



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

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in the Morning*

VOICES OF RESISTANCE

Angela Y. Davis

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

With a Foreword by Julian Bond



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Preface

Political repression in the United States has reached monstrous proportions. Black and Brown peoples especially, victims of the most vicious and calculated forms of class, national and racial oppression, bear the brunt of this repression. Literally tens of thousands of innocent men and women, the overwhelming majority of them poor, fill the jails and prisons; hundreds of thousands more, including the most presumably respectable groups and individuals, are subject to police, FBI and military intelligence surveillance. The Nixon administration most recently responded to the massive protests against the war in IndoChina by arresting more than 13,000 people and placing them in stadiums converted into detention centers.

It seems to us that the most important fact to be considered in the midst of this repression is that together with its attendant paraphernalia for coercion, manipulation and control, it reflects serious infirmities in the present social order. That is, while we do not underestimate the coercive resources available to the state, especially the police and military forces, for the suppression of all forms of opposition (and the centralization of control over those forces), we think that the necessity to resort to such repression is reflective of profound social crisis, of systemic disintegration. A central conclusion we have reached in preparing this book, in fact, is that the entire apparatus of the *bourgeois democratic* state, especially its judicial system and its prisons, is disintegrating. The judicial and prison systems are to be increasingly defined as instruments for unbridled repression, institutions which may be successfully resisted but which are more and more impervious to meaningful reform. Rather they must be transformed in the revolutionary sense.

Repression is the response of an increasingly desperate imperialist ruling clique to contain an otherwise uncontrollable and growing popular disaffection leading ultimately, we think, to the revolutionary transformation of society.

At such a moment, when the ruling circles must rely consistently on coercion

rather than on a popularly established legitimacy to govern, it is of paramount importance that the revolutionary and radical-democratic movements maintain an offensive posture, and assume the dimensions of a mass movement whose growth is geometric. It is precisely because of its offensive thrust that the struggle to free political prisoners assumes such a particular significance. For it further impugns the legitimacy of the state at a critical juncture, and simultaneously can return scores of brothers and sisters to their communities and the ongoing struggle. Coupled with an exposure of the prison system as an appendage of the capitalist state—as an instrument for class, racial and national oppression—and the demand for the abolition of that system in its present form, the offensive thrust of the movement is still further enhanced.

We believe that it is for all of these reasons that Angela's arrest is directly attributable to her tireless commitment to the defense of the Soledad Brothers and other political prisoners, and her efforts to expose the prison system. She incurs the special wrath of the ruling circles as a Black woman, a radical intellectual and a Communist.

Many people in the progressive and radical movements have tended, especially in recent months as the repression has become particularly intense, to view this intensity as a measure of the fascist nature of the government. That increasingly drastic political reprisals and increasingly open terror reveal fascist trends at the heart of ruling circles cannot be denied. The gravity of these trends must never be underestimated.

As Marxists, however, we view fascism not only in terms of the terrorist methods to which it has recourse, for these may be present before the fascist arrangement is consolidated. Fascism represents the triumph of the counterrevolution, that is, fascism is the preventive counter-revolution to the socialist transformation of society. With the advent of fascism the exploitation of the working class is infinitely more intense and buttressed by extreme forms of terrorist suppression.

For this reason it is essential to view fascist tendencies in terms of their specific challenge to working people; and in the United States, their specific challenge in the first place to the most exploited and at the same time most radical and politically conscious section of the working class—the Black, Puerto Rican and Chicano communities. Therefore, and we have tried to emphasize this throughout, the pivotal struggle to be waged among working people is the open, aggressive, uncompromising battle against all manifestations of racism.

Further, our view of the dimensions of repression must be developed in order to see the Nixon administration's attack on the collective bargaining rights of the

workers (through, for example, its suspension of the Bacon-Davis Act as an overt threat to the construction workers to sign a contract or else) as an essential aspect of the fascist thrust. So also is the administration's emergency legislation to crush the railroad workers' strike; or its use of the National Guard to deal with the postal workers' strike (where the most militant rank-and-file leadership was provided by Black workers).

It seems clear, certainly on the basis of historical evidence, that the advent of fascism is not a single event—a sudden coup d'état—but rather a protracted social process. The maturation of fascist tendencies is a correlative to the maturation of the revolutionary process, both arising out of the acute and general crisis of the social order. The fascist thrust must be resisted in its incipient stages by the broadest possible coalition, before it has an opportunity to consolidate its power; and the democratic, radical essence of the anti-fascist movement is likewise the prerequisite for the success of the revolutionary movement.

Georgi Dimitrov, at the Seventh Congress of the Communist International (1935), while addressing himself to the rise of fascism in a particular historical period, nevertheless issued a warning that strikes us as remaining valid for our own time: “[The revolutionary proletariat] ... must not allow fascism to take it unawares, it must not surrender the initiative to fascism, but must inflict decisive blows on it before it can gather forces, it must not allow fascism to consolidate its position, it must repel fascism wherever and whenever it rears its head, it must not allow fascism to gain new positions ...”

The government's repression today has been met with substantial popular resistance—both spontaneous and organized. The revolt at San Rafael, from which the charges against Angela stem, must be seen as a response to the unrestrained brutality and the most severe forms of political repression in prisons. Ever greater numbers of people are beginning to involve themselves in organized mass forms of struggle. Tangible though still partial victories have been won through the successful combination of legal and political strategies which seek to utilize all existing constitutional channels and to create new ones, while simultaneously seeking to gain the widest possible support in the community.

The stunning dismissal of murder and conspiracy charges against leaders of the Black Panther Party, Ericka Huggins and Bobby Seale, by a Superior Court judge in New Haven, Connecticut, after their trial ended in a hung jury, is illustrative of the kind of legal and political struggle which can be waged. Likewise, the acquittal of the Panther 21 in New York and the reversal of the conviction of Black Panther Party Minister of Defense Huey P. Newton (though only a partial victory because he now faces a second trial on the same charges)

are indicative of the extent of the popular resistance. We do not believe, however, that these victories reflect judicial fairness or impartiality, as the *New York Times* confidently asserted in an editorial following the acquittal of the Panther 21. On the contrary, the victories came in spite of the incredible obstacles placed in front of the defense. These obstacles, including in many instances the psychological and physical abuse of the defendants and their attorneys, are directly attributable to the promotion of racist hysteria, anti-communism and jingoism, and the frightful erosion of constitutional rights and provisions, inspired, in particular, by the President of the United States, his Vice-President, the Attorney-General and the Director of the FBI. These actions have turned seemingly ordinary, innocuous judicial proceedings and administrative hearings into political tribunals.

The courtroom victories thus far are the result of uncompromising and relentless resistance: one which succeeded in altering the political consciousness of the jurors in particular, and the communities in general; one which politically, organizationally and legally at every point and opportunity, sought to counter the calculated assault of the government.

In spite of these achievements, the main repressive thrust continues. Arrests and prosecutions of political activists are much in evidence. Officially-sanctioned attacks against the organized trade union movement grow more intense. The United States continues its aggression in Indo-China. The officially-directed assaults against the educational system—the colleges and universities in particular—continue. Police violence in the ghettos and barrios is, if anything, escalating.

Still, in the midst of such a severe repression the acquittals and dismissals demonstrate that the popular resistance has succeeded in creating a political context counterposed to the government's hysteria. This was demonstrated in the case of Bobby Seale and Ericka Huggins and in the recent dismissal of murder charges against three Soledad prisoners, James Wagner, Roosevelt Williams and Jesse Lee Phillips, who were accused of killing a white prison guard at Soledad. Their attorney explained that the prosecution's case "... just fell apart at the seams. It was a fabrication from the beginning. It was a result of the need of the prison authorities to get a conviction ..."

A critical aspect of this movement to free political prisoners is seen not only in its ability to free the individual victims of the repression. Even more, due to its relationship to the liberation movements and the revolutionary and democratic movements, the political ramifications of each victory transcend its immediate objective to free specific individuals. This dynamic is illustrated to some degree by the partial victories won in the 1930's during the struggle to free the Scottsboro Boys.¹

Today—forty years later, when the crisis facing the U.S. social order is even more profound and the revolutionary and national liberation movements in the United States and the world are infinitely more powerful—it is clear that the political dynamics of the movement to free political prisoners can far exceed its previous impact. It is in this light especially, that we may view Angela's defense as a pivotal case with political implications which transcend the liberation of a single individual.

We believe that the most pressing political necessity is the consolidation of a United Front joining together all sections of the revolutionary, radical and democratic movements. Only a united front—led in the first place by the national liberation movements and the working people—can decisively counter, theoretically, ideologically and practically, the increasingly fascist and genocidal posture of the present ruling clique.

We believe that there is already evidence that such a Front is emerging. Black, Puerto Rican and Chicano communities are responding with ever greater force to official repression. Large sections of the peace movement, and some significant sections of the labor movement have embraced the struggle to free political prisoners; and in the San Francisco Bay Area efforts have been made to launch a Political Prisoners Solidarity Committee. Many organizations, including the Communist Party, have recognized the need for and consciously projected the formation of such a United Front. The repression cuts across ideological boundaries. To succeed, the resistance must do likewise. We must seek a unity of action, even as we maintain our organizational identities and agree to disagree on particular issues.

In this spirit we have included a variety of political perspectives in the selections presented here, while at the same time seeking to preserve a thematic unity of resistance—to racial and national oppression, to the war in Indo-China, to repression and to the prison system as it is presently constituted. In that spirit we have also tried to expose the contrivance of the government's charges against Angela, and to convey the breadth of support her defense has already achieved.

Finally, it is our hope that this book will contribute in some way toward the crystallization of a United Front by helping to expose the bestiality of the prison system; and by establishing in factual and concrete detail the extent of the political repression in the United States which has already claimed dozens of lives and imprisoned thousands of people.

ANGELA Y. DAVIS
BETTINA APTHEKER

Notes

Foreword

- 1 *The Autobiography of W. E. B. Du Bois*, International Publishers, New York, 1968, p. 390.

Preface

- 1 Nine Black youths were arrested in Jackson County, Alabama, in March 1931, and charged with the rape of two white girls. Their innocence was incontestable and a worldwide campaign was conducted to save their lives (upon conviction they had been sentenced to die in the electric chair) and ultimately to secure their freedom. This mass movement to free the Scottsboro Boys initiated a series of reforms in criminal procedures which persisted for some twenty years. The two most important cases were *Norris v. Alabama* (1935) and *Powell v. Alabama* (1939). In the first case the United States Supreme Court ordered new trials for defendants Haywood Patterson and Clarence Norris on grounds that Blacks had for years been barred from jury duty in Jackson and Morgan counties, Alabama, where the Scottsboro trials occurred, and the exclusion constituted a violation of the Fourteenth Amendment to the U.S. Constitution. *Powell v. Alabama*, involving Ozie Powell, another of the Scottsboro defendants, established the principle that in a capital prosecution the state must provide the indigent defendant with counsel.

1. Political Prisoners, Prisons and Black Liberation

- 1 William Z. Foster, *The Negro People in American History*, International Publishers, New York, 1954, pp. 169–170 (quoting Herbert Aptheker).
- 2 Louis Adamic, *Dynamite: The History of Class Violence in America*, Peter Smith, Gloucester, Mass., 1963, p. 312.
- 3 Herbert Aptheker, *Nat Turner's Slave Rebellion*, Grove Press, N.Y. 1968, p. 45. According to Aptheker these are not Nat Turner's exact words.
- 4 *Autobiography of W. E. B. Du Bois*, International Publishers, New York, 1968, p. 390.
- 5 Karl Marx: *The Class Struggle in France in Handbook of Marxism*, International Publishers, New York, 1935, p. 109.
- 6 See Part III on political prisoners for the details of James Johnson's case.

3. The Social Functions of the Prisons in the United States