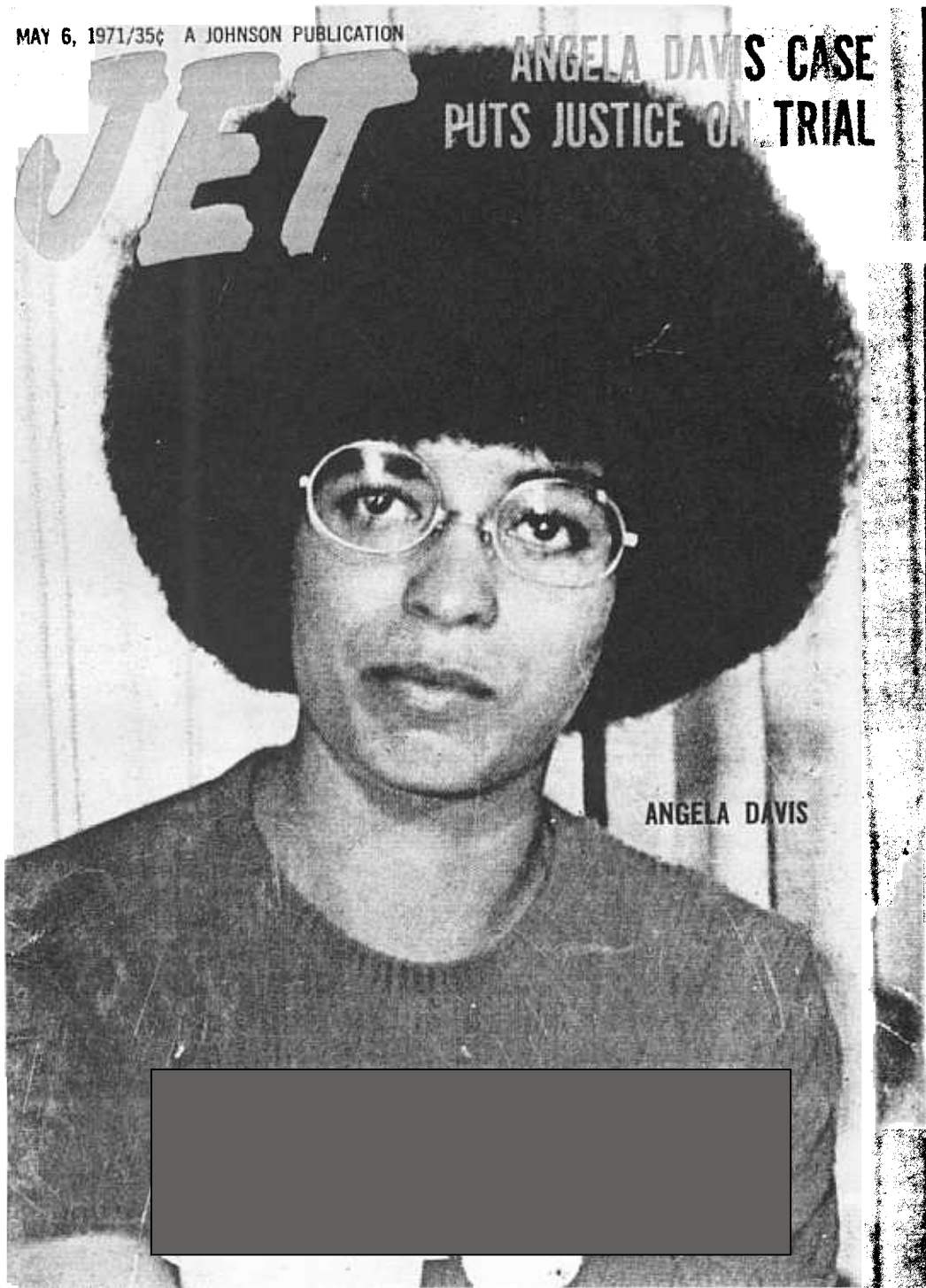


**JET**

**ANGELA DAVIS CASE  
PUTS JUSTICE ON TRIAL**

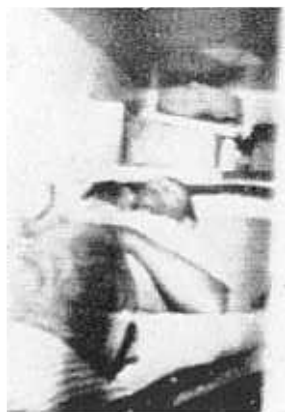


**ANGELA DAVIS**

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## ANGELA'S CASE PUTS JUSTICE ON TRIAL



By CORDELL S. THOMPSON

In the Western world whenever architects of laws erect buildings to enshrine and preserve order, they usually adorn the facades of these institutions with statues of Themis, the mythical Greek goddess of law and order. In her left hand are scales on which the conflicting claims of antagonists are weighed, and she is blindfolded to prevent her from favoring one over the other. In the right hand she holds the double-edged sword of justice, with its tip blunted so that when she brings down the sword on a target it is tempered with mercy.

It has been said that the quest for justice and truth is an inherent ingredient of human nature, although the effort can be repressed and prevented just as the struggle for freedom has been. Those who profess a love of democracy or claim a belief in the will of the people add that for everybody who is powerless, justice and truth are the most potent weapons in the fight for his freedom and growth. But for the Black man in America, still striving for the realization of such ideals and even after the dehumanizing experience of slavery, justice is considered a mythological figure.

At this stage of the Black man's travail in America, perhaps no one person symbolizes what Blacks consider the injustices done to Blacks by America's legal and judicial system than former UCLA philosophy instructor Angela Da-

*Angela's case also puts spotlight on Soledad prison inmate (bottom).*



*Probing justice behind prison bars, a Black Journal cameraman visits inmates who are among 400,000 in U. S. penal institutions.*

vis, in jail awaiting trial in California in connection with the courthouse shootout in San Rafael, Calif., last Aug. 7, in which four persons died, including a judge. Miss Davis is charged with murder, kidnaping and conspiracy to smuggle weapons into the courthouse in an alleged attempt to free three Black prisoners. The prisoners, George Jackson, Fleeta Drumgo and John Chichette, known as the "Soledad Brothers," were charged with the murder of a prison guard, allegedly committed in retaliation for the killing of three prisoners during a fight in the prison. Slain in the shootout was Jonathan Jackson, 17, who allegedly tried to free his elder brother, George.

To many people, the trial of the beautiful Miss Davis means many things, but on one thing there is much agreement: that she is a "political prisoner." In the words of one young Black student: "What

they're doing to her is an exaggerated version of what they're doing to Black people all around the country." Another thing that is a certainty is that when legal motions are cleared and the actual trial begins, the former professor will have another co-defendant other than Ruchell Magee. Sharing the cage with Miss Davis will be the American form of justice.

There are about 400,000 inmates held in penal institutions across the U. S. and nearly one-third are nonwhite. In California's 12 state prisons there are some 23,900 persons, 30 percent of whom are Black.

Before she gained international notoriety last fall as the object of a two-month FBI hunt, Miss Davis, an admitted Communist, was working actively to free the Soledad Brothers and others who she felt were political prisoners and to expose the prison system. She was dismissed from her post as acting assistant professor of philosophy

## Angela's Lawyer Insists Blacks Denied Jury Of Their Peers

at UCLA for her activities, which the university regents labeled politically subversive.

Much of the sequence of events that led to Miss Davis becoming a cause celebre around the world are chronicled in a powerful documentary film entitled *Justice?*, produced for showing over Public Broadcasting System stations on Black Journal, the award-winning show produced by Tony Brown.

To the Black community, there are two kinds of political prisoners—the protesters whose politics and activities are anti-establishment, and Black men and women who were just caught up in not being able to make a living in America for reasons they say are all too familiar—the institutionalized racism that pervades every aspect of American life.

"All Black people, wherever they are, whatever their crime, even crimes against other Blacks, they are political prisoners, because the political system has dealt with them different than they have

dealt with whites," states Howard Moore, chief defense counsel for Miss Davis. "Whites get the benefit of every law, every loophole," says Atty. Moore, who emphasized that Miss Davis was only exercising her constitutional rights by supporting the Soledad Brothers. "Whites get the benefit of being judged by their peers, by other white people. Blacks don't get that benefit of any such jury trial. Jury trial is almost a cinch to result in the conviction of a Black person," Moore asserts.

He says he sees no reason why a man has to remain in jail because he's unable to post bond or why a man should go to trial in a court of law when he has not had the benefit of an investigation by trained investigators. "But it's a conscious political decision for people not to have that, and this is more common, it's more regular, more routine when it comes to Blacks," Moore maintains.

George Jackson first went into prison at the age of 18 for alleged-

*Asserting that former Professor Davis is innocent, Attorney Moore talks to reporters. Miss Davis gestures during a preliminary hearing.*



ly driving the getaway car in a \$70 holdup, as his mother, Mrs. Lester Jackson, recalls. Mrs. Jackson said she and her husband hired a lawyer who told their son to plead guilty after talking with him for about ten minutes, saying he would get him a light sentence. Young Jackson wound up in the state penitentiary rather than in a county jail, with an indeterminate sentence. He has been in jail for ten years, Mrs. Jackson said.

She said that she was once "lucky to meet a Black man who told me that my son spoke out too much in his own defense and that if he would learn to keep quiet more and just be humble when he went before the parole board, take everything they accused him of and not say anything back, then he would be better off. But, I don't see how a person can be better off making a dog of themselves or bowing down to anybody," Mrs. Jackson says proudly of her man-child, helping to break the image of the matriarchal Black woman who instills in her brood a meek submissiveness to whites.

"I didn't raise them in the way where you could accuse them of something and if they were guilty or not, they just take it," says Mrs. Jackson. "I think every man should have the right to stand up and defend himself. I don't think that should be a privilege only reserved for white people. I think Black people should have it too."

Apart from George Jackson entering prison at 18, the events that led to the charges against Miss Davis can be said to have started Jan. 13, 1970. At that time for the



*Defending her sons, George and Jonathan, Mrs. Lester Jackson has harsh words for law enforcers.*



*Insisting that her brothers were wronged, Mrs. Francis Chinn, supports her mother's views.*

first time in months, prison authorities decided to put both Black and white prisoners together in a small exercise yard, after being thoroughly, skin-searched for weapons. Prior to that, defense attorneys claim, a guard, an expert marksman, had been posted on the wall with a high-powered rifle.

A scuffle started between the Blacks and whites, and the guard fired four times. When the smoke cleared, one white had been nicked with a bullet and three Black men were dead. A grand jury, after

## Mother Says Son Was A Man, Needed No Woman's Advice

three days' deliberation, ruled the three deaths justifiable homicide. The news of the grand jury's decision and that no action would be taken against the guard came out over the radio and TV and into the prisons. Approximately 30 minutes later, the guard who did the shooting was found dead and the Soledad Brothers were charged with murder.

When they were charged Fleeta Drumgo was due to go before a parole board in May with every expectation that a parole date would be set and he would be released. John Chichette actually had a parole date set and was scheduled to be released that month.

The state allegedly has 13 or 14 witnesses who can testify to the guilt of the Soledad Brothers. The defense feels it can turn up a large number of witnesses who can testify to the innocence of these young men. Many of the prisoners who were in the wing when and where the alleged crime occurred were moved to other parts of the state.

"I have talked to prisoners who've come from San Quentin, Soledad and Tracy, who said that my son taught them how to read, and so I said, 'Well, maybe if he has been in prison for ten years and he's labeled an animal, he has done some good in this world,'" Mrs. Jackson said proudly. "That's the only consolation I can have up to now—that he tried to help his fellow man, even at the risk and the cost of his own life, and staying in prison so long."

The younger and only other son in the Jackson family was Jonathan, an extremely political youth who was befriended by Miss Davis and who actively campaigned with her on behalf of the Soledad Brothers. Last August, Jonathan allegedly initiated an attempt to free two convicts on trial in the San Rafael courtroom. The judge, district attorney and three jurors were taken hostage in a waiting van. As the truck pulled out of the parking lot, a force of police, prison guards and deputies opened fire on it. In the aftermath, four persons lay dead—the judge, two convicts and Jonathan Jackson.

Jonathan, according to his mother, was a gentle and kind person, who never felt that people didn't like him. "That was the sad part," says Mrs. Jackson. "He always felt that people liked him and he knew when he ran into anybody that didn't, it really upset him. He loved his family and it always upset him because George wasn't around. For ten years in his life, since he was six, the only view he saw of his brother was behind bars and in some waiting room with other people around. And to have a male child grow up like that, it's terrible."

Mrs. Jackson took Jonathan's body to his home state of Illinois for burial, but before she got the casket to the cemetery it was opened, she reveals, and the body disarrayed to the extent where it could not be viewed by his relatives who came to see him to show their respect for him.

"I don't know why they did it, unless they were looking for Angela Davis in the casket," Mrs. Jackson relates. "That's another thing I resent about this whole thing," she added, "I resent that this country thinks so little of its Black male citizens that they have to say that a woman tells a man what to do. I believe my son was a man. He was 17, and I think he was a better man than a lot of people who live to be 90. I knew my son better than anybody, and I know that he wouldn't let anybody tell him what to do unless he wanted to do it himself, and I know he wouldn't let any woman tell him what to do. That I know. And I'm tired of reading the accounts of what he was thinking and how he wanted to commit suicide and all those things. I'm tired of reading about it and I'm tired of people telling what he was when people didn't even know him. How do they know who he was?"

Black people who have rallied to the defense of Miss Davis have done so principally because she is a Black woman and not because she is a Communist. These Blacks see Communism or Marxism as only offering Blacks a philosophy that deters from nation building.

"When people talk about communism," says one young man, a member of the Committee for a Unified Newark, "that's just another 'ism' that was created and written by white boys who were neither concerned about nor understood the problems of Black people . . ."

And it was novelist James Baldwin who told Miss Davis: "... We must fight for your life as though it were our own—which it is—and render impossible with our bodies the corridor to the gas chamber, for if they take you in the morning, they will be coming for us that night."

*Facing Black Journal's cameras, a group of prison inmates rip the lid off the kind of treatment which they say they suffer.*



**Press Can Help Citizens Get 'Piece Of Action': Mayor**

Newspapers can help all citizens get "a little piece of the action" in making the decisions which shape their lives, Walter E. Washington, mayor of the District of Columbia, told the American Society of Newspaper Editors in Washington, D. C. "It is up to the press to articulate the needs and to urge action where governments are slow," he said.

"It's all too true," Mayor Washington said, "that many of our great cities are almost bankrupt. They have too much crime and not enough decent housing. . . . They are plagued with hardcore unemployment and underemployment." He said, "It is up to the federal government, either through revenue sharing, block grants or some similar approach, to help the cities deal with their many problems."

Citing his own city as an example, he said the suburban communities should "pay their share to maintain and improve the facilities and capacities of the core city."

"The city of Washington has long suffered an adverse balance of payments with suburban Maryland and Virginia," the mayor said, "which amounts to \$50 million per year."

He said residents in the two states who earn their salaries in the District should share in the heavy financial burden of Washington.

**Newton, Cleaver Factions Of Panthers Fuss; New Death Reported In N. Y.**

The body of Samuel L. Napier, 32, bound, gagged and shot three times in the face and three times in the back of the head, was found in the burning basement of a storefront in the New York City borough of Queens. Fire officials said the building was set afire in several places.

The storefront building was the Black Panther headquarters in Queens.

Police said Napier came East to try to build circulation for The Black Panther, a party newspaper which is boycotted by the East Coast faction of the party.

Police assigned to probe the case believed the killing was an outgrowth of the feud between a West Coast Panther faction led by Supreme Commander Huey P. Newton of Oakland, Calif., and a group led by fugitive former Information Minister Eldridge Cleaver, who lives in Algeria.

Cleaver's supporters in New York reportedly refused to sell The Black Panther since the paper, which is published on the West Coast, carried a blistering attack on the fugitive leader several weeks ago. Last month, Panther Deputy Field Marshal Richard Webb was shot and killed in Harlem. New York Panthers said he was assassinated by a Newton follower.



## **Panthers File Suit, Charge 'Punishment Before Trial'**

Bobby G. Seale, national chairman of the Black Panther Party, and Erica Huggins, co-defendants in a murder-kidnap trial in connection with the death of Panther Alex Rackely, filed a federal suit in New Haven, Conn., charging that their constitutional rights as persons presumed innocent were being violated. Both are being held without bail. The suit charges that their confinement is "oppressive" and that it "constitutes punishment before trial."

The suit also stated that the defendants have been isolated from "reputable members of the press" and have been "denied the right to interview potential witnesses or others who might help in the preparation of their defense." Further charges include that "electronic eavesdropping and secret observations" were used against Seale and Huggins without notice to their attorneys. Named as defendants in the suit are State Commissioner of Correction Ellis C. McDougall, State's Atty. Arnold Markle and special agent Charles E. Weeks.

### **Mich. Cities Charged With Bias**

The Michigan Civil Rights Commission (MCRC) charged the police department of Hazel Park and Jackson, Mich., with unlawful discrimination, saying they designate color on traffic tickets. The police chiefs of the two cities denied the charges.

## **Form Black Silent Majority, Law, Order Group In D. C.**

A committee of concerned Negroes said in Washington, D. C., that the Black community has a "silent majority" just as concerned about law and order as white citizens. Clay Claiborne, founder of the "Black Silent Majority Committee," said he is concerned about the image of Black Americans. He said news reporting, particularly television, emphasized the activities of Black militants and largely ignored the rest of the nation's Negro community. "Of the 23 million Blacks in this nation, I'll wager that 22 and one-half have never participated in a riot," Claiborne said. "Blacks are patriotic," he said. "We still salute the flag, pay taxes, try to keep our kids in school."

■ **On The Lever:** Having last voted for Woodrow Wilson in 1912 and balked when voting machines came, Landers Drake, who was 100 years old Oct. 24, says he will pull lever on machines, feels "it's a citizen's responsibility to vote." Drake's neighbor, Mary Gillespie, drove him to courthouse in Nashville, Tenn., to register.



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## Miller Resigns Defense Post; Moves To Columbia



Donald L. Miller, deputy assistant Secretary of Defense, has resigned his \$36,000-a-year post to accept a position at Columbia University as vice president for personnel management.

Miller, 40, who held the position for a year, told JET that he was resigning effective Jan. 21, 1973, "because I've been offered a job I want to accept. It's the sort of thing that I like to do."

He emphasized during an interview that his resignation "has nothing to do with the current tensions of the moment in the service and reflect no personal dissatisfaction with the position. I feel that the services have made some real progress this year."

While Miller declined to quote a specific salary for his new post, he indicated that it involved a "significant salary increase."

## Canada Bars Carmichael; Called 'Undesirable Alien'

Stokely Carmichael, a Black leader during the late 1960s, was recently refused admittance to Canada, where he had been invited to appear on a television program.

Canadian immigration department officials declared Carmichael inadmissible and ruled that he was an "undesirable alien."

## NATIONAL REPORT

### Solidarity: Panthers To Support Eldridge Cleaver

The West Coast faction of the Black Panther Party, which split with Eldridge Cleaver last January, recently vowed to support Cleaver should he return to the United States.



Eldridge Cleaver

Cleaver, who has been living in exile in Algeria since 1968, reportedly plans to return to this country soon. It is believed that Algerian officials are anxious to see Cleaver and other members of the party leave the country.

"Eldridge Cleaver criticized us, not to help us, but to destroy us," Panther leader Huey P. Newton said in a statement published in the Black Panther newspaper.

But, Newton continued, despite ideological differences that resulted in Cleaver's expulsion from the party, "Eldridge Cleaver is not our enemy, he is not our oppressor. He is not the cause of the conditions which threaten the lives of the Black community."

### Government Working To Resegregate U. S.: ACLU

Although it cited gains in securing voting rights and rights for women, homosexuals and prisoners, the American Civil Liberties Union recently charged that the federal government is consciously working to resegregate America.