destroyed military property directly, while others have borne witness and engaged in symbolic acts. The most recent case is that of Peter Lemstdain and Keith Kjoller, who destroyed the Navstar computer—part of the United States’ first strike capability—to the tune of two-and-a-half million dollars. They received eighteen months for this “crime.”

Throughout the 1980s, the government also prosecuted members of the sanctuary movement. These include clergy, church workers, and lay activists who have “illegally” provided refuge to Central and South American refugees fleeing U.S.-sponsored repression in their homelands. Following an historic tradition, there are also military resisters. For example, William Kerley was sentenced to three years in prison plus a $10,000 fine not merely for refusing to register but because he persisted in organizing against registration and the draft. Military resisters continue to sit in jail as a result of their refusal to serve in the Gulf War. [After hard-fought campaigns, all of the military resisters— or at least those whose cases were publicized— were released by the end of 1994.—E.R.] The U.S. legal system is also used to serve the government’s allies in effecting their own counter-insurgency programs. In so doing, it echoes and enforces U.S. foreign policy.

Along with Haitians, Central and South Americans, and other Third World people, there are several European nationals being held in U.S. prisons. Silvia Beraldini, a citizen of Italy, received a forty-year sentence for aiding in the escape of Assata Shakur. Although the Italian government has said that it wants her back in Italy to serve her time in an Italian prison—in accord with the Strasbourg Convention—the U.S. Justice Department refused to let her go, claiming the Italians won’t be harsh enough. There are also nine alleged members or supporters of the IRA (Irish Republican Army) held in U.S. prisons by the U.S. government.

The same counter-insurgency tactics that have been detailed elsewhere have been used against white political prisoners. These include sophisticated spying and infiltration techniques, the jailing of many white activists for refusing to testify and/or cooperate with grand juries, the use of broad and vague conspiracy laws to criminalize people for association and belief and the use of preventative detention to deny bail. Laura Whitehorn was held without bail for four years before going to trial.

Finally, because they are political prisoners, they get some of the longest sentences in the world. Their political beliefs are used as a basis to impose sentences that are, in many instances, the equivalent of natural life in prison. The reason for this is that they are revolutionaries. For example, in 1986, a man convicted of planning and carrying out bombings—without making warning calls—of ten occupied health clinics where abortions were performed, was sentenced to ten years in prison and was paroled after forty-six months. In contrast, Raymond Levasseur was con-
victed of bombing four unoccupied military targets in protest against U.S. foreign policies, and sentenced to forty-five years in prison. A Ku Klux Klansman, charged with violations of the Neutrality Act and with possessing a load of explosives and weapons to be used in an invasion of the Caribbean island of Dominica received eight years. Yet Linda Evans, convicted of purchasing four weapons with false ID, was sentenced to forty years—the longest sentence ever imposed for this offense.

Prisons are a horrible experience for everyone in this country. This was well documented in the Prison Discipline Study Report, issued in 1991. This national survey revealed that both physical and psychological abuse, so severe that it approaches the internationally accepted definition for torture, are the norm in maximum-security prisons throughout the United States. That's the case for all prisoners. In this context the North American prisoners—like political prisoners everywhere—are systematically singled out for particularly severe sentences and constant harassment once incarcerated. This includes particular abuse directed at the women and Lesbians, including sexual assault and threats, often at the hands of male guards.

One of the most brutal weapons in the government's arsenal is the control unit prison. Its goal is to reduce prisoners to a state of submission, where it becomes possible to destroy their bodies, their spirit, their will, and ultimately their resistance and very self-definition. While officials claim that these units are only for the most violent disciplinary problems, more and more political prisoners are being placed there solely for their political beliefs. For instance, Alan Berkman, Raymond Levasseur, and Tom Manning were all sent directly to Marion Control Unit after sentencing. Silvia Baraldini and Susan Rosenberg, along with Puerto Rican POW Alejandra Torres, were sent to the Lexington High Security Unit for two years in 1986. The justification: their political beliefs and associations. Once it was closed, as a result of a massive campaign inside and out, Susan and Silvia were sent to the new control unit for women at Marianna. Marilyn Buck was also sent there directly after sentencing.

In addition to isolation in control units, all political prisoners are more frequently subjected to cruel and inhuman punishment. This includes torture, sexual assault, strip and cavity searches (including those by male guards on women prisoners), punitive transfers, censorship, and denial of medical care, which has had grave consequences in several cases. Alan Berkman, suffering from Hodgkin's disease, nearly died several times while in prison because officials withheld necessary medical treatment. Silvia Baraldini's abdominal lumps, which anyone could feel, were ignored for months only to reveal that she had an aggressive form of uterine cancer. Silvia continues to have difficulty receiving medical attention.

Yet, imprisonment doesn't mean the end of these revolutionaries' organizing and political work. They continue once they're inside. For many of them, this has meant organizing resistance to oppressive prison policies, publishing prison newsletters, providing legal help and assistance, and facilitating courses, work stoppages and hunger strikes. For others it's also meant becoming AIDS activists. In fact, some of the women are responsible for developing the most comprehensive models (like AIDS Counseling and Education [ACE] at Bedford Hills and Pleasanton AIDS Counseling and Education [PLACE] at FCI-Dublin) for AIDS education and peer counseling in prisons in the country! But even in these cases, political prisoners are punished for being too successful in their work. For instance, Ed Mead, who organized Men Against Sexism at Walla Walla, was prevented from continuing his work on prisoner-on-prisoner rape. Bill Dunne was kept at Marion for years for publishing a newsletter there and David Gilbert was moved from place to place for developing work on AIDS in prison, and finally prevented from doing any work at all. Quite recently, Laura Whitehorn (released in 1999) was transferred from Lexington to Marianna after she participated in the first women's prison uprising in 20 years. Tim Blunk was moved back to Marion from Lewisburg after there was a strike there of Black and Puerto Rican prisoners.

Why does the government so determinedly continue to attack and repress these women and men once they are incarcerated? It needs to break their spirits and prevent them from continuing to educate and mobilize from within the prison walls. On the one hand, these prisoners are used as examples to intimidate whole movements and communities from continuing their resistance. The government wants it made very clear that the price one can pay for being a white person willing to take a stand against this racist and inhuman system is very high. On the other hand, they need these revolutionaries to be buried away and forgotten. We won't let that happen! Clearly now is a time for action. We too can follow the examples of these brave women and men who have given so much of their lives for freedom and justice. We must recognize who and what they are: political prisoners. We must demand their freedom so they can be back on the streets where they belong.

I know I speak for all the white political prisoners when I say that it's been a great honor to be able to speak to you today at this International Tribunal: All of us pledge to continue our resistance to the crimes outlined by today's speakers and commit ourselves to continue to work until there is a world where everyone can have true justice and freedom.

NOTES


1. Editor's note: "Davis Hall Alderson" refers to the Control Unit at FCI-Alderson, WV.

2. Editor's note: The group Brown calls the "Jonathan Jackson-Sam Melville Brigade" actually called itself the "Sam Melville/Jonathan Jackson Unit," and it operated in the Northeastern United States. This is not the same organization as the Jonathan Jackson-Sam Melville Unit of the New World Liberation Front, which took responsibility for bombings in California in the late 1970s and was affiliated with the Symbionese Liberation Army. Brown