

Philip S. Foner, The Black Panthers Speak
(NY: Da Capo Press, 1970)
Introduction

In 1919 Paul R. Brissenden, Professor of Economics at Columbia University, wrote in his pioneer study of the Industrial Workers of the World: "The public still knows but little about the organization and its members. . . . The public has not been told the truth about the things the I.W.W. has done or the doctrines in which it believes. The papers have printed so much fiction about this organization and maintained such a nationwide conspiracy of silence as to its real philosophy—especially to the constructive items of its philosophy—that the popular conception of this labor group is a weird unreality." If one were to substitute the words "white Americans" for "the public" and "Black Panther Party" for "I.W.W.," Professor Brissenden's statement could be reprinted today without any other alteration.

To the average white American the Black Panther Party conjures up the picture of an anarchistic band of gun-toting, white-hating thugs. This is hardly surprising, for the Black Panthers have been subjected to a campaign of vilification (to say nothing of terror) from the inception of their organization, and this was intensified as the movement grew. FBI Director J. Edgar Hoover (who spearheaded the drive against the I.W.W. and other radical groups in the post-World War I era) described the Panthers as a "black extremist organization" consisting mostly of "hoodlum-type revolutionaries" who stockpile weapons, espouse Marxist-Leninist doctrines, and terrorize black communities. Vice-President Spiro Agnew, exceeding his usual caustic language when dealing with dissenters, declared that the Panthers are a "completely irresponsible, anarchist group of criminals." Attorney-General John Mitchell has ruled that "the Panthers are a threat to national security and thus subject to FBI wiretapping."

Even liberals have gotten into the popular act of vilifying the Black Panthers. Daniel P. Moynihan obviously had the Panthers in mind when, in his notorious "benign neglect" memorandum to President Nixon, he referred to "black extremists" who used "lower-class" blacks "to threaten white society with the prospect of mass arson and pillage." Daniel J. Boorstein, an American historian, director of the Smithsonian Institution's National Museum of History and Technology, in a paper presented to the House Committee on Science and Astronautics, referred to the "aggressive ethnicity and racism of groups like the Black Panthers," and accused them of

"destructive and illegal acts."¹ Writing in *Dissent* (March-April, 1970) under the provocative title, "Panthers: Black Men in Extremis," Jervis Anderson accused the Black Panthers of deliberately provoking the police to kill them because of a psychological desire for "martyrdom." He advises the Panthers to cease playing with "martyrdom," and devote themselves to the business of "getting your work done," adding the sneering comment—"assuming, in the case of the Panthers, that there is something worthwhile they would like to do, and that they have some idea of how to do it."

In general, the attacks on the Black Panthers, whether from die-hard reactionaries or liberals, boil down to the theme that they deserve what they get. A letter to the editor of *Life* (February 20, 1970), put it this way: "If the Panthers didn't preach the overthrow of society and didn't make their homes arsenals, there would be no raids. One has but to reflect back a few years to the raid on conservative 'Minutemen'—all white—to see that social justice is against armed camps of revolutionaries and not against Black Panthers *per se*." This sweeping judgment has about as much substance to it as

¹ In addition to being labeled "black racists," the Panthers have also been accused of being anti-Semitic. (See the document issued by the American Jewish Committee, February, 1970, entitled "The Black Panther Party—the Anti-Semitic and Anti-Israel Component," and the article by Gerald Emanuel Stern in the *New York Times Magazine*, March 8, 1970.) The Black Panthers, however, insist that they are not anti-Semitic and "do not lump all Jews with slumlords." But they do contend that they are anti-Zionist and view Israel as a "puppet imperialist state." While one can certainly argue that this is a simplistic view of a complex issue, it is difficult to see how being anti-Zionist and anti-Israel makes one *ipso facto* anti-Semitic. Certainly the American Jewish Committee is on weak ground when it asserts in its document: "While we do not necessarily equate anti-Israel or anti-Zionist sentiment with anti-Semitism, the Panthers' expression of support for Al Fatah has been so strident and distorted as to make it impossible to make the distinction." But thousands of Jewish Americans who have rallied to the support of the Black Panthers do make that distinction. Moreover, on January 13, 1970, at the winter leadership meeting of the Jewish Cultural Clubs and Societies, representing sixty-six New York organizations, the persecution of the Panthers was protested. "We will do everything in our power," the clubs' resolution stated, "to oppose those forces that are now trying to use repression, terror and police brutality against the black people and other minorities in our land, a repression that will soon be applied to Jews, labor, students and others fighting for full freedom and equality for all peoples if it is not halted by the united action of all Americans who cherish democracy." And Rabbi Arthur J. Lelyveld, head of the American Jewish Congress, declared on December 16, 1969, in calling for the defense of Panther civil liberties, "No consideration of which we can conceive would justify lawless activity on the part of the police."

A criticism of a different nature, most sharply voiced by Harold Cruse, is that for all its revolutionary rhetoric, the Black Panther Party works for essentially reformist demands. Of course, those who voice such criticisms are clearly unaware of the essential unity between immediate demands and a long-term revolutionary goal.

the other comments on the Black Panthers cited above. The writer ignored the easily ascertainable facts that though the Minutemen were arrested with an arsenal that included \$140,000 worth of arms, including an anti-tank weapon and a bazooka, two of the Minutemen were released on their own recognizance pending trial, and were ultimately given a suspended sentence of six months. Robert Boliver De Pugh, national coordinator of the Rightist paramilitary organization, was sentenced to four years in prison, to be followed by five years' probation, for conspiracy and violation of the Federal Firearms Act after a cache of machine guns was seized in rural Missouri. Minutemen have been treated gently and never harassed by arresting officials. Contrast this with the treatment meted out to the New York Panthers, who were arrested and charged with "conspiracy"—no actual act at all was charged—to bomb and destroy property and lives all over the city. All twenty-one had bail immediately set at one hundred thousand dollars for each alleged conspirator, and were not even given a hearing on reduction of bail—a request for it was denied—until three and a half months after their arrest.

In an address on March 4, 1911, delivered before the Republican Club of New York City, Dr. W. E. B. Du Bois, the distinguished black scholar, declared: "If the question before the court was simply one of justice between individuals the task would be an easy one, but a man enters court today to be tried and convicted according to the class he belongs to. . . . The Negro never enters a court in the South as a man, but always as a Negro. He knows that individual virtues will not weigh in the court's decision. The natural result of this is that the Negro has no faith in the courts." On April 24, 1970, Kingman Brewster, president of Yale University, brought Dr. Du Bois's observation up to date when he said that he was "skeptical of the ability of black revolutionaries to achieve a fair trial anywhere in the United States." And on July 6, 1970, *The New York Times* quoted the courageous black jurist, Judge George Crockett of Detroit's Records Court, as saying that while "the public likes to believe that the courts are crystallized in majestic neutrality, the truth is that they are not. The legal system does not work for blacks now. We have all the laws we need but we have too many police and government officials who do not live by the laws we have." Certainly the experience of the Black Panthers in court bears out the truth of these comments.

The fearsome picture painted of the Black Panthers by men who have little understanding of their program and little desire to understand it is not shared by the black community. Three black members of Local 1199 (Drug and Hospital Workers Union), interviewed by the union's magazine in January, 1970, as to their reaction to the Black Panthers, expressed admiration for them. The report noted:

When asked about the charges that the Panthers are a violent group, the feelings of all three men were summed up in the comment of one of them, Ed Mayo of Clara Maass Hospital in New Jersey: "They're fighting for the same cause as we are in the union—to be free and have human dignity. Some people don't see clearly what the fight is about because they see only violence. But these people don't see the disgusting things that are happening to us in this country. Every organization has its own way of fighting these things."

It may be argued that this finding is hardly convincing since it reflects the views of members of a militant and progressive trade union. But it is not so easy to dismiss reports in the established mass media. On January 13, 1970, *The Wall Street Journal* featured on its front page a lengthy article headed, "Panther Supporters" and sub-headed: "Many Black Americans Voice Strong Backing for Defiant Militants." Four reporters had investigated a sampling of opinion among black citizens of San Francisco, New York, Cleveland, and Chicago, and concluded that "a clear majority of blacks support both the goals and methods of the Black Panthers. An even larger percentage believes, moreover, that police officials are determined to crush the party by arresting or killing its key officials." Here is a response from one of the blacks who were interviewed:

"I dig the Black Panthers. I think a lot of them," says Evord Connor who is head of an antipoverty center in Yonkers, N.Y., and who is black himself. "They appeal to young kids and create a lot of black awareness. They're not just advocating militancy; they're talking about economic and political power. Right now, they're backing up what they preach, and that's why the man is coming down on them."

Much of the support for the Black Panthers, *The Wall Street Journal* pointed out, came from young people who were attracted by the distinctive uniforms of black berets and black leather jackets, their display of guns, "their avowed determination to overturn the American 'system,' their refusal to back down under intense police pressure." It continued:

But a sizeable number of blacks support the Panthers because they admire other, less-publicized activities of the Party such as its free-breakfast program for ghetto youngsters, its free medical care program and its war on narcotics use among black youth.

"The news media never says how strong the Panthers are against narcotics," says Mr. Conner of the Yonkers antipoverty center. "You take the kids in Harlem, they sort of envy hustlers—guys who take numbers, push dope. But the Panthers are telling kids from grade school level, don't mess with dope. It works."

The Wall Street Journal concluded that "Mr. Conner's view may be surprising to those whites who regard the Panthers as a radical

splinter group without wide support among black Americans. But his views may be more widely shared among blacks than many whites suppose."

In the next two months "those whites" were further surprised. A nationwide poll of black people in the United States, conducted by Louis Harris for *Time* magazine (published on March 30, 1970, in a special issue of *Time* which for the first time devoted virtually an entire issue to one subject) revealed that while "the vast majority want to work through the existing system" to further their position, 9 per cent of the black people across the country, more than two million black Americans, count themselves as "revolutionaries," and believe that only a "readiness to use violence will ever get them equality." The poll showed that the number of those who believe that the blacks "will probably have to resort to violence to win rights," had risen from 21 per cent in 1966 to 31 per cent in 1970. The finding also disclosed that while 75 per cent of blacks admired the NAACP "a great deal," 25 per cent had this view of the Black Panthers.

Another poll, of black Americans living in New York, San Francisco, Detroit, Baltimore, and Birmingham, Alabama, taken by Market Dynamics, Incorporated, for ABC-TV (broadcast on ABC-TV's "The Panthers," April 13, 1970), disclosed that of the best-known organizations, the NAACP is regarded as having done most for black people over the past two years; the late Martin Luther King's Southern Christian Leadership Conference came next, *with the Black Panthers showing up in third place*. But when it comes to the future, the Panthers are rated the *only* black group which will increase its effectiveness if only in a small way, while both the NAACP and SCLC contributions to the black cause are expected to diminish. *Sixty-two per cent of the people polled admire what the Black Panthers are doing.*

Never before in the history of black Americans has an admittedly revolutionary party won such support in the leading black communities of this country. Yet the Black Panther Party has been in existence less than four years.

In 1896 the National Association of Colored Men declared that "the American Negro has at no time in the past been either unmindful or indifferent to or failed to assert and contend for his own rights." What was true prior to 1896 has also been true since that year. The history of black Americans from 1619 to the present has been a history of protest. This protest reached a climax in the decade of the 1960's—the decade of the Civil Rights demonstrations, of the freedom rides and the sit-ins, of the Black Power movement, of the rebellions in Watts, Newark, and Detroit. New protest movements

arose in black communities, and older ones increased their militancy. Since the assassination of Malcolm X on February 21, 1965, the most militant and effective leadership in the black community has been that of the Black Panthers—a name chosen because the panther is reputed never to make an unprovoked attack but to defend itself ferociously whenever it is attacked.²

The Black Panther Party for Self-Defense was organized in Oakland, California, in the fall of 1966 by two black militants: Huey P. Newton and Bobby G. Seale. (Seale was Chairman and Newton Minister of Defense.) Newton was born in Louisiana in 1942; when he was a year old, his family moved to California. Although he was graduated from high school, he became literate by "self determination," attended Merritt Junior College and went to law school for six months. He also attended a music conservatory and mastered the concert piano. Seale, a musician, carpenter, journeyman sheet metal mechanic and a mechanical draftsman, was born in Dallas, Texas, in 1936. He moved with his family to California, and was graduated from Oakland High School after a stint in the Air Force.

Newton and Seale met at Merritt College and worked together to initiate courses in Black History and lay the groundwork for hiring more black instructors. They also worked at the North Oakland Poverty Center, and both joined the Afro-American Association—a black nationalist group at Merritt—early in 1965. They left within a year, dissatisfied with the group's emphasis on cultural nationalism³ and its middle-class composition. Not content to remain classroom theoreticians, they began working in the black community, knocking on doors and asking the residents of Oakland's ghetto what they needed and wanted. From the answers they received, they developed, after forming the Black Panther Party, its ten-point program. (See page 2 below.) "We're going to draw up a basic platform," Newton, who wrote the program, explained, "that the mothers who struggled hard to raise us, that the fathers who worked hard to feed us, that the young brothers in school who come out of school semi-illiterate, saying and reading broken words, and all of these, can read. . . ."

During all this time, Newton and Seale had been reading Malcolm X and Frantz Fanon, and they were deeply influenced by these black revolutionaries. (Later, they were to read and study the writings

² The "Black Panther" was originally the emblem of the Lowndes County Freedom Party in Alabama, organized in 1965. The Panther, symbol of black militancy, was hailed and copied at other points across the nation.

³ Cultural nationalists see the white man as the oppressor, and make no distinction between racist whites and nonracist whites. They also emphasize that a black man cannot be the enemy of the black people. Apart from questioning the validity of this thesis, Newton and Seale were irritated by the fact that the cultural nationalists mainly met and talked and did nothing concrete to end the oppression in the black ghetto.

of Marx, Engels, Lenin, Mao Tse-tung, Ho Chi Minh, and Che Guevara.) Both knew that Malcolm had consistently denounced white oppressors, but after his visit to the Near East and Africa, he had no longer based his philosophy on hatred of whites alone. Rather, he chose to stress the beauty of black culture, its historic contributions, the joy of black brotherhood and community, and the wisdom of working with whites whenever it would be useful for black people to do so—provided that the power to decide policy and action alternatives lay in black hands. Modeling themselves on Malcolm's philosophy—Newton viewed himself as Malcolm's heir and the Black Panther Party as the successor to his Organization of Afro-American Unity—the founders of the BPP expressed belief in black nationalism and black culture, but they did not believe either would lead to black liberation.

It was the martyred Malcolm X's emphasis on self-defense and his effort to lead the struggle for freedom "by any means necessary" that most deeply impressed Newton and Seale, and they frequently quoted his famous statement: "We should be peaceful, law-abiding, but the time has come to fight back in self-defense whenever and wherever the black man is being unjustly and unlawfully attacked. If the government thinks I am wrong for saying this, then let the government start doing its job." Newton and Seale read and reread Fanon's *The Wretched of the Earth*, and they were impressed by the black psychiatrist's thesis that revolutionary violence was necessary in order for the oppressed to get the oppressors' boot off their neck and that it was essential in order to achieve the transformation or rebirth of the black personality. By fighting back, the black man would assert his dignity as a man.⁴ The Black Panthers repeatedly reminded black Americans that their future was linked to their past, to the experience of such slave rebels as Toussaint L'Ouverture, Gabriel Prosser, Denmark Vesey, and Nat Turner, who did not hesitate to use revolutionary violence in their efforts to free their people from slavery.

In its early phase, the BPP emphasized Point No. 7 of its ten-point program: "We want an immediate end to police brutality and murder of black people." In its relations with the police as in all

⁴ It is interesting to note that the personality of Frederick Douglass was transformed when as a slave he fought back, risking death, against Edward Covey, the slave breaker. After having been flogged daily until he was "broken in body, soul and spirit," he found the courage one day to turn on his tormentor and soundly thrashed the slave breaker. The result was that Covey abandoned the whip and ignored Douglass for the four remaining months of hire. "The battle with Mr. Covey was the turning-point in my career," Douglass wrote later. "I was a changed being after that fight. I was nothing before, I was a man now . . . with a renewed determination to be a free man. . . . I now resolved that, however long I might remain a slave in form, the day had passed forever when I could be a slave in fact. . . ."

other aspects, Oakland was a typical black ghetto. What this means was graphically spelled out by the National Commission on the Causes and Prevention of Violence, set up under the chairmanship of Milton S. Eisenhower at the Center for the Study of Law and Society in Berkeley, California, August 28, 1968. In its report submitted March 21, 1969, the Commission said:

... for the black citizen, the policeman has long since ceased to be—if indeed he ever was—a neutral symbol of law and order. Studies of the police emphasize that their attitudes and behavior towards blacks differ vastly from those taken toward whites. Similar studies show that blacks perceive the police as hostile, prejudiced, and corrupt. In the ghetto disorders of the past few years, blacks have often been exposed to indiscriminate police assaults and, not infrequently, to gratuitous brutality. . . . Many ghetto blacks see the police as an occupying army. . . .

In view of these facts, the adoption of the idea of self-defense is not surprising. . . .

The Commission might have added, first, that black Americans had taken up guns and practiced self-defense in the struggle against slavery, kidnappers of fugitive slaves, anti-Negro rioters, and lynchers, and, secondly, that organized white and black workers had also armed themselves and used guns in self-defense against armed vigilantes, Pinkerton Detectives, militias, and police serving the interests of antiunion employers.

"The readiness of police to use their weapons is a tenet of black-town life," W. H. Ferry has observed. "The cop's trigger-finger is the gavel of justice in blacktown." To meet this ever-pressing problem facing the black people of Oakland, the Black Panther Party began to operate as an armed association for community protection against the police. (Carrying rifles and other unconcealed weapons was then legal in California.) Newton, a meticulous student of every legal aspect of the right of citizens to arm themselves, instructed all party members in the basic constitutional rights governing arrests and gun laws. He pointed to the second amendment of the Constitution of the United States and read the words—"the right of the people to keep and bear arms shall not be infringed." Newton went to great lengths to stress two points about armed self-defense: first, they were operating within the law as defined by gun regulations and the constitutional right to bear arms; second, the arms were to serve a political purpose and were not to be viewed in purely military terms.

The Party established a system of armed patrol cars, completely legal, carrying both guns and lawbooks. The Panthers trailed police cars through the slums of Oakland with guns and a lawbook, to halt police brutality. Whenever black men or women were stopped by the police, armed Panthers would be on the scene, making sure that

their constitutional rights were not violated. The Oakland police were outraged, but the black community was impressed, especially after Newton, Seale and a half dozen other young Panthers calmly faced down a carload of police outside their Oakland headquarters. More important, the brutality and harassment directed against black men and women tapered off. Little wonder then that news of the Party's existence spread rapidly, and the armed and disciplined groups of Panthers in the Bay Area began to be the talk of black communities on the Coast.

Just how the Party operated in its early phase was shown in the action taken around the death of Denzil Dowell at the beginning of 1967. Dowell, a black youth living in North Richmond, California, had been shot and killed by the police, whose official account of the slaying contradicted dozens of black eyewitnesses. The Dowell family called in the Panthers to investigate, and the Party decided to hold a street-corner rally in the neighborhood to expose the facts of the slaying and the political importance of self-defense. The Panthers, assuming the police would try to stop the rally, decided to demonstrate their point on the spot and set up armed guards around the rally site.

Hundreds of black people turned out, many carrying their own weapons. The police who came to stop the rally quickly turned away, except for one, caught in the middle of the crowd, who sat quietly and listened to the speeches. Several Panthers addressed the crowd, explaining the Party's program. Then Huey Newton spoke. "The masses of the people want peace. The masses of the people do not want war. The Black Panther Party advocates the abolition of war. But at the same time, we realize that the only way you can get rid of war, many times, is through a process of war. Therefore, the only way you can get rid of guns is to get rid of the guns of the oppressor. The people must be able to pick up guns, to defend themselves. . . ."

At that point a police helicopter began buzzing over the crowd. Newton pointed up and shouted, "And always remember that the spirit of the people is greater than the man's technology." The crowds cheered, and hundreds signed up to work for the Party that day.

After the meeting, the first number of *The Black Panther*, the official organ of the Party, was issued. It was two sheets of legal-sized mimeographed paper, printed on both sides. The headline was WHY WAS DENZIL DOWELL KILLED? (See page 9 below.) About five to six thousand copies were printed and distributed in the black community of Richmond.

Early in 1967 the Party dropped "for Self Defense" from its title. William L. Patterson, a veteran black Communist and a longtime figure in the struggle for civil rights and for the legal defense of

black people, explains that the dropping of "for Self Defense" resulted from the understanding on the part of the Panther leaders "that a broader political offensive was necessary to realize the self-defense they sought. It [*the BPP*] took a political and organizational leap forward that carried it beyond the positions occupied by any of the other organizations of the black liberation movement. It began to measure the strength of capitalism in the United States and to analyze the position and weight of the forces aligned against the blacks." Patterson points out that the Panther leadership challenged the "illusion that the black people, of historical necessity, had to go it alone . . . and began to see that the unity of the oppressed was something for which a desperate fight had to be made." He also observes that the Black Panther Party not only "repudiated the anti-white abstraction," but rejected anti-Communism. "The Panthers," he notes, "are the first black-led organization to understand the menace of anti-Communism and unqualifiedly to express opposition to it."

To this, one should add that the Black Panthers, while by no means the first blacks in the United States to oppose the capitalist system and espouse the cause of Socialism, were the first to do so as a separate organization. Heretofore, blacks who favored a Socialist solution for the evils of capitalist society—and there have been many since the end of the Civil War—did so either through the Socialist Party, the Socialist Labor Party, or the Communist Party. Here they became members of parties made up mainly of whites. The Black Panthers, though favoring Socialism and coalitions with other oppressed groups, retain their separate identity as a revolutionary movement.

While the Black Panthers were receiving attention for their self-defense activities, by 1967 they were already deeply involved in a wide variety of other work. The Party was protesting rent eviction, informing welfare recipients of their legal rights, teaching classes in Black History, and demanding and winning school traffic lights. The installation of a street light at 55th and Market Streets is an important event in the Party's early history. Several black children had been killed coming home from school, and the community was enraged at the indifference of the authorities. Newton and Seale told Oakland's power structure that if the light was not installed, the Party would come down with its guns and block traffic so the children could cross in safety. The traffic light was installed.

At this time, the Panthers had about seventy-five members, and were based primarily in the Bay Area. But the Party was attracting statewide attention, and new recruits were joining every day. One of them was Eldridge Cleaver, who had spent nine years in prison and was out on parole; he was writing for *Ramparts*, a radical, anti-

war, muckraking magazine published in San Francisco. Early in 1967 Cleaver got his first sight of an armed guard of Black Panthers, organized to escort Betty Shabazz (Malcolm X's widow) on her appearance at Black House, San Francisco. Here is how he was affected:

The most beautiful sight I had ever seen. Four Black men wearing black berets, powder-blue shirts, black leather jackets, black trousers, shiny black shoes—and each with a gun! In front was Huey P. Newton. Beside him was Bobby Seale. A few steps behind him was Bobby Hutton. Where was my mind at? Blown.

Cleaver joined the Party and became Minister of Information. Later, the publication of his widely acclaimed *Soul on Ice*, written in prison, gave the Party nationwide publicity. Kathleen Cleaver, Eldridge's wife, also joined the Party and became Communications Secretary.

"We're the other half, the equal half," explained Artie Seale [Mrs. Bobby Seale, who also became a member of the Party]. "At first, when Bobby and Huey were just starting the organization, the women hung back. They felt they belonged at home in their kitchens because that had always been their role. But we began to find out that the pigs⁵ don't care that we were women. So we had to change our way of looking at ourselves."

The Party's initial successes had already reverberated to the state legislature in Sacramento, where California Assemblyman Don Mulford introduced a gun-control bill designed as an attack on the Panthers. Huey Newton developed a plan to protest the state assembly's attempt to pass a bill infringing on the Panthers' right to bear arms as guaranteed by the second amendment to the Constitution. Although it was decided that he should not go to Sacramento,

⁵ The expression "pig," originally signifying the police and later extended to all elements in the capitalist power structure, was first popularized by the Black Panthers and later adopted by other radical groups, including many student protesters. It is interesting to note that the Panthers were not the first to use the concept of the "pig" to denote evil forces in American society. In *The New Flag*, an anti-imperialist poem by Henry Blake Fuller, published in 1899, American imperialism is depicted as a "hog." In the introduction to his poem, Fuller presented the following "Picture of the Great Expansion Argument."



In view of the militant stand taken by the Black Panthers against imperialism as a worldwide system whose center is in the United States, it is worth noting that leading black Americans, such as W. E. B. Du Bois, Kelly Miller, and Lewis H. Douglass, son of Frederick Douglass, were members of the American Anti-Imperialist League, founded in 1898.

thirty members of the Party went, carrying firearms. On May 2, 1967, while the gun bill was being debated, the armed Panthers, twenty-four men and six women, walked up the steps of the Capitol building, and Bobby Seale read a statement, written by Newton, asserting the Party's principles (see page 40 below). Then the Panthers walked into the visitors' gallery of the legislative Chambers.

When the police, press and TV cameramen arrived, creating a flurry of excitement, the Panthers left the building, read the statement again, and started to leave. At this point they were all arrested on a charge of conspiring to disturb the peace and held for several days until bailed out.

Newton had planned the action carefully and had taken every precaution to make sure it was legal at every step. But while members of the "gun lobby" who were also present registering opposition to the new law went unnoticed in the press, the specter of "blacks-with-guns-invading-the legislature"—as the headlines the following day read—was too much for the Establishment, and the news media reported the awesome event across the nation. None of this was entirely unexpected by the Panthers. "I'm going to show you how smart brother Huey was when he planned Sacramento," Bobby Seale stated. "He said, 'Now the papers are going to call us thugs and hoodlums. . . . But the brothers on the block, who the man's been calling thugs and hoodlums for 100 years, they're going to say, 'Them's some out of sight thugs and hoodlums up there.' . . . Who is these thugs and hoodlums? Huey was smart enough to know that the black people were going to say, 'Well, they've been calling us niggers, thugs and hoodlums for 400 years, that ain't gon' hurt me, I'm going to check out what these brothers is doing!'"

To be sure, Bobby Seale and several others served a six-month prison sentence as a result of the action and the gun restrictions were passed. But the Panthers were now nationally known, and within a few months branches had been established in Los Angeles, Tennessee, Georgia, New York and Detroit. Hundreds of black ghetto youth were attracted to the party and its program.

But Sacramento initiated a campaign of hysteria against the Panthers on a nationwide scale, and most white Americans recoiled in fear and horror at the sight of armed blacks. To the Panthers this reaction was to be expected. In time, the Panther program would win allies among whites who would understand that they, too, were victimized by the system. "We feel there are two things happening in this country," said Eldridge Cleaver. "You have a black colony and you have the white mother country and you have two different sets of political dynamics involved in these two relationships. What's called for in the mother country is a revolution and there's a black liberation called for in the black colony."

Following the Sacramento action and the legal defense they had built around it, the Panthers continued their operations in the Oakland black community. The police patrols functioned, as did the Party's educational work, around its ten-point program, and the circulation of the weekly Party newspaper grew. Newton made it clear that the Party was "the people's party," and was "like an oxen, to be ridden by the people and serve the needs of the people." If black children were being harassed in the schools, the Panthers organized mothers to patrol the halls while armed Party members stood guard outside.

As the Party's community activities increased and its successes grew, so did the intensity of police harassment. Police bulletin boards featured descriptions of Party members and their cars. On foot or driving around, Panthers would be stopped and arrested on charges ranging from petty traffic violations to spitting on the sidewalk. Newton was stopped almost daily by the police intent on arresting him.

Early in the morning of October 28, 1967, an Oakland police car reported over the radio that one of the occupants was asking for a license check on a tan VW and that he planned to stop it at Seventh and Willow. "It's a known Panther vehicle," Officer John Frey radioed.

The driver of the VW was Huey Newton, and the car was registered in the name of LaVerne Williams, his fiancée. The car was stopped, and Frey began to write out a citation before any information on the license check came over the radio. Newton, who had identified himself, was ordered out of the car. As he walked to the police cars parked behind it, shooting was said to have started. A few moments later Officer Frey was dead, another was wounded, and Huey Newton was under arrest with four bullet wounds in his stomach. When he recovered, he was charged with murder and kidnapping, and locked in Alameda County jail without bail.

Newton immediately proclaimed his innocence, and the Black Panther Party mobilized its forces for a "Free Huey" defense campaign. A number of blacks insisted that the Party hire a black lawyer to defend their leader, but the Panthers argued for a man with sufficient experience to win, especially with experience in defense of dissenters. Although it aroused considerable resentment among cultural nationalists and caused a number of blacks to abandon the campaign to "Free Huey," the Party engaged the services of Charles R. Garry, a white lawyer with a background of successfully defending radicals and trade unionists. When asked what fee his firm would charge, Garry replied, "Let's not worry about that. Let's worry about the fact that we want to free Huey."

While Newton was in prison awaiting his trial, thousands, black

and white, rallied to his defense. During the same period, the Peace and Freedom Party emerged as a political force, first in California, and then across the country. The PFP was a coalition mainly of white left-liberals and radicals organized as a third-party electoral alternative in opposition to the war in Vietnam and in support of black liberation. The Panthers saw, in the emergence of the PFP and its campaign machinery, a chance for a wider campaign in Newton's defense. They indicated a willingness to join forces with the PFP, but insisted that any "functional coalition" with whites could be formed only on the basis of support for the demand to "Free Huey."

Because of fear of the liberal element that association with the Panthers would antagonize potential "respectable" voters, the PFP at first hesitated to join forces with the Black Panther Party. But as the time approached for the PFP to file its ballot petitions at the end of 1967, a shortage of signatures brought the issue to the fore. The radicals, who had favored the coalition from the beginning, won out and the alliance was formed. The Panthers took the petitions into the black community and put the PFP on the ballot. Huey Newton, Bobby Seale and Kathleen Cleaver ran as candidates for state offices on the PFP ticket, but on the basis of the Panther ten-point program. Eldridge Cleaver was to be the California PFP's presidential candidate, and later he won the national PFP nomination. Even though his name was kept off several state ballots (including California) because of his youth, the official election tallies gave him almost 200,000 votes. Moreover, his candidacy had enabled him to bring the program of the Black Panthers and the significance of the "Free Huey" campaign to thousands around the country, especially to scores of college campuses.

The basis of the coalition with the PFP was that the Panthers would set the PFP line on all issues related to the black community. As Cleaver summed it up: "We approached the whole thing from the point of view of international relations. We feel that our coalition is part of our foreign policy. . . ." Representatives of the "black colony" and the "white mother country" had joined in an alliance which respected the rights of black people to self-determination.

But a number of black radicals who were exponents of the doctrine of Black Power and of the necessity for blacks to form independent all-black political movements viewed the alliance with whites with considerable dismay, and some even charged a betrayal. The issue was complicated by the fact that precisely at this time, the Panthers were in the process of forming a "merger" with SNCC, which was formally announced at an Oakland "Free Huey" rally on February 17, 1968—Newton's birthday—and which was unusual not only for the size of the gathering, but for the fact that it was policed not by the police of Oakland but by the blacks themselves

—the Panthers. At the meeting, the principal leaders of SNCC—Stokely Carmichael, James Forman, and H. Rap Brown—were named to prominent positions in the Black Panther Party, with the leaders of both groups announcing a plan to form a mass black political party.

The “merger” was short-lived and began to crumble as soon as it was formed. Basically, the reason was the difference in outlook on the question of forming alliances with nonblacks. The Panthers would not accept the view of the SNCC leaders that all whites were evil and only blacks were worthy of being considered for inclusion in any struggle which had black liberation as its goal. “We know that you don’t have to be white to be a pig,” the Panthers put it. “The pig comes in all colors.” By the same token, the victims of the “pigs,” while primarily the black people, were also men and women of other colors who faced exploitation, poverty and repression.⁶

Soon after the PFP campaign and the defense of Newton got under way, the anticipated police repression began. On January 16, 1968, the police raided the Cleavers’ home. “From then on,” said Kathleen Cleaver, “the harassment of the Party intensified.” A month later, following a raid on his home, Seale was arrested and charged with conspiracy to commit murder. Newly formed Party branches were raided across the country. On April 3, a public Party meeting was broken up by armed searches by Oakland police.

On April 4, 1968, Martin Luther King, Jr., was assassinated, and in the next few days riots exploded in the black ghettos of over one hundred cities in the United States. But Oakland was not among them. It was the Black Panther Party, pictured daily in the press as “gun-toting crazies who shriek and practice violence,” which was responsible. In his report for the National Commission on the Causes and Prevention of Violence, Jerome H. Skolnick acknowledged that the Black Panther Party had to be “given credit for keeping Oakland cool after the assassination of Martin Luther King.” He noted, correctly, that “this has not stemmed from any desire on their [the Panthers] part to suppress black protest in the community. Rather it stemmed from a sense that the police are waiting for a chance to shoot down blacks in the street.”

Two days after the King assassination, dozens of police opened fire on a home where a Panther meeting was taking place. Bobby Hutton, the first member of the Party to join after Newton and Seale, was murdered while trying to surrender and Eldridge Cleaver was wounded and placed under arrest.

The trial of Huey Newton lasted from July 15 to September 8, and marked a high point both in Panther and Black History. The public attention given to the trial, resulting in large part from the

⁶ See Eldridge Cleaver’s letter to Stokely Carmichael, page 104 below.

defense efforts and the PFP campaign, provided the Panthers with an excellent opportunity not only to defend Newton but to expose the racist character of the entire legal system.

The testimony during the trial—over four thousand pages—includes urban sociology, black history and the Declaration of Independence. At one point early in the proceedings, Superior Court Judge Monroe Friedman said, "I feel like I've taken a course in sociology the last few days." Viewing Newton as a "political prisoner" and the trial as a "political trial," Charles R. Garry, his attorney, made it a practice to enable those in the courtroom and thousands on the outside to learn the racist nature of court procedure in the United States: that black people are virtually excluded from jury panels, often cannot afford bail or are rejected by bondsmen, tried by juries not of their peers and under laws they did not participate in making, and that they receive consistently heavier sentences. All of this aside from the police harassment described so fully by the Kerner Commission. In his address to the jury, Garry pleaded: "White America, listen. The answer is not to put Huey Newton in the gas chamber. The answer is to listen to him so that black brothers and sisters can walk down the street with dignity."

In his own testimony Newton had denied having fired any shot. He had been wounded almost immediately after the car was stopped; he said that he had slumped to the ground unconscious, and that "I don't know what happened." He did not have a gun when he left his car. Doctors testified at the trial that, indeed, Newton's wound was compatible with his claim that he had been unconscious. Garry asked that the jury be given instructions that unconsciousness, if proved, constituted a complete defense to a charge of criminal homicide. But Judge Friedman refused to give such instructions. After deliberating for twenty-eight hours and fifty minutes, the jury handed down a contradictory verdict. It found Newton guilty of "voluntary manslaughter" in the death of policeman John Frey, and innocent of shooting patrolman Herbert Heanes. (Garry had already won an acquittal of the kidnapping charge.) As Garry noted immediately after the verdict: "It makes no sense on legal or evidentiary grounds. . . . He either had a gun or he didn't." But he was a Black Panther, and he had to be put away.

Newton was sentenced to two to fifteen years. On May 29, 1970, the California Court of Appeals, in a fifty-one-page opinion, reversed the conviction. It ruled that the trial judge had erred in not instructing the jury that if it accepted Newton's contention that he was unconscious at the time of the shooting, this would have constituted a complete defense and would have resulted in a verdict of acquittal. The court also cited other errors it noted had occurred during Newton's eight-week trial. Although Newton had already

served over two years in prison, and although it agreed that he should have been acquitted, the Court still refused him bail pending the state's appeal to a higher court.

The Oakland police had expected Newton to die in the gas chamber, and they were enraged by the verdict of manslaughter. Only hours after it was announced, the Panther office was riddled with bullets. On September 27, the day Newton was sentenced, the courts reversed the decision on Cleaver's parole and gave him sixty days to return to prison. In November, Cleaver went into foreign exile rather than return to prison, where he believed he would be killed.

But this was only the beginning of a deliberate campaign to destroy the Black Panther Party. Late in November, 1968, Seale publicly stated that the Party had been heavily infiltrated by police agents. By December, Party branches everywhere were under attack by local police, with clear indications that the attacks were directed from Washington. On February 7, 1970, Mayor Wes Uhlman of Seattle disclosed that he had turned down a Federal proposal for a raid on Black Panther headquarters. His statement confirmed the widely reported information that Treasury Department Agents have been largely responsible for provoking and organizing nationwide raids against the Black Panther Party.

On December 5, 1969, Charles R. Garry told newsmen that since January 1, 1969, twenty-eight members of the Black Panther Party had been killed by the police.⁷ At a press interview on December 19, the Executive Director of the American Civil Liberties Union declared: "The record of police actions across the nation against the Black Panther Party forms a prima facie case for the conclusion that law enforcement officials are waging a drive against the black militant organization resulting in various civil liberties violations . . . [and that] high national officials, by their statements and actions, have helped to create the climate of oppression and have encouraged local police to institute the crackdown." The ACLU released a list of forty-eight major police-Panther "incidents."

The whole world knows of the murder of Fred Hampton and Mark Clark, killed by an invasion of Chicago police as they slept. As usual the police claimed that they had been attacked by the Panthers, but so flimsy was the claim that a Federal Grand Jury investigation labeled it false, and the case against the seven Panthers who survived the raid has been dismissed. (No action, however, was taken to bring the guilty police to justice.) In an editorial entitled "Panthers and the Law," *The New York Times* (May 18, 1970), while engaging in the typical anti-Panther diatribes, accusing them

⁷ The entire issue of *The Black Panther* of February 21, 1970, is devoted to listing the victims of government harassment from May 2, 1967, to December, 1969. The "Special Issue" is entitled "Evidence and Intimidation of Fascist Crimes by U.S.A."

of having "committed unlawful and coercive acts, often against the black community itself," declared:

The story unfolded by the Chicago grand jury makes it appear that the law-enforcement agencies, more than the Panthers, were acting out a conspiracy. The police, following Federal tips, sprayed the Panthers' lodging with massive gunfire, even though no more than one shot was found to have been fired from the inside. Chicago officials subsequently engaged in a deliberate publicity campaign to depict the Panthers as the aggressors. Police laboratories, lacking either in competence or integrity, provided erroneous findings to serve the same purpose.

Against a background of doctored evidence and coached police witnesses, it is not surprising that the State's Attorney, who initially had played a leading role in building the public case against the Panthers, finally dropped all charges against them. A more pertinent question now is whether a case which left two men dead can properly be closed with the mere demotion of three police officers.

Another "pertinent question" is whether *The New York Times* will report how an organization which it accuses of having committed "unlawful and coercive acts" against "the black community itself," how the Black Panther Party, while compelled to devote a large part of its time to defense activities, is carrying out the Party's original "serve the people" program in the black communities. Four programs have been launched: free breakfast for children, free health clinics, liberation schools and petition campaigns for community control of the police. (See page 168 below.) Every branch has moved to implement at least the breakfast program and the police petitions.

The Black Panthers have felt the type of repression that has been experienced by radical and labor groups throughout our history, but in addition, they are black and they are experiencing the type of repression that only black revolutionaries can experience in a racist society. Yet the evidence points to the conclusion that the Panthers are continuing to grow and to advance their program, and that they are gaining wide support among increasing numbers of people—black, brown, yellow, red, and white. There already is a Black Panther Party in England.

On June 19, 1970, the Panthers and their supporters gathered on the steps of the Lincoln Memorial in Washington, D.C., to hear the Black Panther Party issue a call for a "revolutionary people's constitutional convention" to be convened on September 7, Labor Day, in Philadelphia. The gathering was in observance of the anniversary of the Emancipation Proclamation, officially dated January 1, 1863, but actually delivered on June 19. The statement of the BPP, read by Chief of Staff David Hilliard, declared, "The end result of the Emancipation Proclamation was supposed to be the freedom and liberation of the black people from the cruel shackles of slavery;

yet one hundred and seven years later black people still are not free. Where is that freedom?" The statement documented the "unbroken chain of abuse" committed against black people by the ruling class, including the murder of Malcolm X, Martin Luther King, Jr., and hundreds of ordinary black citizens. (For the full text of the manifesto, see page 267.)

In February, 1969, Mayor of San Francisco Joseph Alioto told a Presbyterian convention that the Black Panthers "encouraged violence." Challenged from the audience by the Director of the Commission on Religion and Race, the Mayor retorted: "Have you ever read the ten commandments of the Black Panther Party? . . . Did you like that section about robbing and raping?" The reference (a perfect example of the "big lie") was actually to the "8 Points of Attention" which the Panthers print in every issue of their weekly newspaper, and, as the reader will see if he turns to page 6, these "commandments" actually encourage the opposite of what the Mayor of San Francisco charged. But how many in the audience had ever read *The Black Panther* and how many who listened to him over the air or read the account in the next morning's newspaper had ever seen the actual text of the "8 Points of Attention"? In his interview with Eldridge Cleaver in Algiers, late in June, 1969, Lee Lockwood asked the Minister of Information for the Black Panther Party: "But is it a Panther policy to tell somebody to take a gun and hold up a store?" Cleaver replied: "If you listen, you will not hear anyone saying that it is a Panther policy except those who are saying it at the behest of the pigs and to help the pigs. So just listen to what the Panthers are saying. . . ."

What the Black Panthers have been saying has been public information since the first issue of its weekly paper was published on April 25, 1967, a year after the Party was organized in Oakland, California. Each week thereafter *The Black Panther* made its appearance, carrying the Ten-Point Program and Rules and Regulations of the Party, editorials, speeches by leading Black Panthers, interviews with a number of them, poetry, art, letters and dispatches from various parts of the Third World. In addition, many of the leading radical journals such as *The Guardian*, the *Daily World*, and the *People's World*, and the less radical weekly, *Village Voice*, the chief underground papers, among them *The Movement*, *Rat*, *Nickel Review*, and *Quicksilver*, and student newspapers like *The Rag* of the University of Texas, have featured articles about the program and interviews with leaders of the Black Panthers.

In short, there has been no lack of information as to the program, policies and objectives of the Black Panther Party. Unfortunately, it has been easier to read distortions in the mass media than to obtain

copies of the Party's weekly, radical journals, and the underground and student papers. It is the purpose of this volume to correct this situation. Here in their own words are the views, the policies and objectives of the black men and women who have in a short time built one of the most significant movements in the entire history of black Americans, as well as those of men and women of other races and colors—Puerto Ricans, Mexican-Americans, Chinese-Americans, and Poor Whites—who have been influenced by the Panthers to build a similar movement in their own communities. One does not necessarily have to agree with their philosophy or the solution they hold out for the evils of our society. But every American owes it to himself at least to understand what the Black Panthers are saying.

It may be argued by some that the present volume may derive its significance from the fact that it appears at a time when the Black Panther Party is doomed to extinction because of the nationwide repression against its leaders and members. David Hilliard, the Party's national chief of staff, and, at the time this is written (July, 1970), its highest ranking officer out of jail, rejected this viewpoint. "I don't think that we can say," he wrote in *The Black Panther* of January 3, 1970, "the organized attempt to destroy the B.P.P. was successful. What it has done, is that it brought to the attention of the American people the atrociousness of the American Government, in terms of its subjects. . . . But as far as their successfulness is concerned, they're not successful. They can never exterminate the Black Panther Party because the Black Panther Party is not just a party for itself but rather it's a party for the people." While I am aware of the effectiveness of government and vigilante repression in destroying a large number of past radical and labor movements which seemed to pose a threat to the established order in America, I am inclined to agree with David Hilliard. I am confident that the Black Panthers will continue to speak for a long time to come.

—PHILIP S. FONER