

Gun-Barrel Politics:
THE BLACK PANTHER PARTY, 1966-1971

REPORT

BY THE

COMMITTEE ON INTERNAL SECURITY

HOUSE OF REPRESENTATIVES

NINETY-SECOND CONGRESS

FIRST SESSION

TOGETHER WITH MINORITY VIEWS

AND

A SUMMATION BY HON. RICHARDSON PREYER
SUBCOMMITTEE CHAIRMAN



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The House Committee on Internal Security is a standing committee of the House of Representatives, constituted as such by the rules of the House, adopted pursuant to Article I, section 5, of the Constitution of the United States which authorizes the House to determine the rules of its proceedings.

RULES ADOPTED BY THE 92D CONGRESS

House Resolution 5, January 22, 1971.

RESOLUTION

Resolved, That the Rules of the House of Representatives of the Ninety-first Congress, together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, and the Legislative Reorganization Act of 1970, be, and they are hereby adopted as the Rules of the House of Representatives of the Ninety-second Congress * * *

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

(k) Committee on Internal Security, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

11. Committee on Internal Security.

(a) Communist and other subversive activities affecting the internal security of the United States.

(b) The Committee on Internal Security, acting as a whole or by subcommittee, is authorized to make investigations from time to time of (1) the extent, character, objectives, and activities within the United States of organizations or groups, whether of foreign or domestic origin, their members, agents, and affiliates, which seek to establish, or assist in the establishment of, a totalitarian dictatorship within the United States, or to overthrow or alter, or assist in the overthrow or alteration of, the form of government of the United States or of any State thereof, by force, violence, treachery, espionage, sabotage, insurrection, or any unlawful means, (2) the extent, character, objectives, and activities within the United States of organizations or groups, their members, agents, and affiliates, which incite or employ acts of force, violence, terrorism, or any unlawful means, to obstruct or oppose the lawful authority of the Government of the United States in the execution of any law or policy affecting the internal security of the United States, and (3) all other questions, including the administration and execution of any law of the United States, or any portion of law, relating to the foregoing that would aid the Congress or any committee of the House in any necessary remedial legislation.

The Committee on Internal Security shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Internal Security, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

28. (a) In order to assist the House in—

(1) its analysis, appraisal, and evaluation of the application, administration, and execution of the laws enacted by the Congress, and

(2) its formulation, consideration, and enactment of such modifications of or changes in those laws, and of such additional legislation, as may be necessary or appropriate,

each standing committee shall review and study, on a continuing basis, the application, administration, and execution of those laws, or parts of laws, the subject matter of which is within the jurisdiction of that committee.

* * * * *

FOREWORD

In October 1969 the staff of the House Committee on Internal Security began an investigation of the Black Panther Party as part of the HCIS program to make an in-depth analysis of various organizations advocating revolutionary violence in the United States.

By February 20, 1970, I was able to announce the scheduling of public hearings to begin March 4 on the BPP before an HCIS subcommittee chaired by the Honorable Richardson Preyer (D-N.C.). Other members of the subcommittee were the ranking minority member of the full committee, the Honorable John M. Ashbrook (R-Ohio), and myself. The committee's inquiries were directed to five primary aspects:

- (1) the use of violence or other unlawful activities by the Black Panthers to accomplish their purposes or objectives;
- (2) how or in what way they may incite or employ force, violence, terrorism, or other unlawful means to obstruct or oppose the Government of the United States in the execution of any law or policy affecting the internal security of the United States;
- (3) to what degree, if any, the Black Panthers are controlled, directed, or assisted by those who seek to overthrow or unlawfully alter the form of government of the United States;
- (4) how the Black Panthers are financed and supported; and
- (5) the extent to which they may act in concert with, aid or assist, or be supported by, foreign communist powers, their agents, or nationals.

The committee's research and investigation, and the testimony of numerous witnesses presented at hearings, have culminated in this report, the issuance of which was unanimously approved by vote of all six members present at a meeting of the full committee on August 4, 1971. *Gun-Barrel Politics: The Black Panther Party, 1966-1971*, is far more than a summation of the committee's findings. It is also an analytical study of the origins of the organization, its founders, the mentality of the Panther leadership, their purposes, tactics, and objectives, and their successes and failures to date.

There is no denying the militant posture of the BPP. What the HCIS ascertained from its investigation and hearings was the nature of that militancy, the kind of revolution the Panthers envisioned, who would carry it out, and for what goals.

In the nearly 5 years of the party's life, the BPP leadership has fluctuated both in philosophy and programmed activity. Basically an organization of activists with apparently little taste or talent for theory, the Panther Party pragmatically shifted in orientation and in operating procedures on occasion without, however, abandoning a "revolutionary" outlook and affirmations that the gun is a necessary tool in helping the black minority in the United States improve its status socially, economically, and politically.

Eldridge Cleaver, BPP minister of information, once equated the Panthers with the communist Vietcong when he declared:

Our message is one and the same. We're going to talk about black people arming themselves in a political fashion. . . We're going to talk about political power growing out of the barrel of a gun.

The "gun-barrel" rhetoric, of course, is taken from the little red book of aphorisms of communist China's Mao Tse-tung and is used with such frequency in Black Panther speeches, writings, and sloganeering that it naturally lends itself to the paraphrasing employed in the title of this report.

Much of this rhetoric was directed against law enforcement officers. The Panther newspaper, indeed, poured forth a deluge of editorials, cartoons, and distorted news accounts full of invectives, taunts, and suggested and threatened violence to policemen. That this was not merely idle talk is evident from the numerous reported instances of violence, including murders of policemen, in which Black Panthers participated. As the most ever-present symbol of this country's dedication to a rule of law, the policeman is the natural and most readily available target of attack. That it has been the Panthers' intention to provoke the police, and then foment disrespect for law enforcement through fabricated charges of brutality, cannot be seriously misconstrued. The report, I believe, makes this clear. It sets forth many examples showing that members of the BPP wantonly inflicted injuries and death upon police officers. It must be recognized that the police have labored under very difficult and trying circumstances in regard to the BPP. The committee report reflects that most of the Panthers with whom the police must deal have long records of criminal behavior. The Nation's policemen, on the whole, have nevertheless discharged their responsibilities in an exemplary manner. They are to be commended and supported.

My distinguished colleagues of the committee minority have expressed disagreement with the tone and emphasis of the report. While they acknowledge that the report contains much useful information, they feel that it has not, as they seem to indicate, sufficiently exposed the true character of the organization. It is understandable that there would be a divergence of views concerning characterizations and descriptions of various aspects of an organization with such a low level of homogeneity. Many different approaches, and many different styles of writing, could be utilized. To expect complete unanimity of opinion would be unrealistic, perhaps in any group. However, there does not appear to me to be any substantial disagreement over the stated findings and recommendations. It is rather that the minority would have stated the case more vigorously.

However, it is my view that the report fairly states the case. It is balanced, accurate, and certainly dispassionate. I would agree that a more condemning and scornful attitude could have been woven into the existing language. Nevertheless, in the last analysis, I am inclined to agree with the judgment of my colleague, Richardson Preyer, in his summation appended to this report, that the—

report presents an account of the Black Panther Party which is in this spirit of fairness and balance. Some might say it is too sympathetic to the Panthers, for it would be possible, without departing from the facts, to write a real zinger of a report which would carry a stronger sense of outrage than the present report. Such a report would run the risk of making martyrs of the Panthers; a cooler and more balanced report would avoid any possibility of reviving a flagging Panther Party by making available the charge of "oppression."

This report is intended to provide clearer insight and a ready reference with respect to the Black Panther Party, hopefully enabling the Congress to better understand the organization's modus operandi, the ramifications of the BPP, and the often confusing utterances of BPP leaders.

Such understanding is particularly important at a time when it appears that the appeal of militant black nationalism to many young people in urban areas of the Nation continues to pulse, leading to outbursts of violent unrest. Regardless of the fate of the BPP as an organization, knowledge of its wellspring sheds great light on groups of similar origin, which are now arising or may be formed in the near future in the Nation's inner cities.

RICHARD H. ICHORD, *Chairman.*

August 12, 1971

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Gun-Barrel Politics:

THE BLACK PANTHER PARTY, 1966-1971

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Mr. ICHORD, from the Committee on Internal Security,
submitted the following

R E P O R T

[Pursuant to H. Res. 5, 92d Cong., 1st sess.]

GUN-BARREL POLITICS: THE BLACK PANTHER PARTY, 1966-1971

CHAPTER I

ORIGIN OF THE BLACK PANTHER PARTY

*** * *** We can no longer afford the dubious luxury of the terrible casualties wantonly inflicted upon us by the cops during these spontaneous rebellions.

Black people must now move, from the grassroots up through the perfumed circles of the Black bourgeoisie, to seize by any means necessary a proportionate share of the power vested and collected in the structure of America. *** * ***

(Huey P. Newton, in The Black Panther, June 20, 1967.)

In 1966, we called ourselves, that is, the Party, a Black nationalist Party. We called ourselves Black nationalists because we thought that nationhood was the answer. Shortly after that we decided that what was really needed was revolutionary nationalism, that is, nationalism plus socialism. After analyzing the phenomena a little more, we found that it was impractical and even a contradiction. *** * ***

(Huey P. Newton, Boston College Speech, November 18, 1970, reprinted in The Black Panther, January 23, 1971.)

In order to transform the American social order, we have to destroy the present structure of power in the United States, we have to overthrow the government. *** * *** We must do this by the only means possible, *** * *** and the only means possible is the violent overthrow of the machinery of the oppressive ruling class. *** * ***

(Eldridge Cleaver, The Black Panther, June 28, 1969, p. 14.)

From the streets of black neighborhoods in Oakland, Calif., where toughened, jobless, school dropouts feuded, fought, and "hustled" for money, the Black Panther Party emerged October 15, 1966.

Its "creators" were Huey P. Newton, 24, and Bobby Seale, not quite 30.

On the day of the party's birth, Newton and Seale wrote out a 10-point platform for a new, militant, political organization in which Newton would be top man as "minister of defense" and Seale would be second in command as party chairman. Though a cofounder, Seale likened his role to that of an apostle to Newton. Through the turbulent years since the founding, the alliance of these two has remained firm.

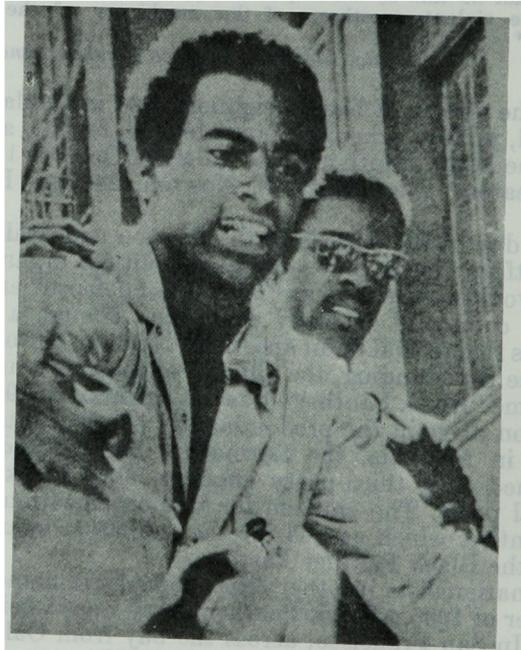
The name "Black Panther" was not original. In 1965, during a voter registration drive in the predominantly black counties of Greene and Lowndes in Alabama, the Lowndes County Freedom Organization was formed as a third-party effort to elect blacks to county and municipal posts. The emblem for this organization was a crouching black panther which earned for the Alabama organization the nickname of the Black Panther Party.

Black nationalists in other cities copied the name and emblem. In September of 1966 a Black Panther Party was in being in New York's Harlem. In San Francisco, across the bay from Oakland, there was a Black Panther Party in existence when Newton and Seale initiated their organization with the name, initially, of Black Panther Party for Self Defense. Yet another party of similar name was set up in Los

PHOTOGRAPHS OF NATIONAL LEADERS OF THE BLACK PANTHER PARTY



(Left to right) BOBBY GEORGE SEALE, chairman, HUEY PERCY NEWTON, minister of defense, supreme commander (*The Black Panther*, Jan. 24, 1970:6).



HUEY NEWTON (foreground), DAVID HILLIARD, chief of staff (colonel), (*The Black Panther*, Aug. 15, 1970:1).

Angeles in February 1967, with the blessing of the then-prominent Stokely Carmichael. Most of these other parties were apparently short-lived.¹

At the outset, the Black Panther Party adhered to a revolutionary nationalistic program which predicated advancement of black Americans on their ability to create autonomous black communities in the United States. However, the composition and tactics of the BPP distinguished it from other organizations which at one time or another professed similar perspectives.

The Panthers' pitch was to youths in the black ghettos of large cities, primarily in the North. Tactically, the Panthers put guns in the hands of so-called street youths who, according to psychological studies of ghetto life, have a propensity for antisocial behavior. The Panthers' eschewal of secret or underground operations favored by somewhat similar groups in the past² contributed to the worldwide publicity eventually attained by the organization. Members of the party ostentatiously acquired rifles, shotguns, and an assortment of other lethal weapons and urged on all black citizens a similar course of action.

The predominantly black sections of major American cities are inhabited by a sizable number of young adults who frequently exploit and terrorize other ghetto residents as well as fight in rival gangs.³ According to witnesses before the committee, these youths are often dropouts from schools, jobs, and efforts to achieve through traditional modes of advancement in American society.

In contrast to the majority which either adjusts to or works to escape ghetto life, these delinquents—in psychological terms—are “acting out rebels,” according to one analyst.⁴ Their defiant, aggressive, and ultimately self-destructive behavior, in his view, is a way in which they reject the values, aspirations, and techniques of a society which they feel has rejected them.

Panther histories portray Newton as one of the brightest and most fearless of the young toughs found in the streets of our big cities.⁵ Though born February 17, 1942, in Louisiana, Newton was raised in Oakland, Calif., to which his family had migrated from Louisiana during World War II. He was the youngest of seven children of a Baptist preacher who, after the move to Oakland, took a job with that city's street department.

Newton with barely passing grades made it through high school. Then, for the next 5 years, sticking to a part-time class schedule, he took some courses at a law school in San Francisco and obtained an

¹ This HCIS study refers to material introduced in the record of 19 days of public hearings on the Black Panther Party which the committee conducted during 1970. Reference will also be made to testimony and exhibits at hearings on the Black Panther Party conducted in 1969 by the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations.

This study also contains information from published histories of the party, such as Bobby Seale, *Seize the Time, the Story of the Black Panther Party and Huey P. Newton*, New York, Random House, 1970; Earl Anthony, former Panther, *Picking Up the Gun*, New York, Dial Press, 1970; and Gene Marine, writing in *Ramparts* magazine, June 29, 1968.

Other groups known as Black Panthers have been discussed in Massimo Teodori, ed., *The New Left: A Documentary History*, Indianapolis, New York, Kansas City, Bobbs-Merrill Co., Inc., 1969; *The Militant*, May 2, 1966, pp. 1, 3; *New York Times*, Sept. 13, 1966; *Santa Ana Register*, Feb. 21, 1967.

² A small, black nationalist group, the Revolutionary Action Movement, for example, operated in a clandestine fashion after its formation in 1963. Its activity dwindled following its leader's troubles with the law beginning in 1967.

³ Kenneth B. Clark, *Dark Ghetto*, New York, Evanston and London; Harper & Row, 1965.

⁴ In the Philadelphia ghetto in 1969, for example, 39 youths died in street gang fights, a former Black Panther from the area informed the committee (HCIS hearings on the Black Panther Party, pt. 3). The Rev. Philip Lawson of Kansas City, Mo., also discussed the “realities” of life in the inner city (HCIS hearings on the BPP, pt. 1). See also testimony of committee investigators Richard Shaw and Thomas Simmons (HCIS hearings on the BPP, pt. 2).

⁵ Clark, *op. cit.*

⁶ See fn. 1.

associate of arts degree from Merritt College, a 2-year junior college on the fringe of the Oakland inner city.

Newton's life outside his high school and college classes was closely intertwined with Oakland's alienated street youth. " * * * Huey was running around and living every day on the block with some of the toughest brothers," his biographer Seale reported, "[and] he was just as tough as the rest of them were. He'd fight it out with them and he survived in that environment."⁶

Incidents cited by Seale as evidence of Newton's "guts" included victories in fights with his own "running partners" and a series of violent run-ins with hostile street youth which Newton survived with the aid of his fists, a wine bottle broken over an opponent's head, a machete, and gunfire.

According to Seale's account, many of the "pimps and hustlers and righteous gangsters on the block" came to respect Newton, who allegedly opposed street activity that "terrorized" other members of the black community but who was not adverse to hustling at the expense of the so-called establishment. While enrolled part-time in a course at Merritt College, Seale related, Newton "used to tell me how he was plotting to make himself some money on the man. He was always involved with day-to-day survival like the average brother on the block."⁷

From a very early age, writer Gene Marine said, Newton was a "cop hater" and, like most of his contemporaries on the street, Newton engaged in activities which led sporadically to arrests. Although he was arrested in 1963 and again early in 1964, the charges were dismissed. Later in 1964, however, he was arrested a third time, charged with assault with a deadly weapon, for a knife attack on a fellow guest at a party. Conviction on this charge put Newton in county jail for 6 months.

In the spring of 1966, both Newton and Seale were convicted of battery against a police officer as a result of a melee that broke out during a sidewalk spechmaking attempt by Seale. Their sentences were suspended.

After the birth of the Black Panther Party, Newton and Seale focused their recruiting efforts among the Oakland street youth, the aforementioned brothers on the block. On the street, a leather jacket spelled status, because only the most successful hustler or pimp could afford to sport such an expensive item.⁸ Because of its status, the leather jacket—black—was adopted as part of the official Panther uniform. Wearing it came to symbolize membership in or support of the Black Panther Party.

Seale vividly described the members sought by Newton:

* * * Huey wanted brothers off the block—brothers who had been out there robbing banks, brothers who had been pimping, brothers who had been peddling dope, brothers who ain't gonna take no s——, once they get themselves together in the area of political education (and it doesn't take much because the political education is the ten-point platform and program). Huey P. Newton knew that once you organize the brothers he ran with, he fought with, he fought against,

⁶ In addition to biographical material appearing in exhibits 20-A and 20-B to HCIS hearings on BPP, pt. 4, reference is made to information from *Seize the Time*, Marine in *Ramparts*, *op. cit.*, and accounts in the *San Francisco Chronicle*, Apr. 13, 1967; *New York Times*, May 21, 1967, and *Washington Star*, Aug. 10, 1969.

⁷ *Seize the Time*, p. 25. The term "man" in this context alludes to the "establishment," i.e., to make money at the establishment's expense.

⁸ See Anthony, *Picking Up the Gun*.

who he fought harder than they fought him, once you organize those brothers * * * you get revolutionaries who are too much.⁹

Newton preferred these street-toughened activists to college student debaters, Seale went on to explain, because it was not a time for talking; it was a time for picking up the gun.

THE PANTHERS' NATIONALIST OUTLOOK

Despite contempt for mere talkers, the founders of the Black Panther Party acknowledged that the philosophy or orientation of the new organization was a product of their campus discussions.

For years both Newton and Seale were active in Merritt College organizations of black students with a nationalistic outlook. Seale, born in Dallas, Tex., on October 22, 1936, attended the junior college intermittently from 1960 to June 1964. In the same period he was employed as a sheet metal worker and as a comedian.

When the two Panther leaders-to-be met on campus in 1962, both were involved in groups such as the Afro-American Association, whose members read and debated in an effort to formulate a "black nationalist" philosophy. At the same time, they pushed for new college courses on black history and other so-called "black studies."

Surveys reported a growing black nationalist sentiment in the United States in the sixties, demonstrated by a proliferation of campus and community organizations in which an all-black membership either temporarily or permanently separated itself from other races to pursue disparate and sometimes conflicting goals.

Nationalist-oriented groups basically agreed on the need for a racial minority to be acutely conscious and proud of skin color or ethnic origin, in contrast to the "color blindness" often associated with an integrationist approach to resolving the problems of minority groups in America. The variety in nationalistic approaches is exemplified by advocates of black capitalism whose slogan is "buy black"; separatists with or without the religious aspects of the Nation of Islam; revolutionary groups promoting socialist or communist solutions; and "cultural" nationalists identifying with African culture so closely that they wear African dashikis and study African languages.¹⁰

The Black Panther Party was one of approximately 30 nationalist-oriented groups in the San Francisco-Oakland area alone, a former Panther noted.¹¹

Historian Theodore Draper has traced nationalist movements among black Americans from the earliest days of the American republic. The goal of such movements beginning in the late 18th century was emigration to Africa, in contrast to modern-day nationalist groups which—when committed to separatism—usually prefer to find a "homeland" within the territorial limits of the United States.

The "resurgence" of black nationalism appeared to this historian to be one of the main currents of American history in the 1960's. An "international" outlook characterized many of the current groups, but

⁹ Seale, *Seize the Time*, p. 64.

¹⁰ A poll in 15 American cities, made public July 27, 1968, by the President's Commission on Civil Disorders, found 6 percent of the blacks surveyed (200,000) favored a separate black "nation" in this country; 18 percent favored black ownership and operation of stores in black neighborhoods; 70 percent favored a "buy black" policy; and 42 percent favored study of an African language. (*U.S. News and World Report*, Aug. 5, 1968.)

¹¹ Anthony, *op. cit.*

the identification tended to be "psychological," in contrast to a desire for an African homeland expressed by earlier movements.

Some American nationalists, it was shown, were impressed by the rapid emergence of independent nations in formerly colonial Africa and, in particular, with Ghana, which in 1957 had the distinction of being the first black-governed nation to be carved out of Great Britain's African holdings. The "internationalism" of some black "nationalists" led them to identify with all of the nations of the so-called third world.¹²

After noting the differences in the programs of currently active nationalist organizations, the historian concluded that "* * * it is much easier to be a black nationalist than to know what black nationalism is." The writer asserted that the reason for the rise of black nationalism in the 1960's could be traced to the "specific and intransigent character of the Negro problem"—the inability of blacks and whites in America to live wholly apart or live wholly together.¹³

When masses of black Americans organized and went into motion in Southern States in the 1950's, they opposed discriminatory practices which they saw as a barrier to their *integration* into a predominantly white American society. Removal of substantial *legal* bars to a black bid for equality in the South, illustrated by the passage of such legislation as the Voting Rights Act of 1965, and the subsequent floundering of the integration-oriented civil rights movement over *de facto* segregation existing in the North as well as the South were, according to another observer, responsible for "moving blacks on up the ladder of nationalist revolt" during the sixties.¹⁴

Black nationalism reportedly found fertile soil in many Northern cities in the United States where a growing black population and a declining white population were rapidly creating black majorities (Washington, D.C., and Cleveland, Ohio, were two early examples). The increasing *de facto* segregation of urban blacks led to protest movements emphasizing another set of grievances in addition to racial discrimination: deteriorating housing, unemployment and underemployment, high crime rates, inadequate education, to name a few.

VIOLENCE POTENTIALS OF THE GHETTO

The composition of a ghetto has been described as a minority of semicriminal elements at the bottom of the ladder, a minority of educated and comfortable citizens at the top, and a vast majority which feels aggrieved but, at the same time, feels helpless to effect change.¹⁵ Capable of either constructive or destructive action, many thousands from this ghetto majority in the North chose a sporadically destructive course beginning in 1963.¹⁶ On October 29, 1963, blacks

¹² Third world in the broadest sense refers to the new or underdeveloped nations of Africa, Asia, and Latin America. The term originated from the tendency of many of these nations to avoid alinement with the two contending blocs of communist and noncommunist nations. Underdeveloped nations often collectively constituted a third bloc at United Nations and other international conferences.

¹³ The historical antecedents of a current "resurgence" of black nationalism and the reasons for the phenomenon were discussed by Theodore Draper, *The Rediscovery of Black Nationalism*, New York, Viking Press, 1970.

¹⁴ See discussion by Lerone Bennett, Jr., professor of black studies, Northwestern University, and senior editor of *Ebony* magazine, in *Ebony*, August 1969.

¹⁵ Clark, *op. cit.*

¹⁶ A Presidential commission appointed to investigate civil disorders in the cities during 1967 reported the typical rioter was not a hoodlum or habitual criminal but a teenager or young adult, a high school dropout, underemployed or menially employed, race proud, extremely hostile to both whites and middle-class Negroes, and distrustful of the political system and political leaders. (*Report of the National Advisory Commission on Civil Disorders*, New York Times Company, 1968, p. 111.)

in Philadelphia engaged in a civil disturbance after a black citizen attacking a policeman with a knife was fatally shot by the officer. This type of outbreak of violence, with an encounter with police often serving as a triggering incident, was repeated in growing crescendo over the next 5 years.¹⁷

The most serious disorder in 1964 was the 6-day Harlem rioting which left one dead, 118 reported injuries, and millions of dollars in property damage as black citizens fought with New York City police and looted or damaged property. Disorders later that same summer were reported in Rochester, N.Y., three New Jersey cities, and in Philadelphia. The most destructive 1965 outburst occurred in the Watts section of Los Angeles when thousands took to the streets in a fighting, looting, and burning rampage which ended with 35 dead, hundreds injured, and \$200 million in property damages.

Periodically in 1966 street fighting, often pitting black citizens against police or fire officials, erupted in ghettos from New England to California. On September 27, in San Francisco, serious civil disorder broke out in a predominantly black section of that city after a black youth running from a car reported stolen was fatally shot by a police officer. National Guard troops were called in to quell a spreading wave of arson, looting, and rock throwing at police. On October 19, an arrest of a black woman on a traffic charge triggered rioting which gave Oakland its first experience with assaults, vandalism, lootings, and fires started by Molotov cocktails.¹⁸

Only a few days earlier, Newton's Black Panther Party had been formed in an acknowledged effort to harness the energy of ghetto violence.¹⁹

Panther chief Newton noted: "The brothers in East Oakland learned from Watts a means of resistance fighting by amassing the people in the streets, throwing bricks and molotov cocktails to destroy property and create disruption. * * * This method has been transmitted to all the ghettos of the black nation across the country."

Sporadic and spontaneous violence among blacks, however, was costing black people dearly in terms of lives lost, injuries, and damage to their communities. "We can no longer afford the dubious luxury of the terrible casualties inflicted upon us by the cops" during these spontaneous expressions of "anger, frustration and desperation," Newton declared.

Newton interpreted the black riots as proof that black people "will not tolerate any more oppression by the racist dog police * * *. The black people are looking now for guidance to extend and strengthen their resistance struggle."

He offered the Black Panther Party as a "vanguard group" which would "provide leadership for the people" by teaching "the correct strategic methods" to "liberate" them from their "oppression."²⁰

¹⁷ Riot survey, 1961 to Sept. 25, 1966, prepared by Legislative Reference Service of Library of Congress, Washington, D.C.

¹⁸ *Ibid.*

¹⁹ Huey Newton, "In Defense of Self Defense," *The Black Panther*, June 20, 1967.

²⁰ Newton discussed the strategy of the Black Panther Party in a series of articles in *The Black Panther*, the party newspaper, on June 20, 1967, July 3, 1967, and July 20, 1967, from which these quotations are taken. The full text of these Newton articles was inserted in the record of hearings on the Black Panther Party held in June 1969 by the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations (hearings on Riots, Civil and Criminal Disorders, pt. 19).

Seale, in his historical account, *Seize the Time*, also described the impact of ghetto rioting: "* * * The violence of the many riots that occurred before the Black Panther Party was conceived was a strength in producing an organization like the Panther Party and also made other organizations more determined to seek a better, more revolutionary ideology to guide the people. They could see that so many people were getting killed just because they were without organization." (pp. 37, 38)

REVOLUTION FOR BLACKS ONLY

We are a "revolutionary party," a "revolutionary nationalist group," Newton and Seale proclaimed in speeches or interviews promoting the advantages of the Black Panther organization.²¹

Panthers, like many other nationalists of the period, pointed to the increasing density of blacks in urban centers, with their sporadic outbursts of violence sometimes compared to a kind of "armed rebellion," as evidence that blacks were foolish to waste time trying to gain admittance into the "mainstream" of American life. Granting of the ballot had allegedly failed to bring meaningful political power, and the growing concentration of blacks in the cities was cited as proof that they were trapped in a hostile and incurably racist society.

Solutions, promoted by the Panthers and others, called upon all black Americans to become conscious and proud of race, to avoid dependent relationships with white Americans which foster self-doubt as to one's innate abilities, and to find strength and self-confidence in identifying with Africans as well as other people of color who constitute a majority of the world population. The separatist instinct, common to many nationalist movements, was reflected in the Panther proposal that blacks follow the example of colonial or dependent peoples in Africa and Asia and raise the demand for black sovereignty in the "black community" in America, sometimes referred to as "Afro America."²²

The Black Panthers advanced the line that black Americans were a kind of "colony," which was "oppressed" for both racist and economic reasons by the U.S. Government. The Government, Newton preached, did not work for the benefit or general welfare of black people at home, and it also actively sought to destroy people of color in Vietnam—a military venture Newton preferred to describe as an act of imperialism and racism rather than as resistance to communist aggression.²³

Although black Americans were widely dispersed rather than compressed into a compact territory, the Panther leaders declared that they were, nevertheless, a subjugated "nation" because of bonds due to their psychological makeup, ghetto language, concentrations in congested inner cities or in rural areas, and an economic status similar to colonial peoples.²⁴

Born and based in an urban environment, the Black Panther Party purposely avoided the "hang-up" over obtaining a homeland which characterized some nationalist movements such as Marcus Garvey's in 1914 and the Black Muslims since 1931.²⁵ The thrust of the Panther program at its inception was to persuade black citizens that they must seek control over the communities in which they already resided. The No. 1 plank in the Panther program declared "freedom" meant power to "determine the destiny of our Black Community." After realization

²¹ See Newton interview, *San Francisco Chronicle*, Apr. 13, 1967, and Seale speech at Oakland rally, Feb. 17, 1968, in *The Black Panther*, Mar. 16, 1968.

Kits for the "political education" of members of Panther chapters, later sent out from national Panther headquarters, defined "revolution" as "a complete or drastic change of any kind." "Oppression" was "unjust or cruel exercise of authority or power." (HCIS hearings on BPP, pt. 3, exhibit 11.)

²² Newton discussed the "colonial" status of America's black population in *The Black Panther*, May 15, 1967, pp. 3, 4.

Excerpts from *The Black Panther*, selected by the HCIS staff from issues printed between May 1967 and September 1970 for the purpose of illustrating the party's organizational structure, program, and policies, were introduced as Exhibit 4 to HCIS hearings on BPP, pt. 4. The 142-page exhibit has been printed as a separate publication.

²³ See also Newton column, "In Defense of Self Defense," in *The Black Panther*, Mar. 16, 1968.

²⁴ Bobby Seale, interview, *The Movement*, February-March 1970.

²⁵ Eldridge Cleaver, Black Panther minister of information, in *The Black Panther*, Mar. 16, 1968.

of the Panther slogan, "power to the people," blacks could then decide the nature of their institutions and their relationship with white Americans (self-determination).

For more than a year after its founding, the Panther Party agitated, principally in Oakland, in behalf of a black nationalist revolution which would eventually drive the "oppressors" out of the black community and substitute completely independent black self-government.²⁶

The Black Panthers supported the belief that growing black populations in urban centers should mean the election of more and more political representatives who should be held accountable to black communities.²⁷ However, Newton discounted the ability of black politicians to influence U.S. Government policy in behalf of their minority group. In addition to what he described as the racism of America's white majority, Newton claimed that blacks lacked the necessary power or clout to enable them to compete with the contending interests in America's pluralistic society. The Panther leader argued that, whereas the importance of agriculture and industry to the American economy made Government responsive to the wishes of farmers and industry representatives, the landless and propertyless black masses in America, largely in the lowest socio-economic scale, had no bargaining power in the political arena.

Newton's solution, to create an autonomous community or communities, would give blacks power through communal control of the land and means of production. He anticipated that administrators would be chosen by the people, who would ensure a high standard of living to all citizens and a job for every male resident able to work.²⁸

How did the Black Panther Party expect "powerless" black Americans to achieve a revolutionary and nationalistic rearrangement of American political, economic, and cultural institutions? Newton's answer—succinctly phrased by communist China's Mao Tse-tung in a slogan favored by the Panthers—"power also grows out of the barrel of a gun."²⁹

POWER THROUGH THE THREAT OF VIOLENCE

The Black Panthers looked upon the mounting incidence of rioting as evidence of a grassroots rebellion by black Americans against their treatment in an "oppressive" white society.

In what the Panthers interpreted as a black minority's "resistance" to a hostile government order in America lay the clue to a source of power for what Panther leaders viewed as an otherwise powerless people. Its strength—demonstrated by the burnings, lootings, and snipings breaking out in the core of Northern cities—lay in its potential for destruction.

While the Panthers were willing to leave the exact nature of black utopia to future expressions of the will of "the people," they maintained that the genius of Newton had discovered the only "correct" strategy. Black wrath and disaffection, so unproductive and harmful

²⁶ Philosophy of Panthers was described to the committee in an interview with a former Panther who was among the initial members of the organization. The interview was conducted in Oakland, Calif., by committee investigators Richard Shaw and Stuart Pott. See *Hearings on Black Panther Party*, pt. 4, Ex. No. 8.

²⁷ Excerpts from a then-forthcoming Black Panther pamphlet, in *The Black Panther*, May 15, 1967, p. 7.

²⁸ Newton in *The Black Panther*, May 15, 1967.

²⁹ The Des Moines chapter of the Black Panther Party filed incorporation papers with the State government announcing its dedication to the nonprofit cause of promoting and developing "black power in the community which means the economic, political and cultural control of the black community by black people." (Exhibit 9 to HCIS hearings on BPP, pt. 4.)

when expended in spontaneous streetfighting, would be harnessed under the Panthers' guidance to blackmail the power structure into meeting demands.

Instead of engaging in aimless rioting, black Americans throughout the land should arm themselves, the Panthers maintained. This strategy would give the Nation's black minority a kind of "military" power to back up its demands of the U.S. Government, Newton said. Negotiation under threat of violence was justified as an act of self-defense against an "oppressor" government:

The only way he [a black person] can become political is to represent what is commonly called a military power—which the BLACK PANTHER PARTY FOR SELF-DEFENSE calls Self-Defense Power. Black People can develop Self-Defense Power by arming themselves from house to house, block to block, community to community, throughout the nation. Then we will choose a political representative and he will state to the power structure the desires of the black masses. If the desires are not met, the power structure will receive a political consequence. We will make it economically non-profitable for the power structure to go on with its oppressive ways. We will then negotiate as equals. There will be a balance between the people who are economically powerful and the people who are potentially economically destructive.³⁰

The Black Panther Party opposed the drafting of blacks into the Armed Forces of a government which the party accused of failing to protect black Americans and killing "people of color" in hostilities in Southeast Asia. Newton held out the possibility that an armed black minority's potential for destruction might also damage American military capabilities abroad:

If the white racist imperialists in America continue to wage war against all people of color throughout the world and also wage a civil war against blacks here in America, it will be economically impossible for him to survive. We must develop a strategy that will make his war campaigns non-profitable. . . .³¹

Throughout the summer of 1967, Newton repeatedly stressed the potentials of the negative type of power possessed by America's black population if it would unite and arm for long-term struggle. His words appeared in a series of columns in *The Black Panther* as ghetto rioting spread across the country and the Nation's press recorded many days of streetfighting involving black civilians, police, and National Guardsmen. Unrest in Houston, Tampa, Atlanta, and Cleveland in June, for example, was climaxed by much more severe arson, looting, and gunfire in Newark and Detroit in July. The latter city took on aspects of civil war battleground as the President sent in paratroopers, and soldiers with tanks and machineguns. Authorities in seeking to curb disorder, battled black rioters in what many observers called the most destructive racial upheaval in modern U.S. history.³²

Rather than engage in self-destructive violence, Newton called on blacks to arm themselves with weapons and the Black Panther ideology for a long-term struggle to get a "share of the power vested and collected in the structure of America" and to force U.S. disengagement from the third world. Newton said the Panthers supported "any means necessary" to achieve black power and if warfare were

³⁰ Newton in *The Black Panther*, May 15, 1967, p. 4.

³¹ *Ibid.*

³² The Newark affair, July 12-16, 1967, took the lives of 21 black civilians including women and children, one white detective, and one white fireman. The Detroit tragedy, extending from July 22-27, 1967, cost 43 lives, 33 of them black and the brunt of violence among white persons fell on public employees, chiefly policemen and firemen. The National Advisory Commission on Civil Disorders stated 164 civil disorders were reported in the first 9 months of 1967. The Commission found civil disorders involved "Negroes acting against local symbols of white American society, authority and property in Negro neighborhoods," rather than against white persons per se.

the outcome, black Americans had to be made to realize the superiority of guerrilla warfare techniques over their present suicidal tactic of massing in the streets.³³

That few either heard or heeded his call was evident; in the summer of 1967 the Black Panther Party remained a localized operation with some 40 members in the Oakland-San Francisco area.

One of the reasons may have been the lack of originality in the Panthers' nationalist "ideology" and the nationwide publicity then being given to a similar philosophy being expressed by Carmichael.

SOURCES OF INITIAL PANTHER IDEOLOGY

Statements and speeches by Panther leaders often resembled a not easily digestible hash—the ingredients of which were ideas and slogans culled from prominent revolutionaries, dead and alive, white and black, foreign and domestic.

As previously noted, the Black Panther Party for Self Defense, as it was originally known, was officially launched on October 15, 1966, with the completion of a 10-point "platform and program" written by Newton with advice from Seale.

Ironically, the sole revolutionary authority cited in this basic Panther document was the American colonists' "Declaration" to King George III that a people must "alter" or "abolish" a government that becomes destructive of a people's unalienable right to life, liberty, and the pursuit of happiness.³⁴

Over the years the Black Panther Party has changed its gallery of revolutionary heroes, but in its formative period it appeared to be primarily indebted to Carmichael, chairman of the Student Nonviolent Coordinating Committee (SNCC); the late Malcolm X; and Frantz Fanon, the veteran of the Algerian revolution, also deceased.

Historically, the Newton-Seale organization has been depicted as one of many very different plants that bloomed in the late sixties, all attracted to the slogan, "black power."³⁵

The slogan was popularized by Carmichael, who assumed the chairmanship of SNCC in April 1966. An interracial group dominated by college students, SNCC was militantly active in civil rights work in the South in the early sixties. When Carmichael took over, he imposed a blacks-only membership and a nationalistic outlook. He told white civil rights activists to work thereafter with their own ethnic group because they made blacks feel inferior and made them accept domination by whites and wait for a mythical melting pot to operate rather than seek power as a distinct, united minority.

Under Carmichael's leadership, SNCC promoted the line—echoed by Huey Newton some months later—that the broad masses of black Americans were an "oppressed colony" within American society which should become conscious of a common African heritage and seek the same right of "self-determination" being attained by "colonized" peoples in Africa, Asia, and Latin America. Carmichael wanted blacks to cut themselves off from whites by working in their

³³ Newton in *The Black Panther*, June 20, 1967; July 3, 1967; July 20, 1967.

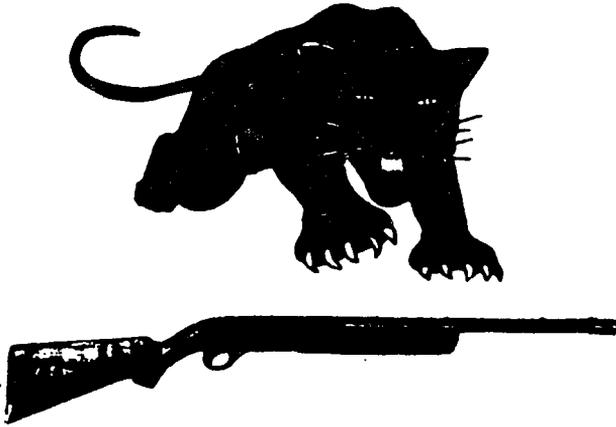
³⁴ Quotations from the Declaration of Independence of 1776 were inserted in the Panther platform and program to indicate the Panthers' philosophy in advancing their specific demand for satisfaction of black Americans' needs for "land, bread, housing, education, clothing, justice and peace." (See Seale, *Seize the Time*, and reproduction of platform and program in this report. See pp. 32, 33.)

³⁵ Teodori, *op. cit.*, p. 62.

own political parties, institutions, cooperatives, and the like.³⁶ Black consciousness, identity with Africa, and a feeling of communal responsibility by blacks in America would give them bargaining strength to demand participation in making decisions affecting them and insure their "basic daily needs" were met, Carmichael later explained. In Lowndes County, Ala., blacks should win political control because of their majority status, he said, and in other areas where they remained a minority they should press for sharing of control.³⁷

SNCC activists, including Carmichael, worked during 1965 on voter registration drives in Alabama's predominantly black Lowndes and Greene Counties. In the summer of that year, they fostered the Lowndes County Freedom Organization, a third party attempt to win political office for blacks on county and city levels. The party emblem was a crouching black panther, inspiring the Freedom Organization's nickname—the "Black Panther" party, which this study has observed appears to have been a model for Newton and other nationalists in Northern cities.

[*The Black Panther*, May 4, 1968, p. 13]



THE HEIRS OF MALCOLM X

Patron saint of the Panther groups which sprang up in the urban ghettos of the North was the late Malcolm X.

Newton, for example, was characterized in Panther propaganda as a "child of Malcolm X" and "the ideological descendant, heir and successor of Malcolm X."³⁸ Newton in turn described the members of his party as "heirs of Malcolm."³⁹

Malcolm Little, as he was born, was once a hustler in the Harlem ghetto and a graduate of reform school and prison. In prison he was converted to the Nation of Islam, took the name Al Hajj Malik

³⁶ SNCC Position Paper, Spring 1966, reprinted in Teodori, *op. cit.*, pp. 271-275; *New York Times*, May 22, 1966, and Aug. 5, 1966.

³⁷ Stokely Carmichael and Charles V. Hamilton, *Black Power, The Politics of Liberation in America*, New York: Vintage Books, 1967.

³⁸ *The Black Panther*, Nov. 23, 1967, and Eldridge Cleaver, BPP minister of information, in *Ramparts* magazine, June 15, 1968, p. 20.

³⁹ *The Black Panther*, July 3, 1967.

Shabazz, and championed the Black Muslim theme of "hate the white devils." However, Malcolm X broke with the Muslims and in 1964 set out to develop his own militant, nonsectarian movement for Afro-American unity.

With messianic vigor he rallied many young black Americans to his cause; but for his assassination⁴⁰ February 21, 1965, he seemed to be en route to a role of significant leadership in the Nation's inner cities.

Before his death, Malcolm X traveled extensively in third world or developing countries while building his new Organization of Afro-American Unity. In speeches to American audiences he proposed that "oppressed" black Americans identify with the world majority of colored peoples and seek United Nations protection of rights denied by a "racist" U.S. Government. He opposed U.S. policy in Vietnam and other third world areas for its so-called "racist" character.

Malcolm X attracted considerable publicity as a result of his derogatory views of the civil rights movement, then at its peak, and for his advocacy of a right of retaliatory violence which followers have called a right of "armed self defense."

In a typical slap at a turn-the-other-cheek philosophy within the civil rights movement, Malcolm observed that revolutionaries in other parts of the world demonstrated that "power" will "back up" in the face of "some more power," but will not yield to smiles, threats, or "some kind of nonviolent loving action."⁴¹

Arming of black Americans, Malcolm X preached, was a right guaranteed by the second amendment to the Constitution. He said he did not propose rifle clubs or battalions to go hunting for white persons, but he felt ownership of a rifle or shotgun provided a means of self-defense wherever the U.S. Government was either "unwilling or unable" to protect lives and property. Malcolm X cited, as an example of a need for defensive arms, the then-unsolved church bombing which took the lives of a number of black children—one of many serious outbreaks of violence resulting from segregationist resistance to civil rights campaigns in the South in the early sixties.⁴²

Malcolm X likened conditions in black communities in the United States to those in colonial Algeria prior to the 8-year revolutionary struggle which finally brought it independence from France in 1962:

The same conditions that prevailed in Algeria, that forced Algeria to resort eventually to the terrorist-type tactics that were necessary to get the monkey off their backs, those same conditions prevail today in America in every Negro community.⁴³

The Algerian experience, was conveyed in far more detail to young militants in the United States chiefly through the writings of Frantz Fanon, the West Indian black psychiatrist who sided with the rebels.

LESSONS FROM AFRICAN REVOLUTIONS

The outbreak of civil disorders in San Francisco and Oakland ghettos in 1966 sent local black nationalists to Fanon's book, *The Wretched of*

⁴⁰ Alex Haley, *The Autobiography of Malcolm X*, New York: Grove Press, 1964-1965. Two of the three men sentenced in the shooting were acknowledged members of the Nation of Islam with which Malcolm X was feuding.

⁴¹ Quoted in *The Black Panther*, July 20, 1967, p. 8.

⁴² Speech on "The Ballot or the Bullet," Cleveland, Ohio, Apr. 3, 1964, quoted in *The Black Panther*, May 15, 1967, p. 7.

⁴³ Quoted in *The Black Panther*, June 20, 1967, p. 5.

the *Earth*, for guidance in what appeared to some to mark the beginning of violent revolution in America.⁴⁴

Acknowledging the influence of this rioting on their decision to create a Black Panther Party in Oakland, Seale and Newton also were among those who studied Fanon's work. They underlined—

everything that Fanon said about violence and the spontaneity of violence, how spontaneous violence educates those who are in a position with skills to lead the people to what needs to be done.⁴⁵

Newton's purpose in forming the Black Panther Party, according to Seale, was to implement some of the teachings of Malcolm X as well as some of Fanon's advice to nationalist revolutionaries based on the experiences of the Algerian rebels and other anticolonial fighters on the African continent.⁴⁶

Fanon had written that spontaneous rebellions occurring in colonial Africa, though futile and suicidal for the participants in that they were easily suppressed, nevertheless not only stimulated a sense of common cause and a national destiny among the colonized people but also helped to mobilize them against domination by "mother countries" in Western Europe.

The psychiatrist claimed that oppressed people also individually experienced a psychological transformation as a result of reliance on violence, whether the violence was real or symbolic:

At the level of individuals, violence is a cleansing force. It frees the native from his inferiority complex and from his despair and inaction; it makes him fearless and restores his self-respect. Even if the armed struggle has been symbolic and the nation is demobilized through a rapid movement of decolonization, the people have the time to see that the liberation has been the business of each and all * * *.⁴⁷

Spontaneous violence, the African experience showed, was transformed into guerrilla warfare before some colonies achieved liberation. In such cases, the "troops" were peasants, who in the third world formed the majority of the population. These masses, however, needed to be educated and coordinated for a successful struggle and this job properly belonged to a political party and intellectuals with revolutionary principles, Fanon wrote. The psychiatrist dismissed as "unrevolutionary"—in fact, as a hindrance to nationalist revolution—the small number of colonized people in the middle and working classes who enjoyed privileges under colonial domination and remained loyal to the electoral party system of the "mother country."

The main revolutionary force in a colony's urban communities, according to Fanon, was the "lumpenproletariat"—young men who had left rural areas to crowd into shacks in the native African towns. Uprooted, with no privileges tying them to the colonial system, these lumpenproletarians had no market for their labor and turned to stealing, pimping, and alcoholism, Fanon said. He characterized this element as "one of the most spontaneous and the most radically revolutionary forces of a colonized people." Rural guerrilla fighters could count on these hooligans and semicriminal types to form their "urban

⁴⁴ Born in Martinique and educated in France, Fanon died of cancer in a hospital in Washington, D.C., in December 1961. His book, *The Wretched of the Earth*, was published in France in 1961 and an English translation, published by Grove Press in New York in 1963, is referred to here.

Former Panther Earl Anthony described the popularity of the book among young nationalists in the San Francisco area who considered it a "road map" for revolution (*Picking Up the Gun*, pp. 1-3).

⁴⁵ Seale, *Seize the Time*, p. 34.

⁴⁶ *Ibid.*, pp. 25, 26, 30, 31, 36.

⁴⁷ Fanon, *The Wretched of the Earth*, p. 94.

spearheads," Fanon declared, and militant and decisive action could be expected of them because they had no intention of conforming to the morality of the ruling class and had little compunction about the use of hand grenades and revolvers to take control of a city.

Newton, Seale recounted,⁴⁸ saw the street youth of Oakland in Fanon's description of the African "lumpenproletariat." Although Fanon dealt with the experiences of basically rural people comprising a majority of the population in undisputedly colonial situations, Newton nevertheless found justification for organizing a Black Panther political party which would educate and guide rebellious "urban" elements toward some kind of autonomous status even though they were dispersed and a numerical minority.⁴⁹

"Pinned up in the ghettos of America * * * we have been made into 'the wretched of the earth,' * * * " Newton wrote in an adaptation of Fanon in *The Black Panther*.⁵⁰

Lessons from Algeria encouraged Newton to recruit among disaffected, semicriminal elements. A unique and most menacing aspect of the organization, however, stemmed from the way in which Newton responded to Malcolm X's call to arms.

At a time of increasingly virulent civil disorder in the cities, Newton advocated the arming of every household in black communities for the ostensible immediate and long-range purpose of providing a "self-defense" against alleged "force and brutality" inflicted on the communities by established authority. To set an example for the communities, the members of the Black Panther Party themselves openly took up arms.

Newton and other Panther leaders dramatically referred to this strategy as indicating that "The heirs of Malcolm have picked up the gun * * * ." ⁵¹

⁴⁸ Seale, *Seize the Time*, pp. 30-33.

⁴⁹ The Black Panther leaders frankly borrowed from many revolutionary experiences and claimed a place in the history of revolutionary movements due to their unusual combination of strategies.

Seale declared, for example, that "Marx and Lenin would probably turn over in their graves if they could see lumpen proletarian Afro-Americans putting together the ideology of the Black Panther Party. Both Marx and Lenin used to say that the lumpen proletariat wouldn't do anything for the revolution." (*op. cit.*, p. ix.)

Marx and his followers predicted the outbreak of socialist revolutions, relying on support from propertyless wage laborers (the proletariat). Marx held that the lumpenproletariat (utilizing the German word for scoundrel—lumpen—and referring to semicriminal elements and riffraff at the bottom of the economic scale) were an actual danger to revolutionaries because they were easily bribed. (*The Manifesto of the Communist Party*.)

⁵⁰ *The Black Panther*, June 20, 1967.

⁵¹ Newton in *The Black Panther*, July 3, 1967.

CHAPTER II

BLACK PANTHER ACTIVITIES IN THE EARLY YEARS

The racist dog oppressor fears the armed people; they fear most of all Black people armed with weapons and the ideology of the Black Panther Party For Self Defense. . . . Black people are held captive in the midst of their oppressors. There is a world of difference between thirty million unarmed, submissive Black people and thirty million Black people armed with freedom and defense guns and the strategic methods of liberation.

(Huey P. Newton, in *The Black Panther*, June 20, 1967.)

The grandiose mission envisioned by its founders was in sharp contrast to the relatively narrow scope and minuscule membership of the Black Panther Party in its first year.

From the outset, however, the leaders compensated for many of their limitations by their flair for the dramatic and an ability to exploit the resources of the communications media. (For example, the black population in the United States in 1967 was 21.6 million—not 30 million as Newton claimed.)

During his last term at Merritt College in the spring of 1966, Newton tried unsuccessfully to persuade other campus black nationalists to include in a Malcolm X birthday rally a group of street youths openly carrying arms. Newton reportedly suggested that the resulting message that nationalists were arming “to defend the people” would be certain to reach the black community of Oakland through the press coverage received.¹

Opposition of other college nationalists to weapons and to use of joint funds for bail for Newton and Seale² admittedly helped convince the two that they should not depend on the campus but concentrate on street youth when they formed the Black Panther Party the following autumn.

Within days after civil disorder broke out in predominantly black sections of San Francisco in September 1966, Newton and Seale began writing a “platform and program” for the Black Panther Party for Self Defense. Seale emphasized later that they had composed a kind of declaration of independence for black Americans in a Government antipoverty program center in Oakland, which had employed the two men when summer programs were started in the city. The Panther leaders officially launched their party in mid-October by selecting their party titles and running off about 1,000 copies of their program at night on the antipoverty center’s mimeograph machine.³

“Minister of Defense” Newton, with advice from “Chairman” Seale, composed a program listing “basic needs” of black Americans and their own ideas for satisfying them.⁴

¹ Seale, *Seize the Time*, pp. 29-33.

² Both Newton and Seale were put on probation in March 1966 following conviction on a charge of battery against a police officer during a speaking appearance.

³ Seale, *Seize the Time*. A *San Francisco Chronicle* interview of Newton on Apr. 15, 1967, described the Panther minister of defense as a full-time Panther, without salary, and Seale as counselor with a local war-on-poverty project, the North Oakland Community Center.

⁴ See complete text of platform and program on pp. 32, 33.

To provide "land, bread, housing, education, clothing, justice, and peace," the Panthers proposed that there be freedom for blacks to determine their own "destiny" in their own "community," which would include community control of the means of production if full employment or a guaranteed income were not possible; community cooperatives if sufficient housing could not be furnished; and a cash payment as restitution for slavery. Education should include black studies. Exemption of blacks from military service was demanded, as well as the freeing of all members of the minority in jails. Military duty was not owed to a government which did not protect black Americans and which victimized colored peoples abroad, according to the Panther program. Criminal convictions, furthermore, were not recognized as long as juries were not selected from the defendants' own black community.

The key Panther plank, around which most of the party's activity would focus, was a demand for an end to "police brutality and murder of black people."⁵

The Panther program declared:

We believe we can end police brutality in our black community by organizing black self-defense groups that are dedicated to defending our black community from racist police oppression and brutality. The Second Amendment to the Constitution of the United States gives a right to bear arms. We therefore believe that all black people should arm themselves for self-defense.

PATROLLING THE POLICE

The Panther's first activity was to set an example for the black residents of Oakland. They acquired weapons and began patrolling the police, posing as the ostensible protectors of black citizens.

Newton later explained that he considered "physical activities" the key to making his party known, respected and an influence among black community residents who are themselves activists and "basically not a reading community." The Panthers intended to teach that the gun was a tool of black liberation. He was optimistic that a vanguard group, no matter how small, could guide even "millions" of persons through the proper "physical activities" and "the mass media."⁶

Civil disorder flared in the predominantly black section of Oakland on October 19, 1966, shortly after the Panther program was composed. Panther patrols did not get underway until late November 1966 when Newton and Seale each acquired a gun from a Japanese radical (later inducted as Panther minister of education). Thereafter, armed or unarmed, and sometimes merely on the way to a social event, Newton, Seale, and companions sporadically tailed police officers on patrol duty. From one to five Panther vehicles would engage in such patrols.⁷

This "police alert patrol"⁸—as Newton termed it—was a Panther adaptation of the volunteer groups of inner city residents (sometimes referred to as community alert patrols) which often functioned during

⁵ The focus for initial Panther activity was discussed in testimony of former Panther Frank B. Jones, HCIS hearings on BPP, pt. 4, and in summary of information from an anonymous former Panther, exhibit 8 to the same hearings.

⁶ Newton on "The Correct Handling of a Revolution," in *The Black Panther*, July 20, 1967.

⁷ Seale, *Seize the Time*.

⁸ Newton, in film "Black Panther," produced by San Francisco Newsreel, introduced in record of HCIS hearings on Students for a Democratic Society, pt. 1-A, 1969, exhibit 65.

civil disturbances to discourage acts of violence by fellow residents.⁹ Unlike the community patrols after which they were patterned, the Panther patrols had the effect of harassing the police.

Open carrying of loaded weapons was not expressly forbidden by California law. Newton's research into the law and instructions to Panthers on how to handle weapons and ammunition within legal limits enabled the patrols to function for many months before authorities adopted measures putting an end to the practice later in 1967.

The equipment of a Panther patrol, in addition to firearms, included cameras and tape recorders. If a police officer stopped a ghetto resident for questioning or search in sight of a Panther patrol, the militants might photograph or record the encounter, advise the black citizen of his rights, intercede in his behalf, and, in the case of an arrest, follow along to the police station to see that due process was observed without so-called "brutality."¹⁰

The Panther Party's patrol of police, like its program, tapped grievances found to be commonplace in black communities where residents were often in violent upheaval in the mid-sixties. Hostility toward police, a Presidential commission of inquiry reported, was widespread in such areas, where not only actual misconduct but even acceptable law enforcement procedures were subject to interpretation as part of a police campaign to "brutalize" the residents.¹¹

Some of the Panther Party's earliest recruits acknowledged in testimony being attracted by activity with the immediate purpose of protecting residents from possibly improper police behavior. Several declared that their upbringing in city slum conditions with arrests for wrongdoing from time to time created resentment and even hatred against police forces who appeared to them to be unjustly harsh. For street youth who long viewed police as the "enemy," the Panther Party offered an action program which also cast police in an enemy role.¹²

CONCENTRATION ON GUNS

Although the Panther Party attracted increasing publicity as a result of these tactics, there was no rush of recruits to join the party's ranks.

On New Year's Day of 1967, Newton and Seale opened the first Panther Party headquarters in a \$150-per-month storefront building at 56th and Grove in Oakland. Panther leaders expounded the merits

⁹ Newton's exploitation of the principle of community counterriot patrols was discussed by Mr. and Mrs. Larry Powell, former Panther activists in Los Angeles and Oakland, in testimony before the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations, hearings on "Riots, Civil and Criminal Disorders," pt. 19, June 1969.

¹⁰ Recollections of a member of the Panther Party in this period which are summarized in exhibit 8 to HCIS hearings on BPP, pt. 4. He was not identified by name because of his fear of retaliation from persons remaining in the party.

¹¹ The National Advisory Commission on Civil Disorders, *op. cit.*, found ghetto residents believe a double standard of justice existed for blacks and whites and that, in black neighborhoods, police engaged in "bub-tality," a term covering physical and verbal abuse, harassment including stop and frisk procedures, and simple discourtesy. Surveys showed "police practices" topped the list of ghetto grievances, with unemployment or underemployment, housing, and other community needs in lesser roles.

The Commission warned that a police officer, who was constantly present as an enforcer in high crime areas such as a ghetto, became a tangible target for all grievances and short comings of ghetto residents. He was a symbol of a society from which some blacks were alienated, and as such, he alone would not be expected to solve all the problems of police-community relationships. His job was one of the most difficult in American society, the Commission acknowledged.

¹² A discussion of the view of the police held by street youth and early Panther activists appears in HCIS hearings on BPP, testimony of former Panther Donald Berry, pt. 3, and exhibit 8, pt. 4; in the Powells' testimony before Senate subcommittee, *op. cit.* See also Gene Marine in *Ramparts*, June 29, 1968.

of their nationalist platform and program in street talks, in "classes" at Panther headquarters, and in appearances on area college and high school campuses.

Weapons were a major interest in this early period. They were acquired as rapidly as possible for the half dozen to dozen party regulars whom Newton and Seale managed to enlist in the first few months after the party's founding. At party headquarters the recruits were drilled in technical and legal details involved in the handling and use of guns.

For the purpose of "educating the masses of black people about the necessity for guns," as Seale expressed it, the Panthers ostentatiously carried an assortment of rifles, shotguns, pistols, and ammunition not only on police patrols but also in their routine auto travels. Panthers with arms on their person also appeared at meetings, speaking engagements, and even at social events.

The failure of larger numbers to flock into the Panther Party is attributable, at least in part, to this concentration on guns. The Panther founders acknowledged the extreme risk in the constant confrontations between armed Panthers and armed law enforcement authorities and a consciousness that their tactics resembled Russian roulette.¹³

When Newton and Seale appeared with weapons at a social gathering, frightened fellow guests summoned police to evict the Panthers, Seale reported. A carload of armed Panthers was occasionally halted by Oakland police with a request to examine the Panther weapons, Seale also recalled. Newton reportedly responded by jacking cartridges into the firing chamber of his rifle or shotgun, hurling epithets at the police officers, and defying them to draw their guns at the expense of their lives.

A similarly tense situation arose with San Francisco police officers in February 1967 as Newton's Panthers functioned as an honor guard for Betty Shabazz, widow of Malcolm X. Seale described the police initiation into the tactics of Newton and his Panthers as follows:

It was a very tense scene. This was one of the first major confrontations and we were almost into a righteous shootout. * * * But I knew how Huey felt. If just one of them had gone for his gun, he would blast him, because Huey had his gun at a 45 degree angle to the ground and he was ready. He had the barrel of the gun in his left hand. His finger was on the trigger, he had knocked the safety off, and had jacked a round off into the chamber. It kind of shook the cops when Huey jacked that round off in that chamber.¹⁴

The aforementioned confrontation, resolved without violence, climaxed a day of Panther dramatics in carrying out escort duty for the guest of honor at a ceremony actually arranged by other groups on the February 21 anniversary of the assassination of Malcolm X. The Panthers earlier had created a stir by marching with rifles into the San Francisco airport to meet the plane bearing the widow of Malcolm X. The dramatic effect of the armed group was multiplied by a Panther show of seriousness and discipline and by the uniform

¹³ Seale in *Seize the Time*, said he and Newton realized they were deliberately placing their lives in jeopardy by their tactics. Former Panther Anthony reported that the chief criticism of the Panthers by other nationalist-oriented blacks in the area was that the chances of jail or death were greatly increased for anyone carrying guns openly on the street (Anthony, *op. cit.*).

¹⁴ *Ibid.*, p. 129.

attire they had adopted—blue shirt, black leather jacket, black pants, and black beret.

The Panthers claimed that on this and subsequent occasions they were providing “security” against police interference. Equally important to Panther leaders, however, was the dramatic effect, which would draw public attention to their “self-defense” forces.¹⁵

A month after the San Francisco drama, Newton’s Panthers found an issue in neighboring Contra Costa County, which returned them to local headlines. The Panthers exploited the April 1, 1967, fatal shooting of Denzil Dowell, a 22-year-old Richmond, Calif., man during a reputed robbery attempt as a demonstration of police “brutality” against black Americans, citing the incident as evidence of a need to create additional armed self-defense squads such as the Panthers.¹⁶

The death of Dowell was followed by a series of street corner rallies in Richmond, at which uniformed and armed Panther leaders exhorted black citizens to arm themselves and passed out applications for membership in the Panther Party. With the cooperation of Dowell family members, Newton and Seale also led armed protest delegations to law enforcement offices in Richmond and at the Contra Costa County seat. An alleged putoff at the county sheriff’s office on April 21, 1967, was followed 4 days later by a mimeographed Panther denunciation of law enforcement and an appeal for more armed groups in black communities.¹⁷

PANTHERS ATTAIN NATIONAL PUBLICITY

The spotlight of local publicity which the Panthers received as a result of their intense activity over the Dowell case swelled to nationwide proportions on May 2, 1967. On that date, as an admitted public relations gimmick, Newton sent a delegation of 30 Panthers to the State capitol in Sacramento.

The Panthers have claimed that a county sheriff, trying to “pass the buck” in the Dowell case, suggested the militants seek redress from the California State Legislature. Newton’s decision to send an armed Panther group to the legislature on May 2, however, was admittedly precipitated by a newspaper notice that floor discussion was scheduled in the assembly that day on the bill of an Oakland assemblyman restricting the carrying of loaded weapons within city limits.

Chairman Seale and his companions, most of them armed with loaded rifles, shotguns, and pistols, proceeded to Sacramento where Seale read an “executive mandate” on the capitol steps. Thereafter, leading his group into the building, Seale, surrounded by newspaper and television representatives, found his way onto the restricted floor of the assembly before guards evicted him. A short distance away, Seale and 25 other Panthers were arrested. Six of them, includ-

¹⁵ The Panther concern for dramatic effect and widespread publicity was described by one of the initial Oakland Panthers, whose information is summarized in HCIS hearings on BPP, pt. 4, exhibit 8.

¹⁶ The February incident is described in detail in Anthony, *op. cit.*, and Seale, *Seize the Time*.

¹⁷ A coroner’s jury later ruled the shooting, involving a sheriff’s deputy, justifiable homicide.

¹⁷ Panther activity in the Dowell case was reported in a 4-page mimeographed publication, *The Black Panther*, vol. 1, no. 1, Apr. 25, 1967. It was a forerunner of the party’s printed newspaper with the same name. The Dowell protest and succeeding events are also described in *Seize the Time* and in local newspapers of that period.

ing Seale, subsequently received jail sentences. Seale was finally convicted of violation of section 9051 of the Code of California which prohibits "the wilful disruption of a State of California legislative body assembly" and was sentenced to 5 months in jail. This escapade resulted in national publicity for the Panthers and Newton's "executive mandate."

The mandate charged that restrictions on weapons were part of a premeditated program by a "racist" American "power structure" to repress, torture, murder, and commit "genocide" against black citizens. Cited as additional evidence of the alleged plot were increased police patrols and the renovation of "concentration" camps used to detain Japanese Americans during World War II.¹⁸ The mandate asserted that the program of "genocide" was being carried out by police agencies, domestically, and by U.S. soldiers fighting abroad in Vietnam. The mandate called on black Americans to fight against extinction by arming themselves.¹⁹

The Sacramento affair led to interviews of Newton by major metropolitan dailies from as far away as New York. A San Francisco paper quoted the Panther founder's view that "The only solution for colonialized people is a revolutionary transition," and while "bloodshed" was not "necessary," revolution "often leads to it."²⁰

The year 1967 was when the Panthers achieved national publicity, not only because of the dramatic tactics of Newton and Seale but because of the addition of two prominent militant blacks to the team: Stokely Carmichael and Eldridge Cleaver.

On May 25, 1967, support for the Panthers was pledged by Stokely Carmichael, former SNCC chairman still in the limelight as a result of his militant cross-country speaking tours. At a San Francisco rally to raise legal defense funds for Panthers arrested for their intrusion

¹⁸ Some black nationalists accusing the U.S. Government of genocidal intentions have voiced suspicion⁸ of Nazi-like plans for extermination. Some have pointed to physical deprivation in the ghettos or arrests and deaths of black persons in violent confrontations with law enforcement authorities as evidence of genocidal intent.

See p. 34 of this chapter, footnote 61, for a United Nations definition of genocide.

The May 2 Panther executive mandate repeated a falsehood widely circulated by means of a communist front publication that camps in which Japanese Americans were interned in the forties were being renovated and expanded, presumably for future internment of rebellious ghetto blacks.

The charge was disavowed most recently on Sept. 10, 1970, by Assistant Attorney General J. Walter Yeagley, testifying at HCIS hearings on bills to repeal Title II of the Internal Security Act of 1950. Title II authorized use of detention camps in time of foreign invasion, a congressional declaration of war or a Presidential declaration of a state of internal armed rebellion. In compliance with the act, the Department in the early fifties had six camps prepared for occupancy, some of them facilities which had housed Japanese Americans in World War II.

Yeagley stated that after 1957, the Justice Department abandoned control of the camps, which were taken over by other Federal or municipal agencies or private owners for such uses as Federal prisons, an airstrip, and grazing land.

A former Panther who was informed of Justice Department assurances described above indicated to HCIS that he was nevertheless still inclined to believe in the existence of plans looking toward the military confinement and containment of large numbers of ghetto residents. (HCIS hearings on BPP, pt. 4.)

On Oct. 8, 1970, the committee heard testimony from Clive Lisbon De Patten, a former Panther still sympathetic to the party. During his testimony De Patten clearly showed the paranoia rampant in the Black Panther Party on this question. De Patten testified that there was a plan to "imprison or kill all black people within a period of, I think, it was either 8 or 24 hours, you know, much the same as the Nazis did the Jews." He stated that this was the "King Alfred Plan." He claimed that urban renewal and road construction was all part of this plan. When Chairman Ichord pointed out to him that this so-called "King Alfred Plan" was a fictitious story that had appeared in a novel entitled *The Man Who Cried I am*, De Patten refused to be convinced. De Patten stated, "Whatever happens the King Alfred Plan does describe in detail what is happening in the black community. It describes the freeways, the railroad tracks, the project areas."

Congressman Watson asked the witness whether he was against taking Negroes, "out of these shanties and put (ting) them into these high-rise apartments." The witness testified that he was against this because it was part of the King Alfred Plan.

¹⁹ The Sacramento incident has been detailed by a former Panther in exhibit 8 to HCIS hearings on BPP and in *Seize the Time*, in which the Panthers' "Executive Mandate No. 1" is reproduced.

²⁰ *San Francisco Chronicle*, Apr. 13, 1967.

into the State legislature, Carmichael praised the Panthers for badly frightening an "anti-black" American society. Fear, he explained, was a useful stimulus in the absence of love.²¹

The Black Panther Party reciprocated on June 29, 1967, by issuing an "Executive Mandate No. 2," "drafting" Carmichael to serve as a Panther field marshal for the eastern half of the United States. The Panther draft was an obvious exploitation of Carmichael's highly publicized defiance of the military draft. Panther leaders expressed anger that newspaper and television representatives refused to publicize the Panther "draft," however, after Panther Chairman Seale called a special press conference at the San Francisco Hall of Justice.²²

In the aftermath of Sacramento, the Panthers staged street rallies to bring the Panther program to black communities in northern California not previously reached in the Bay area.²³ On May 15, 1967, the first printed issue of *The Black Panther* was hawked on the streets by Oakland Panthers. The editor of the tabloid newspaper, issued once or twice a month thereafter in 1967, was the new Panther minister of information, Eldridge Cleaver.

Although his formal association with the Black Panther Party around April 1967 was not immediately made public, Cleaver brought talent and status to the party. The 31-year-old Arkansas native, whose troubles with authorities began at the age of 12 and his prison experiences at the age of 18, wrote a series of essays in prison which were published in book form under the title *Soul on Ice*.

Paroled in December 1966 from his latest prison sentence for assault with intent to commit murder, Cleaver was writing for *Ramparts* magazine in San Francisco and trying to revive Malcolm X's Organization of Afro-American Unity when he met the Panthers at the Malcolm X memorial in February 1967. Cleaver's probationary status admittedly made him cautious about advertising his official associations with the gun-carrying Oakland militants.²⁴

It was Cleaver who devised the pose Newton assumed for a photograph which appeared in the Panther newspaper on May 15, 1967, and was thereafter widely circulated in poster form.²⁵ This picture showed Newton, a shotgun in one hand and a spear in the other, seated in a wicker chair and in the background, African shields and a pelt.

²¹ *San Francisco Examiner*, May 26, 1967.

²² *The Black Panther*, June 29, 1967.

²³ SNCC was primarily a southern organization, with headquarters in Atlanta, Ga. On May 12, 1967, H. Rap Brown became chairman and Carmichael announced plans to work as a SNCC field secretary with a base in Washington, D. C. Carmichael's militant speeches to blacks in Southern colleges and in Atlanta in the spring of 1967—noted by the National Advisory Commission on Civil Disorders—made it appear that he and SNCC were among those unnamed organizations and individuals condemned by the commission for creating an atmosphere that contributed to the outbreak of some civil disorders in that period.

²⁴ Anthony, *op. cit.*

²⁵ His essays appeared in various issues of *Ramparts* magazine in 1967 and were printed in book form early in 1968 by McGraw-Hill publishers.

Biographical information on Cleaver appears in HCIS hearings on BPP, pt. 4, exhibits 20A and 20B; in Cleaver's articles in *Ramparts*, June 15, 1968, and September 1969; and in Lee Lockwood, *Conversation with Eldridge Cleaver, Algiers*, New York: Dell Publishing Co., 1970.

²⁶ *Seize the Time*.

[*The Black Panther*, Dec. 7, 1968, p. 6]



HUEY P. NEWTON, MINISTER OF DEFENSE

Cleaver also contributed his talents on the Panther lecture circuit, and when both Newton and Seale were in jail later in the year, he took over supervision of the party.²⁶

Panther "captain" for San Francisco, Earl Anthony, used columns in early issues of *The Black Panther* to urge black Americans to seek control of the "politics" in core cities. The Panther Party itself also endorsed legal steps to incorporate the black community of North Richmond beyond Richmond, California. The party described local control of police forces, schools, taxes, and Federal antipoverty funds as a step toward "self-determination."²⁷ Newton's columns deplored the waste in escalating inner city riots that summer, and called for patient organizing for a black nationalist revolution in the future.²⁸

THE POLICE AS AN OCCUPATION ARMY

The main target of the Panthers' activity and growing propaganda apparatus, however, continued to be the police. Panther leaders used the many public forums provided for them after the May 2 incident to define their position on the role of police officers in the black community.

Both Newton, interviewed by a *New York Times* representative, and Seale, speaking on the Berkeley campus of the University of California, were quoted as being personally resolved to "kill" any police officer caught "brutalizing" a black person.²⁹ Newton likened a Panther to the animal after which he was named: A panther will not attack anyone, but when cornered he will strike out and not stop until the aggressor is wiped out "thoroughly, wholly, absolutely and completely."

Newton characterized police forces patrolling inner cities as "occupying armies" which—according to the Panther concept of a black colony—"oppressed blacks for the interests of a selfish imperial power," just as U.S. armies allegedly oppressed other people of color in Southeast Asia.³⁰

The Panther defense minister emphasized that police recruited from an "oppressor race" had an intimidating effect on black communities. The Panthers were raising the demand that:

The racist dog policemen must withdraw immediately from our communities, cease their wanton murder and brutality and torture of black people, or face the wrath of the armed people.³¹

Although Panther leaders claim they have always rejected hostility toward whites as a racial group, militant nationalism led to such lapses as that of Minister of Culture Emory Douglas in the third issue of *The Black Panther*, June 20, 1967. A front page poem by Douglas, illustrated with a drawing of an armed guerrilla warrior, contained the lines: "Painting a Liberation scene, too. Black People killing whities. It's about time. It's Four Hundred Years overdue."

²⁶ Anthony, *op. cit.*

²⁷ *The Black Panther*, June 20, 1967.

²⁸ See ch. I, p. 7.

²⁹ The Newton interview appeared in the *New York Times* of May 21, 1967, p. 66. Seale's speech at a noon rally, May 10, 1967, under the sponsorship of several campus organizations, was reported in the student newspaper, the *Daily Californian*, May 11, 1967.

³⁰ Newton's comparison of police to "occupying armies" appeared in the *New York Times* interview and in more detail in *The Black Panther*, May 15, 1967.

³¹ *The Black Panther*, *op. cit.*, p. 4, repeated in issue of July 3, 1967.

The "white cop is the instrument sent into our community by the Power Structure to keep Black People quiet and under control," the initial mimeographed issue of *The Black Panther* had asserted in the same vein.³²

Newton proposed that police officers in the ghetto "should be the people of the community in uniform."³³ Bobby Seale, in less temperate language before students on the Berkeley campus, charged that police forces presently included John Birchers and Nazis and demanded, "Why don't cops who patrol our community live in our community? I don't think there would be so much police brutality if they had to go and sleep there."³⁴

The Black Panther issue of May 15, 1967, introduced the first cartoon likening police officers to pigs. A lifelike pig bore the simple caption, "Support your local police." Then the June 20, 1967, issue printed the first of many cartoons by the Panthers' "minister of culture," Emory Douglas. His drawings depicted pigs in policeman's attire engaged in various forms of physical abuse of black citizens.³⁵

Newton's "Executive Mandate No. 1" to the California Legislature pledged that the Panther Party would continue to promote the arming of black Americans whatever legislative measures might be taken to discourage them.

Publicity on these Panther attitudes at the beginning of one of the longest and hottest summers in American urban centers helped to charge the atmosphere in Oakland. Any contact between police officers and Panthers at this time meant a "situation so tense and explosive that any questionable move or verbal exchange may precipitate a shootout * * *," Anthony claimed.

In their recollections of this early Panther activity, Anthony and Marine alleged that police authorities responded with a close watch on the Panthers and frequent arrests not only on weapons charges but also for minor traffic violations or on suspicion of implication in more serious crimes. Such pressures, according to Anthony, led to a Panther decision after Sacramento to end their public display of guns as well as their patrols of the police.³⁶

A permanent curb on Panther gun displays in the northern California area was assured on July 28, 1967, when the California Legislature enacted a law prohibiting the carrying of loaded firearms on one's person or in a vehicle in any public place or on any public street.³⁷

EDUCATION IN BLACK NATIONALIST POLITICS

The swing away from military posturing to "political" work through the printed and spoken word in the summer of 1967 was the first of many pragmatic readjustments in Panther Party strategy.

³² *The Black Panther*, Apr. 25, 1967, p. 4.

³³ *The Black Panther*, May 15, 1967, p. 4.

³⁴ *Daily Californian*, May 11, 1967.

³⁵ Although the word "pig" was used occasionally as a synonym for police officers in printed articles in *The Black Panther* in 1967, it was not in general usage until 1968 and it was also applied to such diverse symbols of authority as military personnel and the President and his Cabinet.

³⁶ Anthony and Marine, *op. cit.* Anthony stated that Panther patrols of Oakland police were resumed at a later date, but were never again openly armed.

³⁷ California Penal Code, section 12031. The prohibition applied to incorporated cities and any prohibited unincorporated areas. Exceptions were made for peace officers and persons who believed their lives to be in immediate jeopardy. Its effect as a deterrent to Panther weapon displays was described in the testimony of former national Panther officer, Frank B. Jones, in HCIS hearings on BPP, pt. 4.

As previously noted, Panther leaders looked at flaming riot-torn inner cities in the long, hot summer of 1967 as seed beds for a future organized revolution for Afro-American autonomy. Their call to arms for black Americans was part of this long-range aim.³⁸ A former Oakland Panther was convinced that the Black Panther Party for Self Defense was correctly named in that it endorsed retaliatory but not aggressive acts of violence at that time.³⁹

The nationalist-oriented philosophy of Newton was propagated in issues of *The Black Panther* in 1967. Newton's statements included epigrams of the Chinese Communist Party chairman Mao Tse-tung which coincided with the Panthers' own propensity for guns.

For example, Newton echoed Mao's dictum that "political power grows out of the barrel of the gun," and the following Maoist saying which eventually was adopted as a Panther Party "motto":

We are advocates of the abolition of war; we do not want war; but war can only be abolished through war; and in order to get rid of the gun it is necessary to pick up the gun.⁴⁰

In this early period, Panther leaders allegedly had little interest in Mao's ideology or in any communist solutions. Seale, in fact, boasted that their chief interest in a so-called red book of *Quotations from Chairman Mao Tse-tung* early in 1967 was their discovery that they could raise money for guns by selling the booklets to white "radicals and liberals."⁴¹

With curbs on their patrols and gun displays, the action-oriented Panther organization reached a low ebb by the fall of 1967.⁴² Hard-core members were variously estimated at from six to 15 members.

The course of the party took an entirely new turn, however, in the early morning hours of October 28, 1967, when Oakland patrolman John Frey stopped a vehicle in which Newton was riding. A shootout ensued in which Patrolman Frey was killed, a back-up police officer was wounded, and Newton was sent to the hospital with bullet wounds in his stomach and a murder charge over his head.⁴³

The Black Panther Party for Self Defense quickly converted to an organization for the defense of Newton. It adopted an increasingly belligerent stance toward governmental and law enforcement authorities and Panthers engaged the police in shootouts. With the help of new allies, it also succeeded in becoming a nationwide organization during 1968.

ESTABLISHING ALLIANCES

With its two top officers in jail,⁴⁴ the Panther Party was piloted onto its new course by Minister of Information Eldridge Cleaver. He is credited with building supportive alliances with black nationalists on the one hand, and white radical organizations on the other, despite a strained relationship between the two camps in this period.

³⁸ See ch. I, p. 7.

³⁹ HCIS hearings on BPP, pt. 4, exhibit 8.

⁴⁰ Quoted by Newton in the third issue of *The Black Panther*, June 20, 1967; described as a Panther motto by Cleaver in *Ramparts*, June 15, 1968; and noted in a staff study, HCIS hearings on BPP, pt. 1, exhibit 5.

⁴¹ *Seize the Time*.

⁴² Anthony, *op. cit.*

⁴³ The first stage of the prosecution of Newton ended with a jury verdict of voluntary manslaughter on Sept. 8, 1968. Newton was sentenced September 27 to 2-15 years in prison. The conviction was reversed by the California Court of Appeals on May 29, 1970, and Newton was freed on bond in August 1970. A second trial on a voluntary manslaughter charge ended in a hung jury on Aug. 8, 1971. A mistrial was declared and a third trial scheduled for mid-October 1971.

⁴⁴ Seale was jailed from August until December 1967 as a result of the May 2 incident at Sacramento.

The Panther Party was to rely most heavily, and for the longest period of time, on its coalition with white leftists who were prized for their administrative machinery and know-how for generating publicity and funds. The possession of a sound truck—which the Panthers thought would be useful in publicizing the Newton case in the black community and assuring masses of demonstrators for his court appearances—reputedly first attracted the black militants to the sound truck owners, organizers for the predominantly white Peace and Freedom Party in November 1967.

The Panthers hired a white lawyer, Charles Garry,⁴⁵ who represented Newton from the time of his indictment on November 13, 1967, on murder and other charges. A white, anarchist-oriented youth headed one of the first local groups organized to solicit legal defense funds for Newton. When a Panther coalition with the county organizers for the Peace and Freedom Party was announced at a San Francisco rally on December 22, 1967, nationalistic black leaders were critical of the Panther compromise of black independence.

An editorial in *The Black Panther* of March 16, 1968, explained the party leaders' motives in working with whites, especially the "white radicals" who created the Peace and Freedom Party. With Newton's life at stake, the party saw no excuse for indulging egos, the paper declared, and from the moment of Newton's arrest, the leaders "began a frantic search for building a broad base of support to set him free." Black Americans were not only at odds with each other over tactics but were prone to talk when the Panthers needed people willing to work.⁴⁶

The Peace and Freedom Party (PFP) lacked enough voter signatures to put the party on the California ballot for the November 1968 elections and thus enable it to propagate the white organization's opposition to American military intervention to prevent a communist takeover of the South Vietnamese republic. The Panthers could and did help obtain the necessary additional signatures by a January 1968 deadline, in return for which the PFP agreed to allow its organizational facilities to be used in a Newton defense campaign.

Nationwide publicity of the Panther cause was assured later in 1968 when Cleaver became a Peace and Freedom Party candidate for President of the United States on the ballot in California and a number of other States. At the same time, the imprisoned Newton was presented to California voters as a contender for the U.S. Congress, while Cleaver's wife, Kathleen, and Seale sought election to seats in the California State Assembly.

Militant blacks who questioned the Panthers' apparent reliance on the ballot more than the bullet were assured by Panther leaders that the effort was to help Newton and the party organization and not to win political office in a society in which blacks were aliens. Cleaver told fellow black nationalists that the PFP coalition was a "limited"

⁴⁵ Dr. Jack Patten, a member of the Communist Party in San Francisco from 1938 to 1948, named Charles Garry as a fellow member of the party's "professional" section. Patten's testimony before the House Committee on Un-American Activities on June 19, 1957, was followed by Garry's own appearance on the witness stand on June 21, 1957. The lawyer chose to invoke his fifth amendment privileges against self-incrimination in response to all HCUA questions on party membership.

⁴⁶ *The Black Panther*, Mar. 16, 1968, p. 3. The motives and mechanics of the Panther coalition with the Peace and Freedom Party and other white groups have been detailed to the committee by the anonymous Panther referred to in HCUA hearings on BFP, pt. 4, exhibit 8; and Anthony and Seale, *op. cit.*, Marine, *Ramparts*, June 29, 1968; Cleaver in Teodori, *op. cit.*, p. 286; and *National Guardian*, Jan. 20, 1968, p. 6.

one, permitting white leftist intrusion into black communities only for vote solicitation which would be Panther supervised. Any other issues raised with black audiences would be selected by the Panthers, he said.

Newton declared that the PFP alliance would end whenever no benefit was seen to the "black liberation" movement, and he reminded white radicals that "blacks have their own mind" and "we'll make the theory and we'll carry out the practice" for a black nationalist revolution in America.

Panther relationships with white groups were affected not only by a fear of domination, but were strengthened by a nationalist outlook which placed a premium on black self-help and group consciousness and saw even a white presence as contributing to black inferiority complexes. Newton pointed out to white radicals on a number of occasions in 1968 that their interests differed. He claimed that white radical youth in affluent circumstances were seeking some kind of individual freedom, while the Panther program was geared to a demand for freedom for blacks as a group and the group was still seeking to satisfy basic material needs.⁴⁷

Most successful of the coalitions established after the jailing of Newton on murder charges was the arrangement with the Peace and Freedom Party, a former Panther observed.⁴⁸ Joint rallies and speaking tours, the use of printing equipment and sound trucks, and the availability of numerous young militants, white and black, to write, print, and distribute thousands of buttons, posters, leaflets, and other literature helped to publicize the Newton case and the Panther program not only nationally but also abroad.⁴⁹ The activity spanned most of a year, for the first stage of prosecution was not reached until September 8, 1968, when a jury sent the Panther founder to prison for a non-capital offense, "voluntary manslaughter."

RELATIONS WITH ORTHODOX MARXISTS

The Black Panthers were invited to run candidates on Socialist Workers Party tickets in the 1968 national elections but the offer was rejected.⁵⁰ Panthers at no time considered entering into a working relationship with this American group which was committed to Marxist-Leninist theory and practice as interpreted by the late Bolshevik revolutionary Leon Trotsky.⁵¹

This Trotskyist organization, and other rival Marxist-Leninist groups including the Communist Party, U.S.A., allegedly lavished offers of support upon the Panthers after the first major legal troubles stemming from the Sacramento foray.

Communist Party representatives frequented Panther headquarters and, early in 1967, invited two Panther delegates to a meeting at which Communist Party funds and other aid were offered. Communist

⁴⁷ Differences between the Panthers and white radicals were described by Cleaver, quoted in Anthony, *op. cit.*, and in "Huey Newton Talks to the Movement," interview in the new left newspaper, *The Movement*, August 1968, reprinted as exhibit 72, HCIS hearings on Students for a Democratic Society, pt. 1-B, 1969; and an article by Newton in *The Black Panther*, Nov. 16, 1968, p. 12.

⁴⁸ Panther referred to in HCIS hearings, pt. 4, exhibit 8.

⁴⁹ Anthony, *op. cit.*

⁵⁰ Testimony of former Panther Frank Jones, HCIS hearings on BPP, pt. 4.

⁵¹ Analysis made by a former Panther in interview with HCIS investigator and summarized in HCIS hearings on BPP, pt. 4, exhibit 8.

help was turned down because the CPUSA representatives frankly expected their directives to be followed by the Panthers and the latter were unwilling to relinquish any of their authority.⁵²

A front-page editorial in *The Black Panther* of July 20, 1967, by Minister of Information Cleaver denounced the Socialist Workers Party, the Communist Party, U.S.A., and a coalition of new leftists as "enemies" and "hitch hikers on the black revolution." The editorial urged black revolutionaries to repudiate all ties and connections with such "deadweight parasites" who presumed to be "true" revolutionary leaders because of their knowledge of Marx and Lenin, but spent their time in "ideological nit-picking" and exploiting black communities.

The Communist Party, U.S.A., came under particularly heavy fire for its efforts to dictate which were disguised in elaborate plans to support the Panthers after Sacramento. In the Panthers' view, the proper role of white radicals "in the mother country" was not to intrude but to do everything possible to aid revolutionaries in the "colony." Aid in the classic national liberation pattern would include supplying guns, material, finances, and information, among other things.

The subsequent coalition with the Peace and Freedom Party was based on assurances of Panther independence, and the Panthers assumed and terminated relations with other white groups according to Newton's rule that they must serve the specialized interests of the Panther Party.

AN UNSUCCESSFUL ALLIANCE WITH SNCC

An alliance between the Panther Party and the Student Non-violent Coordinating Committee (SNCC) was announced on February 17, 1968, at a massive "Free Huey Newton Rally" in the Oakland Auditorium held to coincide with Newton's birthday. Thousands of black Americans listened to speeches from H. Rap Brown, SNCC chairman who now also represented the Panthers as their minister of justice; to James Forman, SNCC's international relations man who became Panther minister of foreign affairs; and to ex-SNCC Chairman Stokely Carmichael, on whom Cleaver bestowed the grandiose title, prime minister of Afro-America.

(FBI Director, J. Edgar Hoover, testified before the House Subcommittee on Appropriations April 17, 1969 (pp. 67-68), that certain organizations claiming to be civil rights organizations, but which in fact preach hatred for the white race, demand immunity from laws, and advocate violence, constitute a serious threat to our country's internal security. The revolutionary stand taken by many members of extremist black nationalist organizations, including the advocacy of anarchy and revolution and a demand for the overthrow of the U.S. Government, has made it necessary for the FBI to intensify its intelligence operations in this field.

(These groups claim that the United States only represents the white race; therefore, they have aligned themselves with all nonwhite

⁵² Information from former Panther described in testimony of Investigator Richard Shaw, HCIS hearings on BPP, pt. 4, Nov. 17, 1970.

racism of the world. Many oppose the U.S. involvement in Vietnam as a war between this predominantly white nation and nonwhite people. Many are pro-Marxist in their thinking and align themselves with countries like Cuba and communist China as proper examples to follow to bring about their own aims and goals, namely, revolution. In an effort to obtain these objectives, they actively study guerrilla warfare, use of firearms, and karate in preparation for violent action against the U.S. Government.

(The past year has seen a proliferation of these organizations throughout the United States thus increasing the demand upon the FBI's manpower and resources. Among such groups is the Student Nonviolent Coordinating Committee.)

Cleaver announced the appointments as signifying a "merger" of the two organizations into a stronger movement welding the alienated black college types of SNCC with the dropout youth in the Panther constituency. Each organization actually retained its individual identity. Under the surface unity, dissension already existed between Carmichael and those who had succeeded him in SNCC. Furthermore, Carmichael, SNCC, and the Panthers would soon promote different strategies to oppose what they called a "racist" and "imperialist" white power structure.

The differences were evident in Carmichael's address to the Newton defense rally. He identified "whites" as the "major enemy" because of their alleged intention of "wiping out" black Americans in the same way American Indians were "eliminated." This "genocidal" intent of white Americans should be fought, Carmichael said, by a black united front which would lure into a separatist fold even civil rights leaders and other prominent black Americans working within the system.

The SNCC organization, attracted to the idea of an all-black political party, broke with both Carmichael and the Panthers by August of 1968.⁵³

The Panther Party was opposed to electoral politics for any other purpose than publicity and was less concerned about the skin color of their allies than their revolutionary potential. The party placed black Congressmen and leaders of such organizations as the NAACP, Urban League, and CORE in the category of "bootlickers," "Uncle Toms," and "traitors." Panthers charged them with working within a system for personal advancement when they should seek revolutionary changes which would alter the status of all black Americans down to the lowest socioeconomic level.⁵⁴

The lack of success of the Panther-SNCC coalition was attributed by a former Panther to the differing views of the participants. Carmichael's failure to work for the BPP and his separatist line which disapproved of Panther cooperation with white leftists, even on grounds of expediency, insured trouble from the outset.⁵⁵

⁵³ See Carmichael speech of Feb. 17, 1968, in Teodori, *op. cit.* SNCC was restructured at a June 1968 conference at which it voted down approval of the 10-point Panther Party program. Carmichael was expelled from SNCC soon thereafter.

⁵⁴ The Panther Party's hostility toward black organizations working within the system was discussed by former Panther Frank B. Jones, HCIS hearings on BPP, pt. 4. The "legitimate" black leaders were denounced by Newton in *The Black Panther*, July 3, 1967, p. 9, and by Cleaver in *The Black Panther*, July 20, 1967, pp. 2 and 19.

⁵⁵ The uneasy SNCC-Panther coalition was described to the committee by the former Panther referred to in HCIS hearings on BPP, pt. 4, exhibit 8. When Carmichael submitted a belated resignation from the BPP in July 1969, Cleaver reviewed their longstanding differences in "An Open Letter to Stokely Carmichael," *Ramparts*, September 1969.

Panther "adoption" of former and present officers of SNCC in February 1968 nevertheless drew widespread publicity. Cleaver reportedly reminded white allies of the Panthers, concerned about the separatist orientation of the Panthers' new black allies, that SNCC had a national apparatus and national contacts which the Panthers at that time clearly lacked.⁵⁶

THE 1968 PANTHER PROGRAM

The Panther program held to its same basically black nationalist course in 1968. The ministerial ranks conferred on the new SNCC allies reflected the Panther concept of American blacks as a kind of colonized national entity. The same theme was sounded by Cleaver when he referred to the Panther Party's growing cooperation with other organizations as the party's "foreign relations."⁵⁷

(The platform and program follows:)

⁵⁶ See Marine, *Ramparts*, June 29, 1968, p. 44.

⁵⁷ Cleaver, *The Black Panther*, Mar. 16, 1968.



OCTOBER 1966 BLACK PANTHER PARTY PLATFORM AND PROGRAM



WHAT WE WANT

WHAT WE BELIEVE

The program is usually divided into one section of ten points entitled "What We Want" and then ten paragraphs explaining these points in a section entitled "What We Believe." For the sake of clarity, we have put each one of the ten points in "What We Want" immediately above its corresponding paragraph in "What We Believe."

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

We believe that black people will not be free until we are able to determine our destiny.

2. We want full employment for our people.

We believe that the federal government is responsible and obligated to give every man employment or a guaranteed income. We believe that if the white American businessmen will not give full employment, then the means of production should be taken from the businessmen and placed in the community so that the people of the community can organize and employ all of its people and give a high standard of living.

3. We want an end to the robbery by the white man of our Black Community.

We believe that this racist government has robbed us and now we are demanding the overdue debt of forty acres and two mules. Forty acres and two mules was promised 100 years ago as restitution for slave labor and mass murder of black people. We will accept the payment in currency which will be distributed to our many communities. The Germans are now aiding the Jews in Israel for the genocide of the Jewish people. The Germans murdered six million Jews. The American racist has taken part in the slaughter of over fifty million black people; therefore, we feel that this is a modest demand that we make.

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

We believe we can end police brutality in our black community by organizing black self-defense groups that are dedicated to defending our black community from racist police oppression and brutality. The Second Amendment to the Constitution of the United States gives a right to bear arms. We therefore believe that all black people should arm themselves for self defense.

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

We believe that all black people should be released from the many jails and prisons because they have not received a fair and impartial trial.

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

We believe that the courts should follow the United States Constitution so that black people will receive fair trials. The 14th Amendment of the U.S. Constitution gives a man a right to be tried by his peer group. A peer is a person from a similar economic, social, religious, geographical, environmental, historical and racial background. To do this the court will be forced to select a jury from the black community from which the black defendant came. We have been, and are being tried by all-white juries that have no understanding of the "average reasoning man" of the black community.

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

We believe that if the white landlords will not give decent housing to our black community, then the housing and the land should be made into cooperatives so that our community, with government aid, can build and make decent housing for its people.

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

We believe in an educational system that will give to our people a knowledge of self. If a man does not have knowledge of himself and his position in society and the world, then he has little chance to relate to anything else.

6. We want all black men to be exempt from military service.

We believe that Black people should not be forced to fight in the military service to defend a racist government that does not protect us. We will not fight and kill other people of color in the world who, like black people, are being victimized by the white racist government of America. We will protect ourselves from the force and violence of the racist police and the racist military, by whatever means necessary.

10. We want land, bread, housing, education, clothing, justice and peace. And as our major political objective, a United Nations-supervised plebiscite to be held throughout the black colony in which only black colonial subjects will be allowed to participate, for the purpose of determining the will of black people as to their national destiny.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and, accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.



**FREE HUEY NOW
GUNS BABY GUNS**

(BROAD) (ODD PAGE) 62-454 280

Whereas PFP allies campaigned in behalf of Newton's right to a fair trial, the Panthers demanded "freedom" for Newton, based on their view that the police were an occupation army oppressing a black "colony." The Panthers considered Newton as as much a "political prisoner" as an Algerian rebel leader captured by the French Army.⁵⁸

In December 1967, the names of Newton, Seale, and 25 other young blacks, most of them active in nationalist movements appeared on a petition asking for a special status as permanent observers to the United Nations organization in New York. Their announced aim was to "internationalize" their struggle against violation of the "human rights" of black Americans.⁵⁹

A Panther delegation traveled to the U.N. headquarters in July 1968 to buttonhole representatives from various African nations and Cuba, and to hold press conferences alleging that genocidal actions against black Americans included the "framed-up" murder charge against Newton.⁶⁰ Panthers were still associating themselves in the summer of 1970 with an organized petition campaign which the Communist Party, U.S.A., avowedly helped to launch. The petition was filed with the U.N. and alleged that genocide was being carried out against black militants in the United States.⁶¹

At Eldridge Cleaver's suggestion in the spring of 1968 the 10-point Panther platform and program was amended to make the "major political objective" of the party—

a United Nations-supervised plebiscite to be held throughout the black colony in which only black colonial subjects will be allowed to participate, for the purpose of determining the will of black people as to their national destiny.

The program previously referred vaguely to a right to "determine the destiny" of "our black community." The new demand gave the Panthers a national focus and was bound to attract new recruits, Cleaver claimed. He pointed out that a nationalist outlook was preserved while taking into account the differing views of black Americans with respect to integration, control of the cities, and total separation. By putting off questions of goals on which there was no unity, Cleaver said, the Panthers were following the advice of Ghana's procommunist dictator at that time—Kwame Nkrumah: "Seek ye first the political kingdom and all things shall be added unto you."⁶²

Panthers would also thereafter advocate stationing of U.N. observers in black communities to prevent civil war, because the "organizational" and "political" power being sought would depend on the power of armed black Americans who would eventually form a coalition with third world powers to "force a settlement" on the United States, according to Cleaver.⁶³

⁵⁸ Marine, *Ramparts*, June 29, 1968, and editorial, *The Black Panther*, Nov. 23, 1967.

⁵⁹ *National Guardian*, Dec. 30, 1967, p. 9.

⁶⁰ *The Black Panther*, Sept. 14, 1968, p. 3.

⁶¹ *People's World*, June 27, 1970, p. 12.

The United Nations General Assembly on Dec. 9, 1948, approved a Convention on the Prevention and Punishment of the Crime of Genocide which defined the crime as the following acts committed with intent to destroy, in whole or in part, any national, ethnic, racial, or religious groups: killing; causing serious bodily or mental harm; deliberately inflicting conditions of life for the purpose of bringing about physical destruction; imposing birth prevention measures; forcibly transferring children to other groups.

⁶² Cleaver, speech of Mar. 16, 1968, to PFP convention, printed in *The Black Panther*, May 4, 1968, p. 12, and Cleaver in *The Guardian*, Apr. 13, 1968, Apr. 20, 1968. Cleaver stated he personally could not see how blacks could have sovereign control of cities and felt a "total rearrangement of the power structure" would be required to give blacks some degree of control.

⁶³ Cleaver in *The Guardian*, *op. cit.*

The Panthers' white allies included new leftists on the Nation's campuses, who were part of a worldwide upsurge of radical youth in the sixties. Sit-ins and other demonstrations became increasingly violent and often involved students inclined to anarchy.⁶⁴ They may have inspired Cleaver's declaration that the Panther-Peace and Freedom Party coalition contained the seeds of a "revolution in the white mother country and national liberation for the black colony."⁶⁵

Newton told white new leftists that their quest for individual freedom, their lack of discipline and lack of an alternative to the present "system" they opposed were likely to make them ineffective. Since they insisted on identifying with minority group problems and finding heroes among the black activists, the Panther leader suggested they serve in white communities as defense groups for black groups such as the Panthers. The already observable "friction" between "young white revolutionaries" and the police should be "permanent," he said, and attacks on blacks by police should bring retaliatory attacks on police forces located in predominantly white areas.⁶⁶

Newton described his personal philosophy to new leftists in the spring of 1968 as leaning towards black liberation on the model of the "people's" socialist revolution in Ben Bella's Algeria. Newton expressed distaste for black capitalism, black dictatorships, and Soviet-style bureaucracies. Like Carmichael, he insisted communist or socialist solutions carried with them no automatic solutions to the problem of "racism." He sympathized with the anarchist dream of a stateless society (without administrators and bureaucracies). Certain slogans of Chinese Communist leader Mao Tse-tung had appeal for Newton because of their emphasis on the virtues and needs of the masses, rather than the "omnipotent administrator," Newton said. Castro-type guerrilla strategy had the attraction of control in the hands of the fighters themselves and not some party absorbed in theory.⁶⁷

In late 1967, the Panther newspaper began advertising the sale of writings of Carmichael; Robert F. Williams, chairman-in-exile of the Revolutionary Action Movement; and Mikhail Bakunin, a 19th century Russian anarchist.⁶⁸

PANTHER PARTY BECOMES A NATIONAL ORGANIZATION

The year 1968 marked the shift of the Black Panther Party from a relatively localized operation to an organization with many supporters from coast to coast.

Previously described coalitions are credited with helping the movement to attain its peak membership by the end of December 1968.⁶⁹

⁶⁴ See HCIS report, "Anatomy of a Revolutionary Movement: Students for a Democratic Society," H. Report 91-1565, Oct. 6, 1970.

⁶⁵ Cleaver, *The Black Panther*, May 4, 1968, p. 12.

⁶⁶ "Huey Newton Talks to the Movement," *op. cit.*, and Newton in *The Black Panther*, Nov. 16, 1968, p. 12.

⁶⁷ *Ibid.*

⁶⁸ Advertisements in *The Black Panther*, Nov. 23, 1967.

Williams' book, *Negroes with Guns*, was his account of the organization of a Black paramilitary group under his leadership in Monroe, N.C. Williams was indicted for kidnaping a white couple as hostages during a shootout with the local police. Williams fled to Cuba where he began the publication of a newsletter entitled "The Crusader," which urged armed insurrection by American Negroes. He subsequently moved to Red China where he continued to publish "The Crusader." Williams recently returned to the United States and is fighting extradition to North Carolina. Upon Williams' return to the U.S. he appeared and testified in executive session before the Senate Subcommittee on Internal Security. He is now on the faculty, in the Asian Studies Department, at the University of Michigan.

⁶⁹ See ch. IV, pp. 69, 70, for discussion of membership figures.

Early in 1968 the words "for self defense" were dropped from the party title to emphasize the "political" aspect of the party and to downgrade the "paramilitary" aspect, according to a former officer.⁷⁰

Seale, Cleaver, and other Panther leaders were busy on the lecture circuit—aided by Cleaver's Presidential candidacy and forums provided by new allies in left and pacifist organizations.

Seale joined the speakers' roster for mass demonstrations in Chicago during the week of August 25, 1968, when the Democratic National Convention met. The violence that erupted after some 10,000 demonstrators gathered at the call of the National Mobilization Committee To End the War in Vietnam led to Federal conspiracy to riot charges against Seale and others with prominent roles in the affair.⁷¹

Travels to present the Huey Newton case and the Panthers to international audiences were also undertaken for the first time that year. As Seale and Chief of Staff Hilliard spoke in Chicago, Communications Secretary Kathleen Cleaver, and Captain Earl Anthony were lecturing in Japan under the auspices of Japanese involved in August protests against American military policies in the Far East.⁷² August also found Panther Minister of Education George Mason Murray visiting Castro's Cuba. Following the pattern set by Carmichael a year earlier, Murray told interviewers from the Cuban communist newspaper that black Americans were inspired by the example of the guerrilla fighter, Che Guevara.⁷³

Chairman Seale later journeyed to Montreal, Canada, to make an appearance at a Hemispheric Conference to End the Vietnam War which was held November 28–December 1, 1968, and included spokesmen for the Vietcong.⁷⁴

The party was rapidly gathering new members about the country, with few national programs to occupy them other than a defense campaign in behalf of their founder in his fight against murder charges, Cleaver recalled. Anyone could become a Panther if he were willing to work to "free Huey."⁷⁵ (Some of the party efforts to introduce national administrative machinery to exert control over, and encourage discipline within the membership in 1968 are described in chapter IV

⁷⁰ Testimony of Frank B. Jones, former managing editor, *The Black Panther*, HCIS hearings on BPP, pt. 4.

⁷¹ Five of the so-called "Conspiracy 8" eventually were convicted and two were acquitted. The eighth man, Bobby Seale, was arrested on the charge on Mar. 25, 1969, went on trial in Chicago Sept. 24, 1969, but was severed from the trial on Nov. 5, 1969, when the judge sentenced him to 4 years in jail for contempt as a result of disruptive trial behavior. On Oct. 19, 1970, the conspiracy to riot charges were dismissed at the request of the U.S. Attorney.

On Aug. 20, 1969, while on bail awaiting trial in the aforementioned case, Seale was rearrested on a new charge of joining in a conspiracy with eight New Haven, Conn., Panthers which led to the torture-murder of Alex Rackley, a New York Panther suspected of being a police informant.

The first defendant to be tried, Lonnie McClucas, was found guilty by a jury on Aug. 31, 1970, of conspiracy to murder and sentenced to 12 to 15 years in prison. Six other defendants entered guilty pleas to lesser charges and were sentenced. Jury selections for the trial of Bobby Seale and Ericka Huggins, a top party leader in New Haven, began in that city on Nov. 17, 1970, and the first witness was called on Mar. 18, 1971.

On May 24, 1971, the jury reported it was unable to reach a unanimous decision on the guilt or innocence of Seale and Huggins on murder and kidnaping charges. The judge immediately declared a mistrial. On the following day he dismissed all charges against the two defendants, explaining that selection of an unbiased jury for another trial would be difficult in view of the "massive publicity" given to the case. (*New York Times*, May 26, 1971, pp. 1, 70.)

Seale was freed from jail for the first time in 21 months when a judge in Chicago on May 28, 1971, approved his release on \$25,000 bail pending appeal of his 4-year contempt of court sentence.

⁷² *The Black Panther*, Sept. 14, 1968, p. 10, and Anthony, *op. cit.*

⁷³ *Granma*, Aug. 25, 1968, quoted in staff study, HCIS hearings on BPP, pt. 1, exhibit 5.

⁷⁴ Staff study, *op. cit.*

⁷⁵ Cleaver, interview, summer 1969, Algiers with West German journalist Stefan Aust, *Liberation News Service*, reprinted in Philip S. Foner, ed., *The Black Panthers Speak*, Philadelphia, New York: J. B. Lippincott Co., 1970, and in *The Black Panther*, Oct. 11, 1969, pp. 10-12.

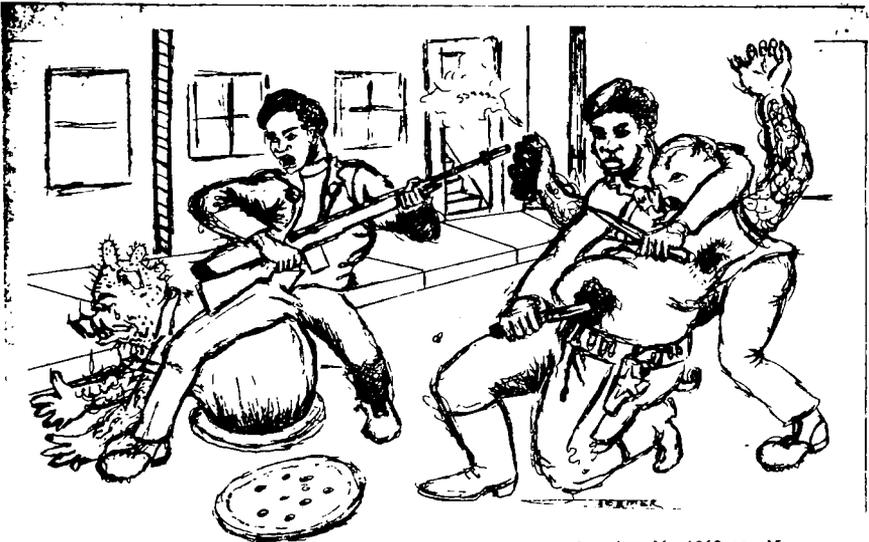
of this report. Also noted is the growing internal dissension between long-time Oakland Panthers and David Hilliard, who became chief of staff with reputedly dictatorial power over the organizational and financial matters by the end of 1968.) Hilliard, born May 15, 1942, in Alabama, had attended high school in Oakland and worked in the past as a longshoreman on the San Francisco waterfront. Newton brought him into the party in the spring of 1967 with the immediate rank of "captain," and he was supervising the headquarters staff within a year.⁷⁶

After Newton's first trial ended on September 8, 1968, with a manslaughter verdict and an appeal was undertaken, dissension in the Oakland headquarters broke into the open. A Seale-Hilliard combine thereafter embarked on a purging of the ranks while also casting about for new programs and directions for an organization with an estimated 1,000 to 2,000 members whose leaders were periodically incapacitated by their run-ins with the law.⁷⁷

GROWTH OF VIOLENCE IN TALK AND ACTION

Panther leaders were still influenced by expectations that localized ghetto rebellions would before long evolve into well-organized revolution. This belief was strengthened by the assassination of civil rights leader Martin Luther King on April 4, 1968, which set off rioting in more than 80 cities beginning April 6, 1968.⁷⁸

[*The Black Panther*, Nov. 16, 1968, p. 15.]



November 16, 1968 pg. 15

⁷⁶ HCIS hearings on BPP, pt. 4, exhibit 20A. Hilliard's older brother, Roosevelt "June" Hilliard, was identified in a February 1970 issue of the Panther paper as occupying the post of assistant chief of staff.

⁷⁷ See ch. IV.

⁷⁸ See Anthony, *Picking Up the Gun*, and *The Black Panther*, July 20, 1967, p. 11.

Eldridge Cleaver in the May 1968 edition of *Ramparts* predicted a "coming holocaust":

That there is a holocaust coming I have no doubt at all. * * * The violent phase of the black liberation struggle is here, and it will spread. From that shot, from that blood, America will be painted red. Dead bodies will litter the street and the scenes will be reminiscent of the disgusting, terrifying, nightmarish news reports coming out of Algeria during the height of the general violence right before the final breakdown of the French colonial regime.

The Bay area was not the scene of rioting, and Panthers claimed to have helped to "cool" the citizenry. Panthers, however, cited the advantages of sniping and other guerrilla warfare tactics by an armed and organized black community.⁷⁹

Articles and cartoons in *The Black Panther* throughout 1968 echoed the same violent theme as Cleaver's *Ramparts* article. Cartoons depicted black guerrillas with guns and explosives, police officers pursued by a hail of bullets,⁸⁰ and other physical abuse of law enforcement authorities.

Immediately after the arrest of Newton in the fall of 1967, the Panthers offered for sale the anarchists' creed, *The Catechism of the Revolutionist*. This 18th century Russian work, with an introduction by Cleaver, expounded one anarchist's view of the virtues of assassination and other "merciless" acts of destruction in the service of revolution.

Emory Douglas, Panther minister of culture and creator of many of the cartoons in the Panther newspaper, described his work as "revolutionary art" to "educate the masses of black people" in "the correct handling of revolution."

We, the Black Panther artists, draw deadly pictures of the enemy—pictures that show him at his death door or dead—his bridges are blown up in our pictures—his institutions destroyed—and in the end he is lifeless—

We try to create an atmosphere for the vast majority of black people—who aren't readers but activists—through their observation of our work, they feel they have the right to destroy the enemy.

Emory was taking his cue from Vietnamese guerrillas fighting the same "U.S. imperialist" oppressor, he said, and no groups would be spared the revolutionary wrath of black people. Art work must show "sniping bombers shooting down helicopters police mayors governors senators assemblymen congressmen firemen newsmen businessmen Americans," according to the cartoonist.⁸¹

Asked by white leftist allies to explain the Panthers' great emphasis on police forces, Newton responded that the representatives of an "oppressive" system appeared in the cities in the form of police forces.⁸² Cleaver added that Panthers "standing up to" a cop with guns were bound to attract more of their own "brothers on the block" to an organized fight against the system":

Guys on the block out there, man [Cleaver said], they never have been too impressed by America you know, by what's been happening to them. * * * They don't stand and cheer the cops and this is the reason, one of the reasons why the Panther Party focus on the cops, because the cops are out there and they're visible,

⁷⁹ Anthony, *Picking Up the Gun*. A 1967 exposition by Newton of some of the advantages of guerrilla warfare was reprinted in *The Black Panther* of May 4, 1968.

⁸⁰ *The Black Panther*, May 4, 1968, pp. 12 and 24, for example. An aggressive rather than defensive use of violence against police officers began to appear in Panther newspaper cartoons with increasing frequency. See illustration on p. 42.

⁸¹ "Revolutionary Art/Black Liberation," by Emory Douglas, in *The Black Panther*, May 18, 1968, p. 20.

⁸² " Huey Newton Talks to the Movement," *op. cit.*

[*The Black Panther*, Oct. 24, 1970, p. 19]

128 PAGES OF REVOLUTIONARY ART



**WE HAVE TO BEGIN TO DRAW
PICTURES THAT WILL MAKE
PEOPLE GO OUT AND KILL PIGS**

**EMORY DOUGLAS
MINISTER OF CULTURE
BLACK PANTHER PARTY**

Our Minister of Culture, Emory Douglas has a new book in printing to be released in the near future. The title is "We will not hesitate to either kill or die for our freedom."

**WE WILL NOT HESITATE
TO EITHER KILL OR DIE
FOR OUR FREEDOM**

**Revolutionary Art
by Emory Douglas
Minister of Culture
Black Panther Party**



Emory illustrates the essence of revolutionary art, "the people", in pictures as well as gives the Black Panther Party's position on revolutionary art.

you see, and this is the direct contact of the black people with the power structure. * * * So here all of a sudden, here comes two niggers with some guns, stand up in front of the cop, and talk to the cop, just like the cop's talking to them, you know. They check that out. They really want to know what that's about, you see. If they don't decide their life is too precious, you know, that they must live forever; if they don't decide that, then they come a little closer to the party.⁸³

Newton said an "occupying army" of police patrolling the inner city streets under the control of the outside "establishment" should be replaced by "security forces" made up of people living in the area and under the control of the black community. Due process and protection allegedly denied to black citizens would supposedly be assured by the Panther solution.⁸⁴ "Why shouldn't we have our own police station where we set up operations and organize through the churches and everything else to choose our own policemen?" Chairman Seale demanded of a predominantly black audience in February 1968.⁸⁵

The Panther leaders always made it clear that their demand for removal of "occupation" police forces from black communities was only a stage along the road to the drastic overhaul of the existing American power structure. Newton compared his tiny party's attack on the American goliath to Fidel Castro's 12-man force who fought the Cuban army, not with expectations of winning battle but to "educate" the people that the Cuban Government, army, and police were not bulletproof.⁸⁶ When black people similarly were made aware of their strength—under the tutelage of the Panthers—they would presumably carry out their own "liberation."⁸⁷

TRAINING FOR GUERRILLA WAR

Panthers in 1968 remained under orders from their commander, Newton, to equip themselves with weapons.⁸⁸ As chapters were formed around the country, their members were also apparently informed that national policy required each Panther to acquire a gun and become familiar with its care and use.⁸⁹

Ex-Panthers at committee hearings described classes in the care and use of weapons which were conducted within some chapters such as those in Seattle, Indianapolis, and Detroit in 1968. Members of more militant groups such as the Seattle chapter gathered that year in public parks to engage in close order drill with their weapons, and sought to improve their marksmanship at rifle ranges. Seattle Panthers arranged to receive some instruction in bombmaking and other guerrilla warfare techniques in this period.

The Indianapolis Black Panthers, according to a participant from the fall of 1968 to early 1969, also had instruction in the use of firearms and guerrilla warfare classes (using Che Guevara's manual on the subject). These classes included instruction in the manufacture of

⁸³ Film, "Black Panther," produced by San Francisco Newsreel.

⁸⁴ "Huey Newton Speaks," Nov. 3, 1967, in *Urban Crisis Monitor*, Urban Research Corp., Jan. 2, 1970.

⁸⁵ Speech at Free Huey Newton rally, Feb. 17, 1968, Oakland, in *The Black Panther*, Mar. 16, 1968, pp. 9, 15.

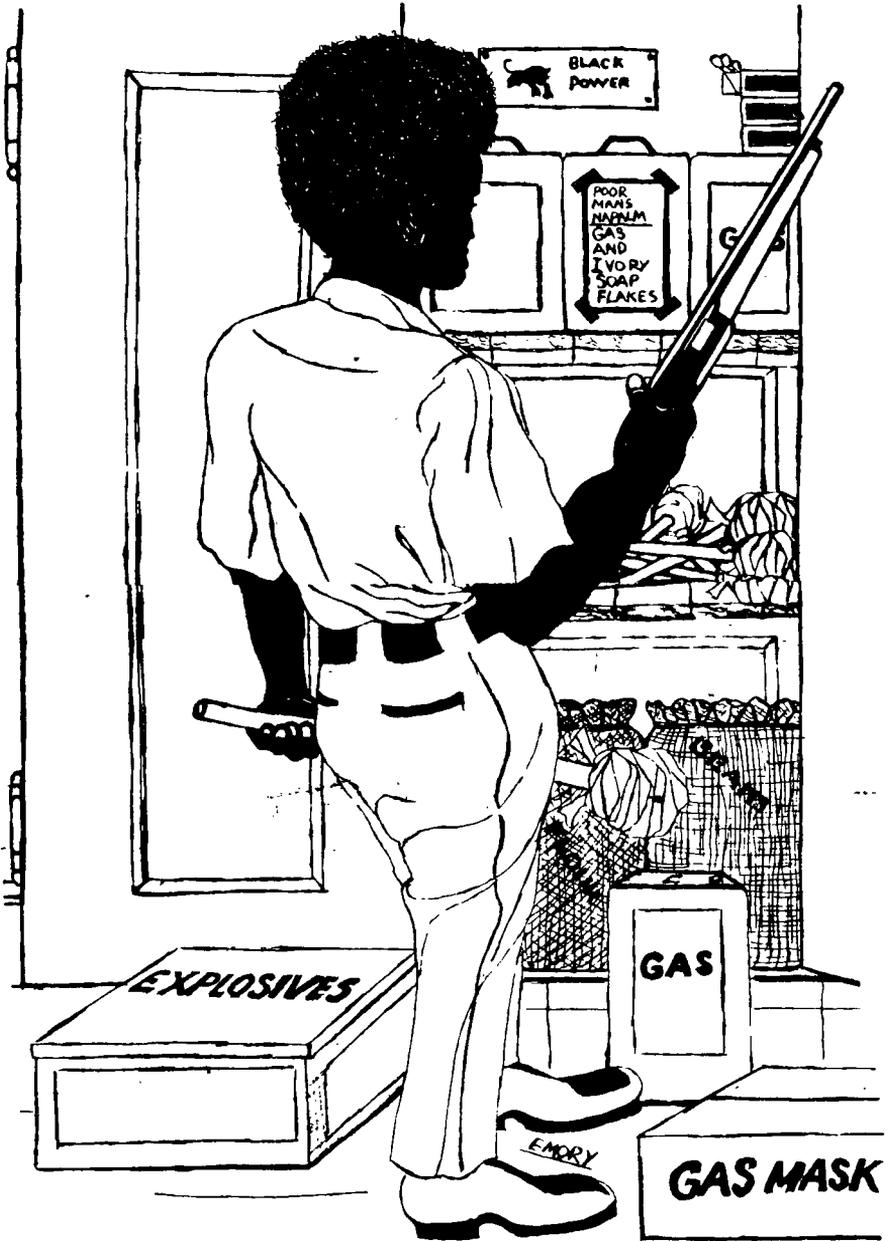
⁸⁶ A reference to Castro's suicidal assault with a handful of men on the Moncada army barracks in Santiago, Cuba, July 26, 1953, which advertised the start of long drawn out guerrilla operations against the Cuban regime.

⁸⁷ Film, "The Black Panther."

⁸⁸ A reiteration by Newton that all Panthers acquire guns was contained in his Executive Mandate No. 3, issued on Mar. 1, 1968. (*The Black Panther*, Mar. 16, 1968, p. 1.)

⁸⁹ Testimony to this effect was given by former members of Panther chapters scattered throughout the country.

[The Black Panther, May 4, 1968, p. 12]



firebombs, pipebombs utilizing acid, and a spike board to damage tires and, thus, disable vehicles.⁹⁰

National headquarters responsibility for encouragement of guerrilla warfare instruction was illustrated by several episodes. The November 16, 1968, edition of *The Black Panther* carried an article on "Grenades and Bombs: Anti-Property and Anti-Personnel." This product of national headquarters gave detailed, step-by-step instructions for making small hand grenades and firebombs.

On November 15, 1968, the Black Panther organization held what it called a "national retreat" at headquarters in Berkeley. "Brothers and sisters from all chapters," the Panther paper reported, "came to Berkeley to receive more education and instructions from the National Office and to 'intensify the struggle.'" ⁹¹

The instructions at the retreat included distribution of a document titled, "Firebombs," which explained how to assemble destructive devices from easily obtainable material.⁹²

"OFF THE PIGS"

The use of the slogan, "Off the pig," came into general use among Panthers in 1968.

Beginning in June 1967, cartoons depicting police officers as "pigs" in uniform appeared regularly in the Panther newspaper. A definition

[*The Black Panther*, May 18, 1968, p. 21]



⁹⁰ HCIS hearings on BPP, pts. 2 and 3. Some chapters subject to exhaustive committee investigation stressed their paramilitary aspect in this period, but there were others, such as the Detroit Panthers, whose leadership was described as opposed to violence. Lack of militance was to bring down on some chapters reprimands from regional and national spokesmen.

⁹¹ *The Black Panther*, Jan. 4, 1969, p. 15.

⁹² Exhibit 333, Senate Permanent Subcommittee on Investigations, hearings on Riots, Civil and Criminal Disorders, pt. 19, 1970.

in the newspaper described a "pig" as: "A low natured beast that has no regard for law, justice, or the rights of the people; a creature that bites the hand that feeds it; a foul depraved traducer, usually found masquerading as the victim of an unprovoked attack."⁹³

The epithet "pig" rarely appeared in the text of Panther newspaper articles until 1968 when it was liberally employed in text and cartoon to refer not only to police officers, but also to national guardsmen, military men, the President, and executive department heads, candidates of major political parties, the U.S. Government, and even to an unsympathetic newspaper.

"Pigs" usually had white skins, but occasionally were colored black. The label was applied to Panther "enemies" who, according to Cleaver, were the following groups in the white community, and all members of the black community who supported them: "avaricious businessmen, demagogic politicians and racist cops."⁹⁴

In the summer of 1968, Panthers demonstrated outside the courthouse where Newton was being tried for the murder of police officer John Frey. Panther demonstrators chanting "off the pigs" reportedly introduced a new idiomatic expression into the American language.⁹⁵

The words "pig" and "off the pig" have more than one meaning even among Panthers. Increasing use of the terms by other than Panthers has further confused the matter.⁹⁶

Former Panthers furnishing information to the committee agreed with Chairman Bobby Seale's acknowledgment that "pigs" principally refer to police officers, despite its application by Panthers to other symbols of authority. Initially, "pigs" also referred to those police officers, white or black, who were "disrespectful" in their approach to black citizens (a "majority" of the police, in Seale's view, however). "Off the pig" had two meanings: an act of physical violence against a police officer; or a programmatic demand for removal from the black community of police forces not controlled by the community itself, former and present Panthers agreed.

The Panthers' chant of "off the pigs" at the Newton trial—circulated nationwide through the medium of the film—was, according to Seale, a demand both for removal of police forces from the black community and the suggestion that "pigs" and not Newton deserved the gas chamber.⁹⁷

A majority of the former Panthers questioned by the committee felt that "off" had since become synonymous with "kill," and that "pig" most commonly referred to all officers of the law. The many law enforcement officials who appeared as witnesses at committee

⁹³ This definition, under the caption, "What Is a Pig?" appeared in *The Black Panther*, Mar. 16, 1968, p. 14.

⁹⁴ Cleaver, *The Black Panther*, Oct. 26, 1968. This application of the term to government officials, businessmen and others hostile to Panther goals was confirmed by ex-Panther Donald Berry, ECIS hearings on BPP, pt. 3, and in executive testimony from anonymous Panther, March 1970.

⁹⁵ Anthony, *Picking Up the Gun*, and Seale, *Seize the Time*.

⁹⁶ This report is chiefly concerned with Panther use of the words as evidence of its program affecting law enforcement in the United States. The committee is aware that "pig" entered the body of American slang to such an extent that patrolmen's groups were countering it with such slogans as "pigs are beautiful." The word "off" appears in a "Black Glossary" issued by the Better Speech Institute of America, Inc., in 1971 with the definition "to beat severely; to kill."

Some of the credit for popularization of the terms must be given to a new left film producer, the San Francisco Newsreel, whose film "The Black Panther" showed chanting demonstrators at Newton's trial. The film was shown on college campuses throughout the Nation in 1968-1969 school year by other sympathetic new left groups such as Students for a Democratic Society.

⁹⁷ Seale, *op. cit.* The use of the terms was described to the committee in interviews or testimony by former Panther Frank B. Jones of the Oakland headquarters organization; former Panthers Clive De Patten, Iowa; Tom Kearney, Philadelphia; Barron Howard, Indiana; Donald Berry, Detroit, and several other former party members who chose to remain anonymous.

hearings on the Panther Party were unanimous in the belief that the Panthers were indeed talking about killing the members of their own profession.

Confronted personally by bands of armed Panthers, many of them with criminal records, now talking about "offing" the "pigs," police officers would find little encouragement in testimony of some former Panthers that a "minority" of officers were not the subject of Panther complaints. Law enforcement authorities could derive little comfort from the conflicting responses from former Panthers when the committee inquired about the correlation of Panther words with actions.

The mayhem against "pigs" depicted in Panther speech, writings, and cartoons was "rhetorical," a kind of political satire in street language, signifying for resentful blacks a way of "letting off steam," according to testimony by the former managing editor of the Panther paper. "Advocacy" of violence—to defend one's person and household in the current situation and to bring down the power structure in a future revolutionary situation—was the understanding of a number of other former Panthers as well as current local officials interrogated by the committee.

Even the term "self-defense" had more than one connotation, however. Some interpreted it as covering guerrillalike sniping and other acts of violence. This purportedly was to be a self-defensive response to the Panther claim of 400 years of real or de facto "slavery" of blacks in the United States. The forthcoming revolution for which the Panthers prepared was also depicted as a defensive response to a power structure with "racist," "oppressive," and "genocidal" intentions against inner city residents.⁹⁸

DEATH IN THE STREETS

During 1968 the Panthers became increasingly belligerent. By the end of the year their violent encounters with the police had resulted in the death of five Panthers and the wounding of 17 police officers.

Violence occurred in Los Angeles, Seattle, New York City, and Jersey City, among other places. The chief trouble spot was the Oakland area where Panthers were mobilizing support for Newton on charges growing out of his role in the fatal shooting of a police officer the preceding autumn.

At party orders, Panthers were equipped with arms and a number of the top officers were periodically arrested in Berkeley and Oakland on illegal weapons charges in the early months of 1968.

Chairman Seale, for example, was arrested in a weapons search of his home in Berkeley on February 25, 1968. Chief of Staff Hilliard was arrested in Berkeley on the same date on a weapons charge. Seale was again picked up on May 23, 1968, on a charge of bringing firearms into a jail.⁹⁹ Close surveillance by law enforcement authorities on Panther

⁹⁸ Some of the ex-Panther views were summarized by Investigator Richard Shaw, HCIS hearings on the BPP, pt. 4, Oct. 6, 1970. A former Panther from Des Moines, Iowa, testified that he understood "self-defense" to include not only violence in the face of physical danger but also the right to shoot a policeman if the officer killed or even unjustly arrested a member of the black community. (Hearings, pt. 4, Oct. 8, 1970.)

⁹⁹ An original charge of conspiracy to commit murder against Seale was dropped, but weapons charges against him and Hilliard were still pending in 1969—a year in which other more serious criminal charges were brought against both men. For the subsequent charge of bringing a weapon to jail, Seale was convicted in June 1968 and sentenced to 3 years, the sentence to be served on probation.

weapon collections was countered by a Panther disruption of a Berkeley City Council meeting in February to demand removal of police forces from predominately black communities and a civil suit in May for "damages" as a result of alleged Oakland police harassment of the Panthers.

Cold war turned hot on the night of April 6, 1968, when other cities were torn by rioting in the wake of King's assassination but Oakland was outwardly calm. Two police officers stopping to investigate a figure crouched behind a parked car reported being greeted by gunfire. Gunfighting between Panthers and rapidly arriving police reinforcements continued for 90 minutes. Three police officers were wounded, Panther Minister of Finance Bobby Hutton was killed and Minister of Information Cleaver and Chief of Staff Hilliard were jailed. Police authorities accused the Panthers of setting up an ambush, and the Panther Party hurled the same charge back at the authorities.¹⁰⁰

In Los Angeles on August 5, 1968, two police officers followed to a gas station an erratically driven car containing four Panthers. The officers attempted to check the occupants' credentials. After the driver acknowledged he had no driver's license, police reported they were about to question the remaining three occupants when they were hit by gunfire. When the battle ended, three Panthers were dead, a fourth Panther had escaped, one officer was critically wounded in the abdomen, and the other policeman was shot in both legs.

A police officer, searching on foot for a suspected auto thief on the afternoon of October 5, 1968, in Seattle, Wash., encountered a Black Panther with a rifle pointed in the officer's direction. The policeman reported that the Panther ignored four orders to drop the weapon and instead grabbed the barrel of the police revolver. As the militant raised his rifle, the policeman shot him to death in an episode later ruled justifiable homicide.¹⁰¹

Another type of Panther violence reported by police during the year was illustrated by a shotgun attack which sent two New York City police officers to the hospital on August 2, 1968.¹⁰²

At least four policemen were sent to the hospital for treatment in Jersey City on September 24, 1968, as a result of a police-Panther confrontation that began relatively innocently when a local Panther leader took up a position in the middle of an intersection and refused to obey orders to stop blocking traffic, according to police reports.¹⁰³

¹⁰⁰ In cases which have not been adjudicated, the committee offers no conclusions as to matters still to be decided in the courts. Cases of four Panthers were still pending at the close of the committee hearings in 1970.

Two of the defendants were convicted of assault with deadly weapons; another was convicted on an unrelated charge; and Cleaver frustrated prosecution by fleeing the country in November 1968. Cleaver had been charged with attempted murder and assault on April 6 and his parole was revoked. He remained in prison from April until June, when he was released on bail following a court ruling that his parole had been improperly revoked for political activity. He left the country just prior to a hearing in November 1968 on possible parole revocation.

¹⁰¹ Circumstances surrounding Panther deaths at the hands of police officers were researched and reported by Edward Jay Epstein, for an article "The Panthers and the Police: A Pattern of Genocide?" printed in *The New Yorker*, Feb. 13, 1971.

Information regarding violent confrontations between police and Panthers makes reference to that research as well as to committee investigations summarized in HCIS hearings on BPP, pt. 4, exhibit 3.

¹⁰² Although the assailants escaped, police reported an ensuing search uncovered evidence indicating Panther sympathies of the attackers (*New York Free Press*, Aug. 8, 1968).

¹⁰³ *New York Times*, Sept. 25, 1968, p. 21.

An extremely tense situation in Jersey City developed late in November 1968 in what the press described as a possible aftermath of seven arrests of Panthers on weapons charges on November 27, 1968. On November 29 a Jersey City police precinct station was raked with machinegun fire. On December 1 the New Jersey Black Panther office in Newark was bombed, injuring four party members. The press circulated "suspicions" of police and Panthers that the events represented an outbreak of violent struggle between the two groups.¹⁰⁴

¹⁰⁴ *New York Times*, Dec. 3, 1968, p. C-23; *Guardian*, Dec. 14, 1968, p. 6.

Subsequent prosecution of Jersey City Panthers as a result of the machinegunning of the police station is described in ch. III, pp. 53, 54.

[The Black Panther, Dec. 7, 1968, p. 16]

A Black Revolutionary Xmas!



1969's the time...Bomb!

CHAPTER III

NEW STRATEGIES FOR THE PERIOD, 1969-1971

*** * * We say that * * * There needs to be an American Liberation Front composed of all the people of this nation.**

It is time that everybody understands the Black Panther Party has not been trying to shuck and jive anybody. We've been trying to move this struggle from a lower to a higher level. All the people who sacrificed their lives in ALL organizations, (not only the Black Panther Party) who are political prisoners, etc., must be defended. We understand that fascism exists in America. And we are going to create * * * an American Liberation Front to combat the avaricious businessman, the demagogic politician and the fascist pig cops who murder brutalize and terrorize the people.

(Bobby Seale's Address to UFAF Conference as quoted in The Black Panther, August 2, 1969.)

Major changes were effected in the organizational structure, tactics, and political line of the Black Panther Party in 1969.

A number of measures taken by the party hierarchy in the closing months of 1968 signaled the changes. The party's complete absorption with the Newton murder trial ended in September 1968 when the jury brought in a verdict of manslaughter. As attorneys embarked on the long process of appeal, the party leadership explored in earnest "political" ideas and programs in which it could involve the many hundreds of members who had flocked to the party in urban centers around the Nation.¹

The party also took the initial steps in what was to be a complete reorganization of the party structure from the national to local chapter level before it was completed in the summer of 1969. A somewhat anarchic situation was to be replaced, insofar as possible, by instilling discipline in and giving national direction and coordination to Panthers scattered about the country.

Changes, as in the past, reflected a Panther adaptation to the circumstances which confronted them in late 1968 and early 1969. The tapering off of urban rioting in 1968 was not encouraging to those counting on widespread black uprisings in America. However, in the 1968-1969 academic year, rebellion, in the form of mass demonstrations frequently disruptive and violent in nature, plagued the Nation's college campuses. Among the many groups demonstrating on hundreds of campuses in this period were white radical groups such as Students for a Democratic Society (SDS)² and militant black student organizations with a nationalist orientation.

A year-long coalition with the predominantly white Peace and Freedom Party had publicized the Panther Party, brought in new members across the Nation, and in the guise of an election campaign in 1968 raised funds for Newton's defense. As a result, the black

¹ Anthony, *op. cit.*

² Detailed in HCIS report on Students for a Democratic Society, *op. cit.*

nationalist group had a vested "physical and financial base" in the white radical community³ which it chose to continue to exploit in 1969.

The revolutionary stance of such rapidly growing white "new left" groups as SDS offered theoretical justification for a coalition policy that would continue to alienate Panthers from other black nationalist elements (who reminded the Panthers about their own early warnings against dependence on white groups for black liberation). The programs eventually selected by the Panthers for promotion on a national scale beginning in 1969 reflected, however, a new and legalistic "community service" line which was more in keeping with the style of the Panthers in Peace and Freedom Party electoral campaigns.

The new "serve the people" theme was represented as being in harmony with Panther expectations to achieve "power to the people" in an eventual showdown with the "racist power structure."

When the theme was sounded by Chairman Bobby Seale in *The Black Panther* of November 16, 1968, it reflected little of the customary Panther militancy. The program appeared to have little in common with Panther study of guerrilla warfare tactics—the subject of a publication distributed to members gathered at a "national retreat" in Berkeley on the very same date—or with Panther predictions of armed struggles in a future revolutionary situation.⁴

In his November statement, pointedly addressed to "older people" in the black communities, Chairman Seale declared that the party was "very concerned about community problems" and intended to relate more to them. Noting the small vote cast for Panther candidates in the recent elections, Seale maintained that "we're going to relate more to the election process" and enter candidates in Bay area local elections in April of 1969. The Panthers would remove local mayors and councilmen "by either voting power or by gun power," Seale declared in his only lapse into customarily militant Panther jargon.

While the Panthers apparently did not actually field any more candidates in political election campaigns in the Bay area after 1968, Seale, in November, unveiled three of the four "serve the people" projects which did become "key" programs promoted on nationwide scale by Panthers in 1969. They were:

- (1) circulation in various cities of petitions to obtain a referendum vote on decentralization of city police forces;
- (2) initiation of free breakfasts for schoolchildren of welfare recipients, to be served in neighborhood churches;
- (3) institution of free health clinics in black communities.

The fourth "key"⁵ program called for the establishment of "black liberation schools." Seale described the project to the *Guardian* of January 4, 1969, as classes in black history, taught to children after school in the same churches which provided them with free breakfasts

³ Anthony, *op. cit.*

⁴ As will be seen, the Panther leaders stressed the "service" aspect of the party to older members of the black community and to other nonradical groups whose support was being solicited energetically beginning in 1969. To radical allies, the Panther leaders insisted the community service programs were "revolutionary" since they were advanced by a party seeking to prepare masses of people for an ultimate revolutionary struggle.

⁵ Seale explained the four "key" programs which the Panther Party would implement in 1969, in the new left publication, *The Movement*, March 1969, subsequently reprinted in *The Black Panther*, Mar. 3, 1969.

Panthers in Philadelphia, Pa., also engaged in electoral politics, however. Two chapter members obtained sufficient signatures to qualify as candidates for the city council, but each ran last in the final voting on Nov. 4, 1969. (*Guardian*, Oct. 4, 1969, p. 2, and Philadelphia *Evening Bulletin*, Nov. 5, 1969, p. 13.)

in the morning. Later, more simply labeled "liberation schools" were suggested by national headquarters as a summertime replacement for free breakfasts for schoolchildren, with the addition of lunches. Black history reflecting the basic Panther outlook toward society was the proposed curriculum.

REVOLUTIONARIES "SERVING THE PEOPLE"

Panther response to white radicals and black militants questioning programs for improvements within a system eventually to be overthrown in its entirety was to quote from revolutionary "authorities." Two of these "authorities," Che Guevara and Mao Tse-tung, advised revolutionaries to show concern for popular needs in order to gain the mass support necessary for successful revolution, party leaders pointed out.

Seale explained to an interviewer from the radical *Guardian*, for example, that the late Guevara, exponent of guerrilla warfare in Latin America, insisted that revolutionary struggles must relate to the "momentary desires and needs of the people."⁶

Panther chapters were told, through the party's newspaper, that the community programs were the result of Newton's decision to demonstrate that the party is "an oxen to be ridden by the people."

Panthers who solicited or, in some cases, extorted, food and money from merchants and helped to prepare breakfast for schoolchildren hoped to demonstrate the party's sincerity in meeting basic needs of "the people" but also expose the inadequacy of the capitalist system. In that sense, the Panthers' deputy minister of information declared, the programs were also lessons in "socialism."⁷

Of the four new community programs, only the petition campaign for decentralization of police forces had been implemented before 1969. Breakfasts were not actually put on a table until January 1969; the first liberation school opened in June at the beginning of the summer recess; and the first health clinic to come to the committee's attention opened in August of 1969. (Typical operations of Panther programs built around food and health needs of citizens will be described in subsequent sections of this report.)

Black community control of its own police patrols was long an essential element in the Black Panther's nationalist demand for "self-determination" for the "black community."

The petition campaign inaugurated by the Panthers for the first time late in 1968 proposed to provide predominantly black communities with control of their own police forces but also extended the same autonomy to other areas heavily populated by a nonwhite minority and to predominantly white neighborhoods.

(The breakfasts for schoolchildren program in theory, and sometimes in practice, served low-income whites and all racial minorities. Only health centers and liberation schools were specified in initial publicity as services for black residents.)

The Panthers' chairman, with the aid of a Peace and Freedom Party ally, devised the petition project apparently after both groups engaged

⁶ *Guardian*, Jan. 4, 1969.

⁷ Editorial statement by Deputy Minister of Information Elbert Howard, "The Hows and Whys of a Breakfast for Children Program," *The Black Panther*, Apr. 27, 1969, pp. 10, 11.

in a disruptive demonstration at a Berkeley City Council session on February 27, 1968 to protest recent weapons charges filed against Seale and other Panthers and to demand black community control of its own police force.⁸

Late in 1968, Panthers and white allies circulated petitions in the cities of Berkeley, Oakland, and Richmond seeking enough signatures of registered voters to compel a referendum on the decentralized police force proposal in city elections in the spring of 1969. Injustice and brutality were allegedly curable by autonomous departments administered by police commissions. Commissioners would be selected by a Neighborhood Police Control Council elected by the community. Police departments within a city would share facilities, but police officers would be required to live in the community they served, according to an explanation in *The Black Panther*.⁹

Although precise details were to be worked out locally, based on the actual ethnic composition of the population, separate black and white police departments were envisioned in all cities. However, in Berkeley, home of the University of California and sizable contingents of radical youth, the Panthers proposed an autonomous police department for the student community.¹⁰ When the petition campaign was undertaken in San Francisco later in 1969, separate police forces were proposed for black, brown, Chinese-American, white, and special "ruling class" sections of the city.¹¹

PROSECUTIONS OF PANTHERS

To some observers, the turn of the Black Panther Party in 1969 toward more legalistic forms of "struggle" against the establishment was motivated by (1) recognition that rebellions were not going to cascade into imminent black revolution and (2) the fact that the revolutionary examples which the Panthers were setting with their paramilitary emphasis on guns and belligerent police confrontations were leading to serious criminal charges against Panther leaders from coast to coast. As prosecutions appeared to jeopardize the very ability of national headquarters and major chapters to operate, Seale was also acknowledging the inability of the party to count on much support from older persons in the black communities.

A review of some of the legal difficulties in which Panther leaders found themselves in late 1968 and early 1969 indicates that the party's self-interest was served by reassignment of priorities to emphasize the "political" role of the party rather than its military aspects.

Panther run-ins on national and chapter levels with law enforcement authorities were chronicled in the Panther newspaper as an editorial policy, and it is possible, largely through such sources, to see some of the problems facing the party. In the 6-month period from December 1968 through May 1969, for example, it appeared that national officers found themselves in the following situations:

⁸ *San Francisco Examiner*, Feb. 28, 1968, and *The Black Panther*, Aug. 2, 1969.

⁹ *The Black Panther*, Jan. 15, 1969, p. 6.

¹⁰ *Ibid.* See p. — of this chapter for results of the campaign in Berkeley.

¹¹ *San Francisco Sun-Reporter*, Aug. 30, 1969.

Newton, defense minister, was serving a 2-15-year prison sentence while appealing his September 8, 1968, conviction on a manslaughter charge.

Cleaver, minister of information, was a parolee whose role in the April 6, 1968, shootout with Oakland police raised the possibility not only of a court trial but also revocation of parole which would send him back to prison to complete his sentence for an earlier crime. Cleaver had been temporarily jailed after the shootout but was released on bail in June 1968. He was scheduled to report to San Quentin Prison on November 27 for a parole revocation hearing. He chose to become a fugitive from justice and left the country instead and forfeited \$50,000 bail. Cleaver lived quietly in Cuba until the press publicized his presence there in May 1969. By June 1969, he had taken up new quarters in Algeria, where he functioned openly as Panther minister of information in exile.

Seale, chairman, was still facing a weapons charge growing out of a February 25, 1968, police raid on his home when he was indicted on March 20, 1969, with seven other individuals on Federal charges of conspiracy to cross State lines to incite riots when the Democratic National Convention met in Chicago in August 1968. Seale was arrested on March 25, but released on bail.¹²

Hilliard, chief of staff, was under indictment for assault and attempted murder as a result of his role in the April 6, 1968, shootout in Oakland.¹³

Warren Wells, one of the eight Panthers arrested in the April 6, 1968, shootout involving national Panther officers, went on trial in Oakland on December 2, 1968, on charges of attempted murder and assault with a deadly weapon. A hung jury on December 20, 1968, led to a second trial and another hung jury in April 1969. (A third trial, however, resulted on October 29, 1969, in a 1-15-year prison sentence on one of the counts—assault with a deadly weapon.)¹⁴

CHAPTER DIFFICULTIES WITH THE LAW

The Panther newspaper reported a total of 11 Los Angeles Panthers arrested on weapons charges on three different occasions between January 17 and February 26, 1969. A police raid on the Los Angeles Panther office on May 1, 1969, resulted in nine additional Panther arrests.

¹² See footnote 71, ch. II, for a description of subsequent charges of contempt of court and conspiracy to commit murder which kept the party's chairman in jail from Aug. 20, 1969, to May 28, 1971.

¹³ On June 12, 1971, a jury in Oakland superior court found Hilliard innocent on two counts of attempted murder but found him guilty of two counts of assault as a result of the April 1968 shootout.

Hilliard also had been arrested on Feb. 25, 1968, in Berkeley, Calif., on charges of conspiracy to commit murder, carrying a concealed weapon, and carrying a loaded weapon in the city limits. A 4-day trial on the last two counts in Berkeley municipal court ended Dec. 11, 1969, with a jury verdict of guilty of possessing a weapon but a hung jury on the concealed weapons charge. A sentence of 6 months in jail and a \$500 fine was imposed on Hilliard on Dec. 23, 1969. The jury verdict is being appealed.

On Dec. 3, 1969, Hilliard was arrested by Federal law enforcement authorities on charges of making a public threat against the life of President Nixon during a rally in San Francisco on Nov. 15, 1969. Hilliard was released on \$30,000 bond. A U.S. district court judge in San Francisco dismissed the indictment on May 4, 1971, after the Government declined to make a wiretap record available to the defense.

A New Haven, Conn., judge on Apr. 14, 1970, sentenced Hilliard to 6 months in jail for contempt of court as a result of his behavior as a spectator at a pretrial hearing for Connecticut Panthers charged with conspiracy to commit murder. Hilliard was released when he apologized to the court on Apr. 21, 1970, and the judge modified the contempt sentence to the time already served.

¹⁴ Charles Bursey, another of the eight Panthers, was found guilty on Aug. 7, 1969, of both attempted murder and assault with a deadly weapon and sentenced subsequently to 1 to 15 years in prison, according to press accounts.

(The Los Angeles situation was complicated by a power struggle between the Panthers and a local black nationalist group known as US. On January 17, 1969, members of US shot and killed two Panthers on the University of California's Los Angeles campus. The Panthers, students at the university, were disputing with US over the right to pick a director for a new black studies program at the institution. The feud spilled over into San Diego where a Panther was fatally shot in May of 1969, and another met the same fate in June.)¹⁵

Panthers in Denver, Colo., reported that a police raid on their office on December 7, 1968, yielded four weapons and that another raid on December 21 led to the arrest of four of the party members. In mid-December, a local leader went on trial on arson charges stemming from his arrest the preceding summer.

Reports from the Panther organization in Chicago alleged that Panther officers or members were involved in: 12 arrests for misdemeanors or weapons charges on December 12, 1968; two arrests on weapons charges and one for aggravated battery during January 1969; one assault case in February; one weapons arrest and three arrests for "attempted murder" in March. By April, more serious charges of conspiracy to commit murder and armed robbery were brought against six Panthers. Some of them were also accused of trying to buy machineguns. The top Illinois Panther, Deputy Chairman Fred Hampton, was charged with aggravated battery on March 22, 1969. On May 26, 1969, he was sentenced to 2 to 5 years in jail in this case which involved an attack in July 1968 on an ice cream truck driver, thus permitting other youths to steal from the truck.¹⁶

In Des Moines, Iowa, police officers aided by FBI agents were alleged to have descended on the local Panther headquarters on December 27, 1968, and arrested two individuals on charges of suspected arson. A warrant was out at the time for a Panther leader suspected of involvement in fires at several local firms in October. On April 26, 1969, a dynamite blast demolished the Des Moines chapter headquarters. Representatives of the police department and a member of the Panther chapter at the time traded accusations in committee testimony that the other was the cause of the blast.¹⁷

Panther offices in Indianapolis, Ind., were raided on December 18, 1968, on a report that a submachinegun would be found there. No such gun was found. On the same date in Des Moines it was reported that three Panthers were arrested for misdemeanors.¹⁸

In Jersey City on December 5, 1968, the head of the local Panther Party and two other members were arrested and jailed on charges of complicity in the machinegun strafing of a police precinct station on November 29, 1968. (When a mistrial was declared in the case on

¹⁵ Convictions of US members were obtained in all of the cases, as Panthers deferred their hostilities with police to provide evidence and even testimony in some instances. (See Edward Jay Epstein, *The New Yorker*, Feb. 13, 1971.)

¹⁶ Hampton was reported to be appealing the conviction. *The Black Panther* occasionally indicated that charges, summarized here, led to convictions or were dismissed, but disposition was usually not indicated. A summary of additional arrests of Panthers through early 1970 appears in HCIS hearings on BPP, pt. 4, exhibit 4, pp. 29-35.

¹⁷ HCIS hearings on BPP, pt. 4. See also testimony of attorney general of the State of Iowa, Senate Permanent Subcommittee on Investigations, hearings on Riots, Civil and Criminal Disorders, pt. 24, July 22, 1970, pp. 5513-5515.

¹⁸ HCIS hearings on BPP, pt. 3, and *The Black Panther*.

July 10, 1970, the prosecution agreed not to press for a new trial after the defendants pleaded guilty to a reduced charge of possession of explosives or a firearm.)¹⁹

The firebombing of a newspaper office in Lakewood, N.J., on January 1, 1969, led to the arrest of three members of the Panther Party on arson charges. A Panther lieutenant of defense was subsequently convicted and sentenced to 5 to 7 years in prison in the case.²⁰

New York City Panthers reported arrests of two of their number on weapons charges in January 1969, three similar arrests in February, and two arrests on assault charges in March. Three individuals were arrested on January 17, 1969, on more serious charges of conspiracy to kill two Harlem policemen. Charges were dismissed for insufficient evidence, but the trio was rearrested in February for attempted armed robbery. This case was still pending when the three were indicted with 18 other New York City Panthers on April 2, 1969.

The April 2 indictment charged 21 key leaders and members of the New York chapter with plotting to assassinate police officers and to dynamite city department stores, a police station, and a railroad right-of-way.²¹

As Federal authorities were scouring the country for fugitives in the New York conspiracy case, an indictment was brought against the acting deputy chairman and seven other members of the New Haven, Conn., Black Panther chapter on May 22, 1969. The "New Haven 8" were charged with murder and conspiracy to commit murder in the torture slaying earlier that month of Alex Rackley, suspected by Panthers of being a police informant, according to authorities.²²

PANTHERS CHARGE NATIONWIDE PLOT TO DESTROY PARTY

The press alleged that a Federal grand jury began secret sessions in San Francisco on April 30, 1969, for the specific purpose of investigating activities of the Black Panther Party. Panther attorneys stated that the Federal Government was probably contemplating charging the party with violation of Smith Act prohibitions against violent overthrow of the Government.²³

After the indictments of the "New York 21" in April, Panther Chief of Staff Hilliard declared that law enforcement authorities were clearly embarked on a move to "wipe out" the Panther leadership which now embraced not only a national headquarters but "some 40 chapters."²⁴

A statement issued from national headquarters in the name of the party's central committee found the New York case to be final evidence of a "capitalist-racist government's attempt to try and destroy

¹⁹ *New York Times*, Sept. 19, 1970.

²⁰ Senate Permanent Subcommittee on Investigations, hearings on Riots, Civil and Criminal Disorders, pt. 19, June 18, 1970.

²¹ The number of defendants increased to 22 when new indictments were handed down in November 1969, but the press continued to refer to them as the "New York 21." Not all the defendants were apprehended, and bail for those located was set at \$100,000 initially. The trial of 13 of the defendants opened in New York State Supreme Court in Manhattan in September 1970. On May 13, 1971, the jury returned verdicts acquitting the 13 defendants on all counts in the indictment. (Senate Permanent Subcommittee on Investigations, hearings, *op. cit.*, pt. 19; *New York Times*, Apr. 3, 1969, pp. 1, 36; Feb. 1 and 3, 1970; May 14, 1971, p. 1.)

²² See ch. II, footnote 71, for subsequent developments in the case of the "New Haven 8."

²³ *Washington Post*, May 2, 1969; repeated in *Washington Post*, Dec. 14, 1969. In testimony before a House Appropriations Subcommittee on Nov. 19, 1970, FBI Director J. Edgar Hoover acknowledged that a grand jury in San Francisco "for some months" had been looking into Panther activity.

²⁴ *The Black Panther*, Apr. 20, 1969, p. 18.

the Black Panther Party." The jailings and court trials, the committee hoped, would be answered by a nationwide campaign to free Newton and "all political prisoners."

When attorney William Kunstler appeared at a hearing for New York Panthers the day after their conspiracy indictment, he reportedly compared the charges to Nazi arrests of communists on false charges of setting fire to the German Parliament (Reichstag) in 1934.²⁵ Thereafter, the charge of "Fascism" was hurled at the Government with increasing frequency by the Panthers.

If it weren't for Newton, the central committee statement pointed out, "free breakfasts for children programs before school would not be spreading across the nation. If it wasn't for Huey P. Newton, the idea of having free medicine and free health clinics wouldn't be in the process of being implemented."²⁶

The Panthers' national deputy minister of information sought to convey the same image of the party in a speech to a student press group at the University of Colorado in August 1969. The establishment press had "grossly misinformed" the public on the aims of the Panther Party, he said. Although the media image was one of hatred and violence, the Panthers had a little publicized "positive" side demonstrated by its free breakfasts for children and medical clinics.²⁷

PURGING THE "JACKANAPES" FROM THE PARTY

A "jackanape," Panther Chairman Seale has explained, is fearless but foolish. He winds up in jail through his carelessness with guns. He puts his "pot" and "wine" above the party's interests, and uses his gun to "rip off" (take by stealth or force) what he needs.

After the close of the Newton murder trial in September 1968 the Panther leadership began a purge of members considered liabilities. "Jackanapes" were expelled in far greater number than suspected informants for law enforcement agencies.²⁸

The "brothers on the block" who were prone to fight and to hustle for an unethical dollar had been deliberately selected as the membership base of the new Panther Party in 1966. Late in 1968, Chairman Seale publicly insisted that petty criminal actions were against the rules of the Black Panther Party and attributed regularly reported arrests of Panthers around the Nation for criminal activities to the work of provocateurs, police agents, or a "nationwide harassment" of the party by law enforcement agencies.

The party's own publication recounted arrests and prosecutions in 1968 and 1969 which showed that Panthers from Seattle to New York were facing such charges as pimping and pandering, purse snatching, armed robbery and burglary, arson, drug violations, and even attempted hijacking.

Seale acknowledged that police raids and arrests of Panthers led to mounting bail costs which were draining party finances and that prosecutions "were directly related" to the party's purge.²⁹

²⁵ *The Black Panther*, Apr. 20, 1969.

²⁶ Central committee statement in *The Black Panther*, Apr. 27, 1969, p. 14.

²⁷ *Rocky Mountain News*, Denver, Colo., Aug. 13, 1969.

²⁸ Seale, remarks at press conference of Apr. 19, 1969, printed in *The Black Panther*, Apr. 20, 1969, p. 6; also *Seize the Time*.

²⁹ *Seize the Time*.

Internal dissension increased as longtime Panthers found themselves denied bail while others favored by leaders had access to party defense funds. As disillusioned members began to leave the organization in growing numbers, some of them were willing to reveal hitherto inner secrets of party life.³⁰ Seale publicly announced in January 1969 that, with exceptions decided upon by the leadership, the party would no longer post bail for its members. Panther rallies held in the San Francisco and Los Angeles areas in January and February 1969 were billed as fundraising affairs for the legal expenses of top party officials Newton and Cleaver (who forfeited \$50,000 bond in fleeing the country).³¹

The purge officially began in January 1969, although preliminaries were already underway in September. The party stopped taking in members for 3 months, and the chairman claimed that about 1,000 members and many local chapters were eventually cut away from the organization. (According to the Panthers' definition, purged members included those who had voluntarily departed.)

The organization had adopted its first 10 rules in 1968; an expanded set of 26 rules appeared in the Panther newspaper in January 1969. The party also insisted that "political education" classes be conducted in chapters as part of an effort to produce a closer knit, more disciplined "political" organization that would help extricate the party from the tangle of legal difficulties in which it found itself by early 1969.

The distinctive black beret and leather jacket of the Panthers were seen less often beginning in late 1968. Newton reportedly instructed that the beret be worn only on ceremonial occasions rather than in day-to-day activity. New Jersey Panthers announced the discard of the uniform in December 1968 when police-Panther confrontations were marked by considerable violence. Although some chapters' members sported the Panther uniform in spite of the injunction, the Panthers' national education secretary claimed that by June 1969 "uniforms are almost totally gone."³² (See chapter IV for further details of the organizational housecleaning effort in late 1968 and early 1969.)

The measures culminated in an even more ambitious reorganizational scheme to tie the once strongly nationalist Panther Party more closely to the white allies whose support was considered a necessity at this critical juncture in the party's history. This was the party's effort to build a "United Front Against Fascism."

BUILDING A UNITED FRONT AGAINST FASCISM

The party announced in *The Black Panther* of May 31, 1969, that it would hold a "Revolutionary Conference for a United Front Against Fascism" in Oakland in July in order to develop a "national force" working for freedom for all "political prisoners" in a "fascist, capitalistic, racist America."

Students, workers, "farmer-peasants," and the "lumpenproletariat" were invited to enter into a "united front" with the Panthers against the pressures of law enforcement authorities (which the Panthers

³⁰ See ch. IV, pp. 75, 76.

³¹ *People's World*, Jan. 18, 1969, p. 3, and Feb. 15, 1969, p. 3; and *The Militant*, Feb. 7, 1969, p. 15.

³² Seale, *Seize the Time*; *Guardian*, Dec. 14, 1968; *The Black Panther*, June 21, 1969, p. 16.

pointed out were not only heavy on black militants but also on white radicals, especially students, in this period of widespread campus strife).

Chairman Seale's speech greeting some 3,000 delegates to the 3-day conference in Oakland Auditorium beginning July 18, 1969, outlined the Panthers' idea of projects on which blacks and whites could unite:

(1) circulation in American cities of petitions to put the previously described Panther plan for decentralized, autonomous police departments on election ballots;

(2) building a lawyers' defense committee to work for the freedom of all "revolutionary political prisoners."³³

After various plenary sessions and workshops, Newton's attorney, Charles Garry, an identified member of the Communist Party, announced that lawyers and law students at the conference had gotten together and formed a lawyers' committee under his direction to defend Panthers and white student radicals and that efforts would be made to build a nationwide defense fund for bail money and legal fees.

However, the mechanism by which the Panthers sought to create a continuous link between the black militants and whites willing to work in the Panthers' behalf was National Committees to Combat Fascism (NCCF). They were, despite the title, local committees "coordinated" by Panther headquarters in Berkeley. Applications were circulated at the UFAF conference for membership in such committees, and Seale reported some 1,500 persons signed up.

The immediate task of the committees, Seale told white leftists, was to work as autonomous groups on petition campaigns in behalf of decentralized police forces. The committees were also described as local "defense" groups for "political prisoners," who were vaguely identified as "revolutionaries," including Black Panthers and students in legal difficulties as a result of campus activity.

Membership in an NCCF was actually expected to be multiracial; appeals were made not only to black and white Americans but also to Puerto Rican, Mexican-American, Japanese-American, and American-Indian minorities. Members of NCCFs were not expected to share the Black Panther Party's nationalist ideas about the need for "self-determination" for black communities, but Panther leaders let it be known at the conference that ideological squabbling among white radical allies in NCCFs would not be tolerated. The united front, Newton said in a message to the conference, should without "bickering" develop a program directed against what the Panthers considered the main enemy—the Army and police. A united front, Seale told the delegates, had to be built by hard work on a community "action" program and not a "jive ideological struggle."³⁴

Seale's remarks were addressed to an audience that was mainly young, more than 75 percent white, and reflective of many warring

³³ Information on the Panthers' United Front Against Fascism conference may be found in HCIS investigations and hearings on the BPP, including exhibit 22 to pt. 4 of the hearings; J. Edgar Hoover, testimony, Mar. 6, 1970, before House Appropriations Subcommittee; *The Black Panther*, July 26, 1969, and Aug. 2, 1969; *Guardian*, Aug. 2, 1969, and Aug. 16, 1969; *The Militant*, Aug. 1, 1969; *Chicago Today*, July 19, 1969; *San Francisco Examiner*, July 17, 1969; *New York Times*, July 21, 1969.

³⁴ Some leftists later charged that the Panther Party was dictatorial and brooked no criticism of the Panther program at the conference. They pointed out that the Panthers themselves had barred from the conference the black nationalist US, a basically white Maoist communist group known as the Progressive Labor Party, and some Trotskyist communist organizations.

old left and new left viewpoints about the "correct" way to bring socialism or communism to America. From 40 to 50 organizations were reportedly represented.

The Communist Party, U.S.A., boasted a role on the steering committee which arranged the conference along with the new left Students for a Democratic Society and a nonwhite coalition from the campuses, the Third World Liberation Front. The Panthers' lawyers were on the steering committee and also cosponsors of the conference call. Another cosponsor was Tom Hayden, founder of the Students for a Democratic Society and codefendant with Seale in a Federal court case arising out of their participation in violence-filled demonstrations during the Democratic National Convention in Chicago.

The prominence of CPUSA figures as speakers and moderators in the proceedings aroused protests from rival old and new left groups during and after the conference. Many of the organizations represented, including the largest radical youth group, SDS, were torn by internal divisions which further divided the white left even as the Panthers attempted to build a "united front" with it.³⁵

Under attack from various black nationalists prior to the conference for allegedly becoming a "front" for white radicals,³⁶ the Panthers found that their new allies such as SDS were actually unwilling to work for decentralized police forces in predominantly white communities. Other unenthusiastic white left groups expressed disappointment that to follow the lead of the revolutionary Panthers they were expected to promote an electoral campaign. The independent communist news weekly, *Guardian*, conceded, however, that after all it was the Panthers who were going to jail.³⁷

Within less than a month, Panther officers were angrily announcing in their newspaper that they were not going to be dictated to by any group, and those like SDS and various other new and old leftists who did not aid the party in its bid for black control of black communities were "oppressors," "pigs," "fascists," and "sissies." Such epithets were hurled at their critics by Chairman Seale and Chief of Staff Hilliard in a joint interview in the underground *Berkeley Barb* in August. "And if the young white people of Babylon are not willing to follow the vanguard's lead, manifested in black people in America, not just the Black Panther Party, then we say well, right on racists, right on enemies," Hilliard said. "* * * And we're going to create a situation that the black community is going to be liberated territory and if it has to be a situation where we can only allow people of other ethnic groups that we can trust to come in, then that's what we want."³⁸

Panther leaders insisted that they had disagreements as well with the "bureaucracy" known as the Communist Party, U.S.A., which would not be allowed to dominate the Panthers. Alliances would be limited to "factions" within the CPUSA, they said.

³⁵ The splintering of the largest new left youth group beginning early in 1969 was described in HCIS report on SDS, *op. cit.*

³⁶ Seale denied the party was a front for white radicals in *The Black Panther*, Mar. 3, 1969. Just before the UFAF conference, Stokely Carmichael chose to issue a belated resignation from the Black Panther Party. In a press statement on July 3, 1969, Carmichael, then in residence in Guinea, said the Panthers had become dogmatic and denounced all who disagreed with them. He warned them against domination by white allies in a wrong-headed effort to prepare for a biracial class struggle. (*Washington Post*, July 4, 1969.)

³⁷ *Guardian*, Aug. 2, 1969.

³⁸ Seale and Hilliard to *Berkeley Barb*, Aug. 4, 1969, reprinted in *The Black Panther*, Aug. 9, 1969; see also comments in *The Black Panther*, Aug. 3, 1969, and *Guardian*, Aug. 16, 1969.

The only "real revolutionaries" in the white community, in the Panthers' view at this time, were the Young Patriots, who were respected, according to Seale, because they agreed to work hard on circulating police decentralization petitions in the "poor white" sections of Chicago.³⁹ The field secretary of the Young Patriots, in a speech at the United Front Against Fascism conference, had declared that his Chicago-based group of "white revolutionaries" was already cooperating with the Illinois section of the Panther Party. The Young Patriots, he explained, were children of poor white Appalachian families which had moved to Chicago from hardship areas in such States as Kentucky and North Carolina.

The Panthers' United Front Against Fascism conference immediately spawned 15 National Committees to Combat Fascism, Seale reported.⁴⁰ Almost a year later, however, *The Black Panther* recorded only 13 committees operating in 10 States and the District of Columbia.⁴¹

The NCCF in Omaha, Nebr., illustrates how one such committee operated. The committee functioned in a city where there was no Black Panther Party chapter and implemented the same "community" projects expected of the chapters: propaganda in behalf of community control of police forces; free breakfasts for schoolchildren; and a "liberation" school.⁴²

ACTUAL PANTHER PERFORMANCE IN SERVING THE PEOPLE

Other than the "voter registration" assistance which was allegedly available through the Panther Party's new community information centers in 1970, HCIS investigations disclosed little Panther involvement in electoral politics as supporters or candidates after 1968.

Investigation revealed relatively little implementation by Panther members and their allies of the party mandate at the UFAF conference to seek decentralization of police departments through the electoral process.

The major effort in this campaign appeared to concentrate in cities near national headquarters. Since 1968, it has been shown, Panthers and white supporters in the Peace and Freedom Party sought to obtain enough signatures of registered voters to put the proposition on the ballot in elections in Oakland, Berkeley, and Richmond. By August 1969, petitions were being circulated in San Francisco by members of the Panther Party and the National Committee to Combat Fascism. They were also circulated that month in Philadelphia by Panthers taking advantage of sentiment after a fatal shooting of a youth by police.⁴³

There was no evidence that petitions had ever been circulated or even contemplated by any of the seven Panther chapters on which HCIS hearings focused. This was true of some of the local committees to combat "Fascism" which later appeared in their stead. An "anti-Fascist" committee of the Panthers in Omaha, however, "talked"

³⁹ *Ibid.*

⁴⁰ *The Militant*, Aug. 1, 1969.

⁴¹ *The Black Panther*, June 20, 1970. Interestingly, the same publication listed even fewer Black Panther Party chapters: 12 chapters in 11 States.

⁴² HCIS hearings on BPP, pt. 4; see also *Black Realities*, December 1969. (Additional details on NCCFs appear in ch. IV of this report.)

⁴³ San Francisco *Sun-Reporter*, Aug. 30, 1969, and Philadelphia *Evening Bulletin*, Aug. 29, 1969.

about the proposal before an interracial community group late in 1969. A Panther representative indicated that one day soon the chapter intended to get together with a "team of lawyers" and prepare a petition for subdividing Omaha into separate police jurisdictions.⁴⁴

An HCIS questionnaire, sent to police departments during the committee's investigation of the Panther Party in 1970, included a request for information on police decentralization campaigns. Responses were received from police departments in 27 of the cities in which Panther organizations were currently active. Four of the Panther groups were reported to be pushing such campaigns, 11 had made some attempt in the past to implement the project, and 12 affiliates had made no discernible effort.

The only known Panther success in getting the question on a city ballot was registered after more than 2 years of campaigning on the issue in Berkeley, Calif. More than 15,000 signatures were reportedly obtained by Panthers and their allies in the Berkeley National Committee to Combat Fascism to compel a referendum of the city's voters in April 1971 on the idea of creating three separate police departments. They would serve a black community, a white community, and a "hippie" and student community near the University of California campus, according to testimony before HCIS.⁴⁵

By such a division of the city, the Panthers could count on some support from within the 28,000-strong student body at the State university as well as from residents of an adjacent community which was described in testimony as the mecca for all of the dissident youth in the United States. Voters in the April 6, 1971, election rejected the proposition, however, by an approximate 2 to 1 ratio.⁴⁶

In other cities, the campaign may have foundered on problems such as those reported by a volunteer in the petition campaign conducted in Oakland in 1968. The proposal, the volunteer reported, aroused little enthusiasm among white activists or the white citizen majority of a city because it lacked "relevance."⁴⁷

Difficulties were also encountered by those Panthers who tried to carry out Chairman Seale's promise in the November 16, 1968, issue of the Panther paper to institute "free health clinics in the black community from the Ministry of Health of the Black Panther Party."

Although no appointment was ever announced to a national "Ministry of Health," a number of chapters announced in the party's newspaper the opening or imminent opening of free medical clinics. Earliest known effort was the "Bobby Hutton Community Clinic," whose grand opening on August 20, 1969, in Kansas City, Mo., was preceded by a 2-day "open house" to publicize the event. Located over a pharmacy, the center depended upon community donations of money, medical supplies, and professional services.

Testimony received by HCIS in an in-depth investigation into Panther activities in Kansas City showed that services of one doctor

⁴⁴ *Black Realities*, December 1969.

⁴⁵ HCIS hearings on BPP, pt. 4, testimony of Frank I. Madigan, sheriff of Alameda County, which encompasses Berkeley; *Guardian*, Aug. 8, 1970, p. 8; *New York Times*, Aug. 16, 1970, p. 46; *Washington Post*, Apr. 8, 1971, p. A-32.

⁴⁶ Testimony, *op. cit.*, and *Washington Post*, Apr. 8, 1971. The proposed new police departments would have served a predominantly white community in North Berkeley and the Berkeley Hills area, a predominantly black West Berkeley community, and a third area including not only the territory around the University of California but also the central business district. (Pamphlet on candidates and issues in city of Berkeley general municipal election, Apr. 6, 1971, by Berkeley city clerk; and previously cited sources.)

⁴⁷ *People's World*, Aug. 16, 1969.

had been volunteered as well as the use of a car to transport "patients." The Panthers acknowledged by September that "administrative problems" beset the program. A visit by a staff investigator to the site in February 1970 showed the project had been abandoned.⁴⁸

Witnesses testified that clinics were actually operative in Seattle and Philadelphia.⁴⁹ Eyewitness evidence was available regarding the functioning of the "Sidney Miller Medical Clinic" which opened December 1, 1969, in the headquarters of the Seattle Black Panther chapter. A doctor helped to found and operate the clinic, which was open 2 days per week, a former Seattle Panther said, but lack of privacy and the presence of Panthers with guns tended to discourage community use of the facility. Services offered involved "referrals" more often than treatment.⁵⁰

A "People's Free Health Clinic" was alleged to be serving citizens in Brooklyn, N.Y., in November 1969 under the auspices of the local Panther Party branch. The Panther chapter in Chicago was making preparations in October 1969 to initiate such services, but subsequent problems were reported in raising more than \$1,000 required for medical equipment.⁵¹ In the party's newspaper for June 20, 1970, a list of local affiliated organizations included a medical clinic in Los Angeles and health and dental clinics in Portland, Oreg.

The aforementioned HCIS survey of police authorities in cities having Panther affiliates disclosed that of 27 active Panther groups reported upon, only four had an on-going program of medical assistance and only one had attempted such service in the past.

Four of the 27 functioning affiliates reported upon by police departments also had programs for distributing free clothing, and an equal number of affiliates had previously engaged in such activity. The aforementioned Seattle chapter sponsored such a program, and reports appearing in the Panther newspaper during September and October 1969 indicated the new community service was being added by affiliates in New York City, Jersey City, Philadelphia, and Chicago.

FREE BREAKFASTS FOR SCHOOLCHILDREN

The Panther-initiated free breakfasts for schoolchildren were the most thoroughly implemented and most successful of all community service projects. The party newspaper reported that, by the end of 1969, breakfasts were being served in 19 cities under the sponsorship of the national headquarters organization and 23 local affiliates. As a result, more than 20,000 children received "full, free breakfasts" before going to their grade school or junior high school classes during 1969, the newspaper claimed.⁵²

All seven of the local affiliates on which the HCIS received testimony in 1970 operated breakfast programs. At their peak operation, breakfasts were being served in at least three different locations simultaneously in Seattle, Kansas City, Detroit, and Philadelphia

⁴⁸ HCIS hearings on BPP, pt. 1.

⁴⁹ Opening of the Seattle clinic was announced in *The Black Panther*, Dec. 13, 1969, and the Philadelphia "free medical clinic" was described in *The Black Panther*, Jan. 31, 1970.

⁵⁰ HCIS hearings on BPP, pt. 2, particularly Appendix D.

⁵¹ See *The Black Panther*, Oct. 11, 1969; Nov. 15, 1969; and June 20, 1970.

⁵² The national headquarters supervised a program in a church in the city where headquarters was located. Some affiliates sponsored programs in subdivisions of large cities, such as Watts section of Los Angeles and Brooklyn and Queens in New York City. The sites of programs were listed in *The Black Panther*, Nov. 15, 1969, and Dec. 27, 1969.

and in two centers in Des Moines. The previously described police department reports to HCIS on 27 active Panther affiliates showed that by the fall of 1970, only eight were operating breakfast programs and eight others had discontinued such programs, due to lack of funds or poor organization.

Breakfasts were usually served in churches, with community centers the second most common location. Many were located in predominantly black neighborhoods, but the program also fed children of other ethnic groups. One of the programs in Seattle, in fact, operated in a neighborhood described as predominantly white and middle class.

The Panther newspaper in October 1968 began advertising for volunteers to prepare and serve free breakfasts in a church in Berkeley. The program apparently became operative in January 1969, when breakfasts were served in the Bay area at a Berkeley church; a church and a black community center in Oakland; and at an auditorium in San Francisco. From the inception of the program, the party sought to recruit "welfare mothers," grandmothers, and guardians in "the black community" to prepare and serve the breakfasts. The party announced it expected businesses in black and other minority communities to donate the necessary food and utensils, these to be supplemented by funds from "concerned" citizens. Citizens' "advisory" committees were created to increase community support. "We want to turn the program over to the community," the Panther newspaper declared.⁵³

The apparently humanitarian aspect of feeding children in low socioeconomic circumstances and the self-supporting nature of the project contributed to its introduction throughout the country in 1969. After the initial organizing impetus provided by a local Panther affiliate, some of the breakfast programs were in fact wholly taken over by other individuals and groups in other communities, HCIS investigations disclosed.⁵⁴

Hearings revealed instances in which Panthers maintained direct supervision of a breakfast program and also introduced school-children to the Panthers' hostile outlook on the American government and law enforcement authorities. Panther-directed programs, however, were often short-lived due to abuse of the facilities as well as poor management.

Considerable hostility was aroused within the black community as a result of such Panther efforts to combine breakfasts with indoctrination. As previously noted, the breakfasts were intended to improve the Panther Party image in the community. Its previous stance had led to prosecutions and isolation from community elements whose aid was invaluable to any legal defense effort. The party continued, however, to advertise its long-term revolutionary outlook, and described its breakfast, health, and other community programs as educating people to the failure of the "capitalist" system and the need to "survive this evil government and build a new one fit for the service of all the people."⁵⁵

⁵³ *The Black Panther*, Apr. 27, 1969, p. 3; see also issues dated Oct. 19, 1968, and Jan. 4, 1969, on early stages of the breakfast project.

⁵⁴ Other members of the community carried on the breakfast programs in Kansas City, Des Moines, and Seattle, HCIS hearings showed.

⁵⁵ *The Black Panther*, Apr. 27, 1969, p. 3.

A recitation drill for children attending the Panther "breakfast" program in Seattle was submitted in testimony to the HCIS:

PANTHER. What do the Panthers believe?

CHILDREN. All power to the people.

PANTHER. Who are the capitalists?

CHILDREN. They are the pigs who control the country.

PANTHER. What do the capitalists do?

CHILDREN. They steal from the poor.

PANTHER. How do they steal from the poor?

CHILDREN. They make the poor pay taxes and this makes the capitalists richer and the poor poorer.

PANTHER. What should happen with capitalists?

CHILDREN. Off the pig.

PANTHER. Should the capitalist share his money with the poor?

CHILDREN. Yes.

PANTHER. If they don't, what should we do?

CHILDREN. Take it, because it belongs to the people.

QUESTION. Who do we love?

ANSWER. The people.

QUESTION. Who are police?

ANSWER. They are the pigs.

QUESTION. What do they do?

ANSWER. They work for the capitalists.

QUESTION. How do they work for the capitalists?

ANSWER. They put poor people in jail, they kill people, and they keep the people poor by not letting them get good jobs and be free.

QUESTION. What do the Panthers believe?

ANSWER. Off the pig.

QUESTION. Why are the pigs going to kill Bob Seale?

ANSWER. Because he wants freedom for all people.

QUESTION. Why do the pigs kill Panthers?

ANSWER. Because they want freedom for all people.

QUESTION. What happened to Eldridge Cleaver?

ANSWER. He had to leave the country to keep the pigs from killing him.

Parents complained to authorities about such chapters as those in Kansas City, Des Moines, and Seattle, which displayed photographs of Panther leaders and used posters, songs, and chants to teach children—in simplified form—the following message: police officers are "pigs" who should be "offed" because they mistreat black citizens and help to preserve an inhuman capitalist society in America.

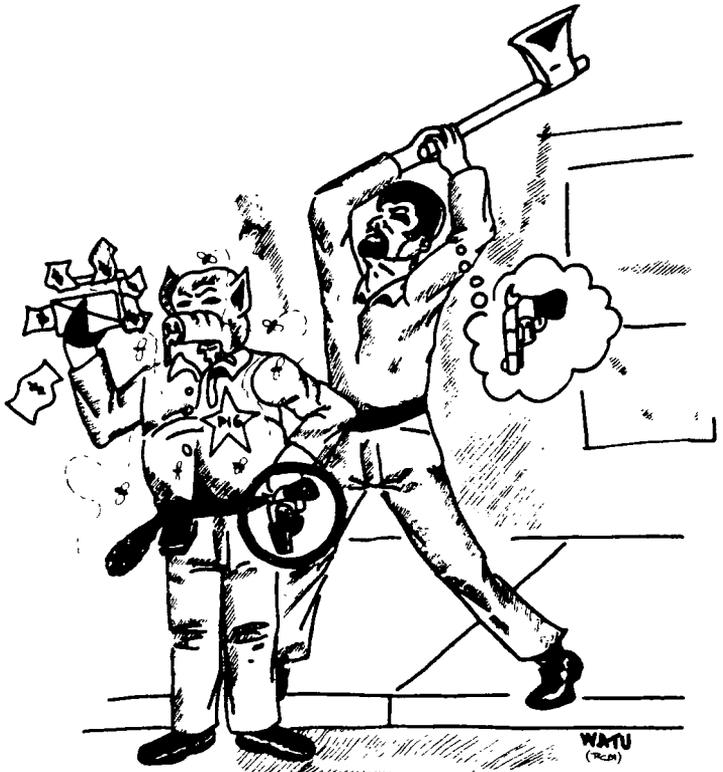
In Des Moines, according to a former Panther who participated in the program, children were told that the police were the first and most visible level of "oppressors" of the people, and they protected a second level of oppressors—the businessman—and still a third level—the politicians. A revolutionary was represented as someone who, like historical American figures, calls for overturning the system when it no longer serves the purposes of the people.⁶⁶

In several cities, investigation disclosed that Panthers used extortion methods in soliciting food and funds from inner city merchants for the breakfast programs. Merchants were advised that their businesses would be burned or bombed if they did not respond favorably to Panther solicitations.

On March 6, 1970, Paul E. Levitt, a Kansas City businessman, described his confrontation with the Panthers. Mr. Levitt testified to the committee about a dialogue that he had with a man he was able to identify from a photograph as Thomas Robinson, Jr., an active member of the Kansas City chapter of the Black Panther Party.

⁶⁶ HCIS hearings on BPP, pt. 4, testimony of Clive De Patten.

[*The Black Panther*, Sept. 5, 1970, p. 19]



**USE WHAT YOU GOT
TO GET WHAT YOU
NEED!**

Mr. Levitt testified:

He came into the store. I was on the register, and he threw down a Black Panther paper and he said, "Hey, man, I want to talk to you." I said, "I will be with you in a minute."

He said, "I want to talk to you now, man. I don't want to wait."

I said, "I will be with you in a few minutes."

He said, "I want you right now. Right now."

I said, "I will be with you in a few minutes." As soon as the cashier came back I went over to talk to him.

He said, "Do you know who I represent?"

I said, "No, I don't."

He said, "What does that paper say?"

I said, "I see what it says, but I don't know who you represent. Who are you?"

He said, "I don't have to tell you who I am." He said, "I am here for a donation."

I asked, "What type of donation?"

He said, "Man, I represent the Black Panthers."

I said, "Well, what are you demanding?"

He said, "I am demanding money."

I didn't ask him what kind of money because at that time I was rather disturbed and I said to him, "I will have to consult with my other two partners." I have two other partners and myself.

He said, "Man, you are running this store at this time and you are going to contribute."

I said, "I can't possibly contribute without consulting my other two partners."

He said, "Well, we are going to show you that you are."

He started lighting matches and throwing them all over the place. I said, "That doesn't even concern me, and I will give you another package of matches to help you along with it."

He went on with his profanity, which I don't care to go into at this time. About that time I told him that there wasn't anything possible I could do for him.

As he left, he said, "You will hear from me."

In about 10 minutes I got a telephone call. "Man, are you the manager?"

I said, "Yes, I am the manager."

He said, "Get my black brothers out of there because I am going to blow your place up and every one of my black brothers has to get out of there because we are going to blow you up."

This quite concerned me because this was the first telephone call I got.

Mr. SANDERS. Did you recognize the voice?

Mr. LEVITT. Yes, I did recognize the voice. It was the same identical individual. He has a different type of voice, a high-pitched voice.

Anyway, I called the police downtown and reported it.⁵⁷

Attempts by Mr. Levitt to press charges were frustrated in the courts, but while he was attempting to press charges numerous leaders in the community approached him and attempted to get him to drop the charges. According to the testimony the same Panther was subject to charges in another case of extortion involving another company.

In Seattle, Wash., Safeway Stores, a large food chain received a letter from the Black Panther Party signed Elmer Dixon, one of the persons who formed the Black Panther Party chapter in Seattle. The letter, which was reproduced in the Black Panther Party hearings, part 2, page 4412, demanded \$100 a week in food or funds for the Black Panther breakfast program. If this money was not forthcoming the store was threatened with a boycott, and the amount would be raised \$25 a week after the first week of boycotting until the demands were accepted. An affidavit entered into the record of the committee and signed by Merrill A. Cox, the personnel manager of Safeway Stores Inc., Seattle Division, stated that during the picketing of the Safeway Store, after they refused to pay the extortion, numerous customers were threatened with bodily injury by the pickets.

⁵⁷ Black Panther Party hearings, pt. 1, pp. 2736 to 2737.

Mr. Cox himself was threatened on three occasions, during one of which he was told he would get his throat cut. During the picketing a bomb threat against the store was phoned in to the police.⁵⁸

Chet Gasca, an employee of Safeway Stores, submitted an affidavit in which he stated that he was threatened on a number of occasions during the picketing by members of the Black Panther Party, one of whom said that he would be waiting for him that night so he could "blow my head apart with his gun."⁵⁹

James M. Clark, security manager of the Seattle Division of Safeway Stores, submitted an affidavit in which he stated that during the picketing he observed Elmer Dixon and other Panthers using a bull-horn shouting such things as "We're going to bomb the store."⁶⁰

The amount of money extorted from merchants is unknown. Nor is it known how much of the money actually went into the breakfast program and how much was appropriated for other Panther use.

On July 29, 1970, a \$20,000 cashier's check was deposited to the Black Panther Party account. The check was anonymous and drawn to the order of the Black Panther Party breakfast program. It was deposited with the endorsement Black Panther Party Breakfast Program, Black Panther Party, Patricia Hilliard. Mrs. Hilliard has been identified as the finance secretary of the Black Panther Party. At the time of this deposit there was \$10.22 in the bank. On August 5, Mrs. Hilliard drew a check payable to cash for \$20,000 drawn on this account. She immediately purchased a cashier's check for \$20,000 payable to the Alameda County clerk as part of the bail for Panther leader Huey Newton.

The committee attempted to ascertain the identity of the individual who had made the \$20,000 contribution to ask him whether he was aware that his money had been used not for the breakfast program as he had designated but for Huey Newton's bail. The committee learned that the check had been sent by Paul Moore III of New York City. Mr. Moore was sent a telegram affording him the opportunity to discuss this check with the committee staff. Western Union advised that the telegram had been delivered but Mr. Moore made no attempt to contact the committee staff on this matter.

A former active member of the Black Panther Party who did not wish his name revealed told committee investigators that—

after Huey Newton went to jail in October 1967 the Party hierarchy (namely David Hilliard) insisted that the members should not have jobs because a job would be too time consuming and the Party came first. Although the ruling group received money for their personal expenses from Party funds, the rank and file members were not given so much as subsistence money. As a result it became necessary for members who had no other means of subsistence to engage in robberies, larcenies and burglaries in order to get enough money to live. Hilliard who is by now Chief of Staff, while advocating the policy of having the Panther members "liberate goods", would demand 90% of the take or proceeds and permit the member to keep the remaining 10%. Hilliard would not, however, support a Panther brother if caught committing a crime unless the member was among the favored few. If the member chose not to split with the Party or questioned the use of the money by Hilliard himself, Hilliard would order the members to "move on him" which meant to physically convince him that proceeds had to be turned over with no questions asked. Hilliard definitely did not want a criminal act traced

⁵⁸ *Ibid.*, pp. 4415 to 4416.

⁵⁹ *Ibid.*, p. 4417.

⁶⁰ *Ibid.*, p. 4420.

to himself or others of the ruling group. The hierarchy was both too wise and afraid to become involved in actually perpetrating crimes of this nature. The source pointed out that as a result they selected people who were stupid enough to go out and commit burglaries and robberies in the name of the "Panther cause". He cited as an example the case of Wendell Wade. Wade was arrested for robbery while a Panther member in good standing. There was no assistance afforded Wade by the Panther Party and Hilliard made the statement that Wade was a provocateur agent. Wade subsequently received a 5 year sentence in San Quentin Prison. According to the source, Hilliard's policy in this regard was responsible for much disaffection among Party members. The double standard policy was regarded by the source as one of the primary reasons for members leaving the Party, plus other discrepancies such as not really intending to serve the people as they would purport and all, but rather to get for themselves what they want, i.e. money, power, prestige, etc.⁶¹

PANTHER EFFORTS AT "POLITICAL EDUCATION"

The Black Panther Party's 10-point platform and program, reproduced in every issue of the party paper in 1969, appeared in revised form beginning with the July 5 issue. The paper offered no explanation for the new demand No. 3 which called for an "end to the robbery by the CAPITALIST of our Black Community." The demand until this time had identified the alleged robber of the black community as "the white man."

The same issue of the paper also described two new Panther projects to provide "political education" to black Americans. "Liberation Schools" for children—already started in the Bay area—and soon-forthcoming "Community Political Education classes" for adults were represented as the newest methods by which the Panthers would attempt to educate the masses to the need for a "socialist" solution to their problems.

Liberation schools would replace the free breakfasts for school-children when schools closed for the summer recess. As Chairman Seale explained at a press conference in June 1969, the Panthers expected donations from merchants and others to continue so that children would receive both breakfasts and lunches in every church which had opened its doors during the school year. At the morning-long liberation school, however, Panthers intended to teach children about "the class struggle in terms of black history" and other subjects, Seale said.⁶²

The party announced the opening of its first liberation school in its headquarters city, Berkeley, on June 25, 1969, and others in Oakland and San Francisco 5 days later. They were implementing, the party newspaper said, the demand in the party platform for an education for black people which "exposes the true nature of this decadent American society" and teaches "our true history and our role in the present-day society."

Youngsters at the first such school in Berkeley were taught that "revolutionaries are changers," the party paper reported. Through a combination of talks, songs, films, field trips, and exercise programs, youngsters ranging in age from 2 to 13 were alleged to be learning how Panthers fight for "the people" by seeking the "destruction" of the greedy businessman, the lying politician, and the racist "pig."

⁶¹ Black Panther Party hearings, pt. 4, p. 5001.

⁶² Seale's statements at press conference appeared in *The Black Panther*, June 21, 1969, p. 14.

The flamboyance with which the Panthers introduced their liberation schools was illustrated by banner headlines in their paper publicizing the project. "The Youth Make the Revolution," one headline declared. "Liberation Schools Revolutionize the Youth," said another.⁶³

Panthers encountered community resistance to the schools from their inception, their own publication revealed. A program in a San Francisco church lasted 1 day, and a school in a Richmond recreation department facility closed after an hour and a half. As church, government, and community leaders began making their objections known, not only were schools forced to shift quarters constantly, but donations were also hard to come by, the Panthers acknowledged.⁶⁴

Only two of seven Panther affiliates which were the subject of testimony before HCIS were reported to have operated liberation schools. Classes begun in the headquarters building of the Omaha affiliate late in 1969 lasted about a week, according to testimony. Instruction of about eight to 12 students took place in the evenings with a hot dinner as a reward, and included history of the Panther Party, names of its leaders, and the information that "enemies" of poor people were the "avaricious businessmen," the "demagogic politicians," and "the brutalizing, murderous, sadistic, and terrorizing pig cop."⁶⁵

A school opened in the headquarters of the Des Moines Panther chapter in May 1970 and offered free lunches. Between 12 and 20 children of elementary age attended;⁶⁶ however, details were not available concerning the degree of success of the operation.

While breakfasts for schoolchildren often terminated with the school year, in some localities the program continued in the summertime. The effects of Panther indoctrination efforts in such projects have already been noted.

"Political education" classes for adults were held by many Panther locals without the controversy and resentment surrounding the attempted indoctrination of youth. Former associates of five Panther chapters informed HCIS that classes for adult nonmembers were held at one time or another. Curious members of the community received informative lectures on the Panther Party objectives as well as some discussion of capitalism, fascism, and Mao's sayings during classes in the party's offices in Philadelphia and Detroit, for example. A deputy minister of education lectured on the "class struggle" to the Des Moines chapter's audiences, largely composed of white college students. The movie, "The Black Panther," was shown in both Des Moines and Kansas City. By the fall of 1970 only nine of 27 active Panther affiliates were holding "political education" classes for nonmember adults, according to the survey of police departments made by HCIS. The departments reported, however, that 14 out of 15 inactive affiliates had sponsored such classes while the groups were in operation.

⁶³ Descriptions of the earliest liberation schools appeared in *The Black Panther*, July 5, 1969, and the headlines and additional articles appeared in the issue dated Aug. 2, 1969.

⁶⁴ See *The Black Panther*, Aug. 2, 1969, and Aug. 9, 1969.

⁶⁵ HCIS hearings on BPP, pt. 4, and *Black Realities*, December 1969.

⁶⁶ HCIS hearings on BPP, pt. 3. Nor were specifics available regarding the seven out of 27 active Panther Party affiliates described, in police department responses to an HCIS questionnaire, as operating liberation schools. The survey also showed that 10 of 15 inactive affiliates reported upon to HCIS had in the past sponsored a liberation school.

CHAPTER IV

THE PANTHER ORGANIZATION ON NATIONAL AND LOCAL LEVELS

* * * like Lenin, Huey created a Party, an instrument designed to cope with a specific situation at a specific time in the historical process of the development of society.

(The Black Panther, editorial, March 16, 1968, p. 8.)

"A lot of these people will go up to you in a minute and say, 'Why all these people being taken, why haven't they shot it out with some pigs.' Well, what do we say? If you kill a few, you get a little satisfaction. But when you can kill them ALL you get complete satisfaction. That's why we haven't moved. We have to organize the people. We have to educate the people. We have to arm the people. We have to teach them about revolutionary political power. And when they understand all that we won't be killing no few and getting no little satisfaction, we'll be killing em all and getting complete satisfaction."

(Fred Hampton, deputy chairman, Illinois chapter, BPP, in The Black Panther, July, 19, 1969, p. 7.)

Within the space of only 2 years, the Black Panther Party grew from a local operation in Oakland to an organization of from 1,500 to 2,000 members scattered in 25 chapters across the Nation.

Within another 2 years, the party was announcing establishment of an "international section" headquartered in Algeria.

Varying estimates of the party's peak strength refer to the number of members and not the number of chapters. The peak, it is generally agreed, was reached by the close of 1968.¹ The size of the membership ebbed and flowed thereafter as a result of the disenchantment of members, the party's own purges, and the impact of external events.

Chapters formed, died out, and in some cases re-formed. Most chapters were established after January 1, 1968. Committee investigations revealed that the Black Panther Party at one time or another, from its founding in October 1966 to early 1971, had official chapters with the same name or affiliated organizations under other titles in at least 61 cities in 26 States and in the District of Columbia. Most of the chapters functioned in large urban centers outside the South.

The list of known affiliates, on pages 88 and 89 of this report, indicates, as of the fall or winter of 1970, there was apparently local Panther activity in at least 35 different cities in 19 States and the District of Columbia. This activity was conducted under the supervision of 13 Black Panther Party chapters and five "branches," 20 National Committees to Combat Fascism, and two community information centers.

FBI Director J. Edgar Hoover advised a House Appropriations Subcommittee on March 17, 1971, that approximately 48 affiliated organizations were operational. He observed that they were usually known as NCCFs or information centers and that they had appeared in the South for the first time in 1970.

The state of flux, characteristic of Panther affiliates, is demonstrated by information on the chart (pages 88, 89) showing that in some areas Panther chapters or NCCFs had become inactive by late 1970, while affiliates were still emerging early in 1971 in cities without previously reported Panther activity.²

¹ The chapter total of 25 was listed in *The Black Panther*, Sept. 14, 1968, p. 5. Anthony, *op. cit.*, put peak membership at 2,000 and the committee's chief investigator, Robert Horner, estimated a maximum of 1,500 members in testimony, HCS hearings on BPP, pt. 4.

² FBI Director J. Edgar Hoover, at House Appropriations Subcommittee hearings on Mar. 5, 1970, stated a purge in 1969 dropped the total of chapters from more than 40 to approximately 30.

Committee investigators testified they were unable to determine the exact membership of the Panther Party nationally. It appeared possible that even the Panthers could not be certain of the number of members in the United States at any given moment. Chapters sometimes began operating before obtaining permission from national headquarters, and sometimes functioned in spite of headquarters refusal to recognize them.

FBI Director Hoover informed a House Subcommittee on Appropriations on March 5, 1970, that his sources indicated a hard-core membership of 800 or 900 members, with many additional thousands of "supporters" in major urban areas. In his appearance before the subcommittee on March 17, 1971, he estimated the active membership to be 1,000.

Most of the seven chapters which were the subject of extensive testimony at HCIS hearings were in operation in 1968 and appeared to have reached peak membership the same year. Although the Philadelphia Panther organization was reported to be growing early in 1970, most of the other chapters investigated were defunct, had lost their national recognition or had declined to a handful of hard-core members by late 1970.

The reasons for the rise and decline of local organizations varied from city to city and the success of a chapter often depended, to some extent, upon the availability of qualified leadership. After the winter of 1968-1969 the trend appeared to be away from "mass" membership and toward small hard-core Panther chapters with "mass" support relegated to National Committees to Combat Fascism created under party control beginning in July 1969.³

The first official national Panther headquarters, as noted previously, was opened on January 1, 1967, at 56th and Grove in Oakland. The headquarters in 1968 was located at 3106 Shattuck Avenue, Berkeley, where it remained until April 1970. The operation was then moved to 1046-48 Peralta Street, Oakland—the present national office.

At the various Panther headquarters, top-level policy meetings mapped party programs. Prior to April 1968, all policy matters were democratically decided upon by a vote of the Panther membership (which did not exceed 50 in the headquarters area and involved even fewer hard-core dependables, it should be noted).⁴

About April 1968, a central committee was formed to make policy decisions for a rapidly growing organization. Members of the central committee⁵ were identified as:

Minister of defense: Huey P. Newton

Chairman: Bobby G. Seale

Minister of information: (Leroy) Eldridge Cleaver

National headquarters captain (and later chief of staff): David Hilliard

Minister of education: Richard Aoka, succeeded in 1968 by George Mason Murray and in 1969 by Raymond "Masai" Hewitt

³ See pp. 59, 78-80 for further references to the NCCFs.

⁴ The structure of the Black Panther Party as a national organization was the subject of testimony by former Panthers and committee investigators in HCIS hearings on BPP, pt. 4.

⁵ When Carmichael, Brown, and Forman left the Black Panther organization their ministerial posts were abolished. Melvin Newton, Huey's brother, was listed as minister of finance in issues of *The Black Panther* from Oct. 28, 1968, until May 25, 1969, when his name was dropped without explanation. No successor was named. (HCIS hearings on BPP, pt. 4, exhibit 4.)

Prime minister: Stokely Carmichael
 Minister of justice: H. Rap Brown
 Minister of foreign affairs: James Forman
 Minister of culture: Emory Douglas
 Minister of finance: Bobby Hutton, succeeded in April 1968 by
 Melvin Newton

Communications secretary: Kathleen Cleaver

The following were added later to the central committee:

Assistant chief of staff: Roosevelt Hilliard

Minister of religion: The Reverend Earl Neil

Deputy minister of information and managing editor of *The Black Panther*: Raymond Lewis, succeeded by Frank B. Jones in January 1969 and by Elbert "Big Man" Howard in March 1969.

As new party programs were developed, such as breakfasts for schoolchildren and liberation schools, they were directed from national headquarters, as the seat of the various Panther ministries. Headquarters not only exercised control over administrative and financial matters, but it was also the editorial office for production of the Panther newspaper. The Panthers described their paper as the official organ of the party and also as a "black community news service."

The national headquarters building (as was the case with many local chapter offices) often served as living quarters for some of the officers and their trusted "inner circle." Rank-and-file members and out-of-towners also could usually count on temporary housing at various Panther headquarters, national and local. The arrangement also allayed Panther concern for "security" of their operations from interference by the police.

(A kind of communal work and living arrangement was not unusual. Working Panthers and others who made an easy dollar hustling on the streets would sometimes pool resources to help support nonworking, full-time Panther activists. Seale also claimed that the party was willing to help sustain any full-time worker for the revolution. A prominent example of the latter had been Newton himself.)⁶

When the central committee was formed, a central staff was also created to implement the decisions of the committee. Central committee meetings were chaired by Seale and dealt with long-range and day-to-day problems. These sessions were strongly influenced, however, by Chief of Staff Hilliard, a friend whom Newton brought directly into the party as a captain around April 1967.

With both Newton and Cleaver jailed after April 1968 and Seale engaged in national lecture tours, David Hilliard began to assume more and more responsibility in organizational matters. Sources close to the national operation described the central committee as having pretty much of a rubber-stamp function in this respect.⁷

CHARTERING LOCALS

During the spring of 1968 Seale and David Hilliard began "chartering" groups in various cities of the United States that were in growing numbers calling themselves Black Panthers.

⁶ The common use of local chapter headquarters as a Panther "pad" was described in HCIS hearings on BPP, and the communal arrangement for California Panthers was discussed by Anthony, *Picking Up the Gun*, Seale, *Seize the Time*, and by a former Oakland Panther interviewed by the committee.

⁷ See HCIS hearings on BPP, pt. 4, exhibit 8.

Charters (meaning a statement that national headquarters recognized a group as one of its official chapters) were granted only to groups which agreed to meet qualifications established by the national office. This decision was dictated by the Panther leadership's desire to exert more control over the mushrooming Panther movement throughout the country.

Persons who aspired to lead new chapters were eventually required to appear at the Panther national headquarters in Oakland for 6 weeks of training and indoctrination. Trainees attended so-called political education classes and learned administrative and reporting procedures to keep the national office informed about chapter activity and local black community news relevant to the Panther program. This cross section of information was intended to assist the national office in assuming proper stances on national issues while, at the same time, providing administrative inspection and control of local chapter activities.

Individuals approved by top Panther leaders were permitted to form a BPP chapter. The chapter heads assumed one or another of the following ranks: deputy chairman, defense captain, or deputy defense minister. Chapter leaders, directly responsible to the national headquarters, were required to submit periodic reports of their activities and financial status.

Individual large or well-run chapters such as the Kansas City, Chicago, and New York organizations were given "regional" authority to help headquarters supervise chapters separated by thousands of miles. Weekly reports were to cover significant political or organizing activities of members; successes or failures in implementing established Panther programs; proposals for new programs; content of discussions in political education classes; and liaison with other groups. Monthly financial reports were to reflect amounts collected at rallies, contributions and names of significant contributors, legal expenses, operational expenses, and the like.

In a variety of ways the national office attempted to compel local chapters to submit these weekly and monthly reports, to remit a percentage of proceeds from the sale of the Panther paper, and to carry out community programs devised at the Oakland headquarters beginning in 1969.

At times a chapter leader was summoned to Oakland; at others, a national officer or a leader from some chapter serving as a "regional" supervisor made on-the-spot investigations of errant chapters. Penalties ranged from admonitions to suspension or expulsion of various chapter officers and members.⁸

In situations in which the entire membership was not inclined to follow policies of the national office, the chapter charter was revoked. Hearings showed such was the fate of Black Panther Party chapters in Detroit and Omaha in the summer of 1969 and in Des Moines and Kansas City early in 1970.

The Chicago Panther organization exercised "regional" supervisory authority over Michigan and Indiana chapters when called upon to do so by the national headquarters. The New York Panthers supervised the Philadelphia branch of the brotherhood, while officials of the Kansas City Panther Party occasionally "straightened out" Panther affairs in Des Moines and Omaha.

⁸ See, for example, testimony before HCIS regarding BPP operations in Kansas City, Des Moines, Detroit, Indianapolis, and Philadelphia.

RULES ADOPTED BY THE PARTY

During a purge and reorganization of the Panther Party conducted by the national leadership in late 1968 and early 1969, *The Black Panther* announced members who did not obey the party's rules were "counter-revolutionaries." The rules, the party's official newspaper declared, "have been in existence since Huey P. Newton organized the Black Panther Party (including the three main rules of discipline and the eight points of attention)."⁹

Actually, Chairman Seale has acknowledged that the leadership did not draw up its first 10-point "rules" until sometime after February 1968 when Seale was jailed on a weapons charge and some of his fellow Panthers proved to be too indolent or unconcerned to help raise bail money for his release.¹⁰

These rules appeared in *The Black Panther* of October 26, 1968. The 10 instructions aimed principally at abuses in the area of narcotics, alcohol, gun handling, and petty crime. Expulsion was promised to party members on hard drugs. Possession of marijuana and other so-called soft drugs was forbidden "while doing party work," as was intoxication from drugs or alcohol, especially when carrying weapons. "Unnecessary" use of a weapon was proscribed without further specifics. Also officially banned were so-called crimes against "black people" and one of Mao's injunctions was used as an illustration: a party member "cannot steal or take from the people, not even a needle or a piece of thread."

Orders to members to attend party meetings and learn the party's 10-point platform and program rounded out the Panthers' first published effort to exert control over a membership that was loosely administered and undisciplined while the party concentrated on the Newton murder trial in 1968.¹¹

In the January 4, 1969, edition of *The Black Panther*, a list of 26 rules appeared with the notice that violations would lead to suspensions or other disciplinary action.¹² Most of the 16 new rules added to the original 10 dealt with administrative measures to insure activity of chapter members on paper sales and Panther community projects. Previously described reports accounting to the national office on chapter activity, finances, and news for the party publication were prescribed in these new rules.

Other significant additions were instructions to all Panthers to "learn to operate and service weapons correctly," and to have "first aid" or "medical cadres." Branches were also warned against accepting poverty funds or other Government money without contacting national headquarters on the subject.

The new rules put a new party stress on "political education" which had begun in 1968. For example, the new rules required Panthers in leadership positions to "read no less than two hours per day to keep abreast of the changing political situation"; called for "political education classes" for the general membership; and insisted that every chapter adhere to "the policy and the ideology laid down by the Central Committee" of the party.¹³

⁹ *The Black Panther*, Jan. 4, 1969.

¹⁰ Seale, *Seize the Time*.

¹¹ Anthony, *op. cit.*, and Mr. and Mrs. Larry Powell described the disorganized state of the party at this time.

¹² See list of 26 Panther Party rules, p. 74.

¹³ See discussion of the Panther "ideology" at this period in ch. V.

[*The Black Panther*, Jan. 4, 1969, p. 20]

RULES OF THE BLACK PANTHER PARTY

CENTRAL HEADQUARTERS
OAKLAND, CALIFORNIA..

Every member of the **BLACK PANTHER PARTY** throughout this country of racist America must abide by these rules as functional members of this party. **CENTRAL COMMITTEE** members, **CENTRAL STAFFS**, and **LOCAL STAFFS**, including all captains subordinate to either national, state, and local leadership of the **BLACK PANTHER PARTY** will enforce these rules. Length of suspension or other disciplinary action necessary for violation of these rules will depend on national decisions by national, state or state area, and local committees and staffs where said rule or rules of the **BLACK PANTHER PARTY** WERE VIOLATED.

Every member of the party must know these verbatim by heart. And apply them daily. Each member must report any violation of these rules to their leadership or they are counter-revolutionary and are also subjected to suspension by the **BLACK PANTHER PARTY**.

THE RULES ARE:

1. No party member can have narcotics or weed in his possession while doing party work.
2. Any party member found shooting narcotics will be expelled from this party.
3. No party member can be **DRUNK** while doing daily party work.
4. No party member will violate rules relating to office work, general meetings of the **BLACK PANTHER PARTY**, and meetings of the **BLACK PANTHER PARTY ANYWHERE**.
5. No party member will **USE, POINT, or FIRE** a weapon of any kind unnecessarily or accidentally at anyone.
6. No party member can join any other army force other than the **BLACK LIBERATION ARMY**.
7. No party member can have a weapon in his possession while **DRUNK** or loaded off narcotics or weed.
8. No party member will commit any crimes against other party members or **BLACK** people at all, and cannot steal or take from the people, not even a needle or a piece of thread.
9. When arrested **BLACK PANTHER MEMBERS** will give only name, address, and will sign nothing. Legal first aid must be understood by all Party members.
10. The Ten Point Program and platform of the **BLACK PANTHER PARTY** must be known and understood by each Party member.
11. Party Communications must be National and Local.
12. The 10-10-10-program should be known by all members and also understood by all members.
13. All Finance Officers will operate under the jurisdiction of the Ministry of Finance.
14. Each person will submit a report of daily work.
15. Each Sub-Section Leaders, Section Leaders, and Lieutenants, Captains must submit Daily reports of work.
16. All Panthers must learn to operate and service weapons correctly.
17. All Leadership personnel who expel a member must submit this information to the Editor of the Newspaper, so that it will be published in the paper and will be known by all chapters and branches.
18. Political Education Classes are mandatory for general membership.
19. Only office personnel assigned to respective offices each day should be there. All others are to sell papers and do Political work out in the community, including Captains, Section Leaders, etc.
20. **COMMUNICATIONS** — all chapters must submit weekly reports in writing to the National Headquarters.
21. All Branches must implement First Aid and/or Medical Cadres.
22. All Chapters, Branches, and components of the **BLACK PANTHER PARTY** must submit a monthly Financial Report to the Ministry of Finance, and also the Central Committee.
23. Everyone in a leadership position must read no less than two hours per day to keep abreast of the changing political situation.
24. No chapter or branch shall accept grants, poverty funds, money or any other aid from any government agency without contacting the National Headquarters.
25. All chapters must adhere to the policy and the ideology laid down by the **CENTRAL COMMITTEE** of the **BLACK PANTHER PARTY**.
26. All Branches must submit weekly reports in writing to their respective Chapters.

PURGE OF PARTY MEMBERS

The writing of rules was only part of a general reorganization of the Panther Party, nationally and locally, in 1968 and 1969. The same January 4, 1969, issue of *The Black Panther* contained the first announcement that a purge of Panther membership was underway.

A "press conference" statement by the central committee of the party, appearing in the first Panther paper of the new year, denounced acts by "provocateur agents, kooks, and avaricious fools" who had found their way into the party.

The immediate object of the purge were members who had been apprehended in the course of criminal activity in the Oakland area in recent months and who brought considerable adverse publicity to the party.

The purge officially began in January 1969 under the direction of Seale and David Hilliard. They halted the admission of new members into the party for 3 months to facilitate the weeding out of members considered liabilities by the national leadership for one reason or another.¹⁴

Some preliminary purging was undertaken as early as September 1968, it appeared. Serving as a stimulus were such incidents as:

(1) a \$34 gas station holdup in Oakland on July 25, 1968, for which a Panther deputy minister of defense was caught;

(2) an attempt by six armed Panthers to rob a grocer of \$200 in broad daylight on a main street in an unspecified location in 1968;

(3) the arrest of Willie Lee Brent and seven other Panthers who allegedly used a Panther Party paper delivery truck emblazoned with party emblems in an \$80 gas station robbery in San Francisco on November 19, 1968. Three police officers were wounded in a shoot-out which resulted when they approached the Panther truck.¹⁵

(4) a night club holdup in Oakland in December 26, 1968, by Larry Powell, member of the central staff at Panther national headquarters, which led to Powell's arrest.¹⁶

Seale admitted that it had been party policy to bail out Panthers arrested for criminal activity but that by late 1968, the recklessness of some of the Panthers was bringing unfavorable publicity to the party and it was also draining finances at a time when the party was soliciting in black and white communities for legal defense of the top leadership. An acknowledged headquarters policy of refusing to pay some of the bonds and legal fees late in 1968 fed a growing disaffection in the party's ranks. A former Oakland Panther interviewed by HCIS supported ex-Panther Powell's contention before a Senate subcommittee that Chief of Staff Hilliard used his growing authority over the organizational and financial affairs of the party to "play favorites" in dispensing bail funds and other expenses. Both complained that Hilliard's stand was indefensible because he had per-

¹⁴ Seale, *Seize the Time*; *Guardian*, Feb. 21, 1970. See also discussion of background events leading to the purge, appearing in ch. III, pp. 51 ff.

¹⁵ Brent was the only Panther named in the party's first official announcement of its purge of members who violated rules. Rowing acts of banditry were the main concern of this initial Panther statement.

Brent was slated to go on trial in San Francisco on June 23, 1969, for assault with a deadly weapon, as a result of the November 19 incident. On June 17, 1969, he was alleged to have hijacked an airplane to Havana. (See *People's World*, Dec. 7, 1968, p. 3, and *Washington Post*, June 21, 1969.)

¹⁶ Descriptions of some of the incidents which encouraged a purge of the party's ranks early in 1969 are contained in Seale, *Seize the Time*, and *Guardian*, Feb. 1, 1969. Larry Powell described his experiences to the Senate Permanent Subcommittee on Investigations on June 18, 1969, *op. cit.*

sonally authorized "rip offs" with a percentage of the proceeds going to the national office.

Statements of former Panthers before HCIS made it clear that theft per se was not rejected by many Panther officials and members, but the discovery of such activity—leading to unfavorable publicity for the party and a drain on its legal defense funds—was a prime concern.

In a double-barreled effort to strengthen the party organizationally as well as to improve its image, the leadership sought to rid itself of four types of members, according to Seale: the foolish and selfish "jackanapes" who were more interested in marijuana and wine than the party and used their guns to "rip off" what they needed; the Panther nonfunctional because of intoxication on drugs or alcohol; the "status seekers" who were attracted to a uniform but not to work on party projects; and Panthers so extremely nationalistic that they could not work with the party's white allies.¹⁷

The party allegedly sought to rid itself of responsibility for the actions of every black American wearing a leather jacket and black beret by banning the wearing of the beret except at ceremonial occasions in this period. This had the effect of playing down the paralytic military aspect of the party—which was also the intended result of a party decision to stop classifying leadership according to military rankings such as captain, lieutenant, sergeant, and corporal.¹⁸

Between March and August 1969, the Panther paper published lists of expelled members which altogether totaled about 250 Panthers. Reasons were not cited in every case, but the lists revealed that 62 were banished for being "renegades," 24 for being "counter-revolutionary," and eight for informing for law enforcement agencies. A simple "desire to leave the party" was among the reasons given for some "purges."¹⁹

When those forced out were combined with Panthers disenchanted and voluntarily quitting the party, Seale's figure of more than 1,000 "purged" Panthers does not seem unreasonable.

ENFORCING THE PANTHER REORGANIZATION

As previously noted, the national Panther organization summoned chapter representatives from around the Nation to a "national retreat" at the Berkeley headquarters in mid-November 1968. The Panther paper throughout the early months of 1969 made the locals aware of purges of members and entire chapters as they occurred in various parts of the country.

The party lacked sufficient national staff, however, to send representatives on chapter inspection trips which would help to ensure local implementation of national programs and policy, according to a former national officer.²⁰ Ray "Masai" Hewitt, the new national minister of education, made a trip to the Detroit Black Panther chapter in this period and checked on the record-keeping procedures of local officials. "Field Marshal" Donald Cox also played inspector to some extent.

¹⁷ Seale, *Seize the Time*.

¹⁸ *Ibid.*

¹⁹ HCIS hearings on BPP, pt. 4, exhibit 4.

²⁰ HCIS hearings on BPP, pt. 4, testimony of Frank B. Jones.

For the most part, chapters subject to committee investigation were inspected by officials from nearby chapters designated by the national office. Under the instructions of such "regional" inspectors, they were persuaded to start "political education classes" for members (as in Philadelphia), to increase local sales of the Black Panther newspaper (an order to the Kansas City chapter), or to send to the national office monies owed on paper sales (as in the cases of the Kansas City, Indianapolis, and Detroit chapters).

Representatives from California appeared in Detroit in the spring of 1969 to expel some of the chapter members and to install an almost entirely new slate of chapter officers (allegedly because of inactivity and money shortages).

Testimony of former Panthers indicated that local officers resented and sometimes resisted efforts of other chapters as well as national headquarters to tell them what to do.²¹

National headquarters ordered the closing of its Detroit chapter in the summer of 1969 when a local deputy minister of defense was fatally shot in the chapter office and Detroit Panther officers refused to explain the incident to the Berkeley office. A National Committee to Combat Fascism was formed to carry out the Panther "community service" programs in Detroit thereafter.²²

Failure to follow policies set by the national headquarters also resulted in the expulsion of the founder and head of the Omaha Black Panther chapter in March 1969 and the entire chapter by August of 1969. An NCCF subsequently authorized to operate in Omaha was disowned without explanation in *The Black Panther* of July 25, 1970. A published statement by Assistant National Chief of Staff Roosevelt Hilliard stated that the Omaha chapter's chieftain was ousted in 1969 for "reluctance to follow the party line" and for working and assisting in Government-sponsored programs which "mislead" black people and, in the Panther view, assure their continued "oppression" by the existing power structure.

The Des Moines chapter of the Black Panther Party was read out of the national organization in February or March 1970, and the Kansas City chapter suffered the same fate by May 1970. The Missouri group was shut down after the completion of HCIS public hearings on the organization, which had revealed that the chapter, under lackadaisical leadership, had dwindled to about six to eight members by early 1970. An ex-Panther from Des Moines testified before HCIS that some chapter members reportedly displeased the national office for their failure to work and for seeking, under the influence of white radicals, to parade as Maoist communists. Des Moines membership was also steadily declining after the April 1969 bombing destroyed chapter headquarters.²³

Actions taken in the case of chapters subject to testimony before the HCIS offered evidence that the national Panther leadership made a serious attempt to compel obedience to the headquarters in Berkeley.

However, testimony also supported Cleaver's comment in the summer of 1969 that the party had "great difficulty in maintaining party discipline" because of the type of "cats we had to deal with."²⁴

²¹ HCIS hearings on BPP, pts. 1 and 3, testimony of ex-Panther Donald Berry from Detroit, ex-Panther Tom Kearney of Philadelphia, and executive testimony of a former member of Kansas City Panther chapter.

²² HCIS hearings on BPP, pts. 3 and 4.

²³ HCIS hearings on BPP and Omaha *Star*, Aug. 7, 1969.

²⁴ See Cleaver, statement to West Germany journalist, Stefan Aust, *op. cit.*

Instances were discovered in which would-be Panthers followed the example of the Omaha National Committee to Combat Fascism and continued to operate in spite of withdrawal of recognition by the national organization, or did not even seek national recognition in the first place.

Investigation revealed that NCCFs were expected to account regularly to the national office on implementing Panther projects and fundraising and apparently were equally subject to discipline for failure to remit funds, adhere to the national "political" line, and other party rules.

The admission of whites to membership gave an NCCF chapter a broader base of operations for fundraising and propaganda purposes. To black members, however, it represented less than full Panther status, particularly since an NCCF unit was sometimes built from the remnants of a Panther chapter which was closed because it had been found wanting by the national officers on the score of accomplishments, number of dedicated members, or compliance with national dictates. Investigation showed black members thought of an NCCF chapter as a kind of "proving ground" in which they were being given an opportunity to prove they merited the designation Black Panthers. Reports from local NCCFs in the Panther paper often referred to the committees as "organizing bureaus" for the party.

The purge of the Panther Party, followed by creation of affiliates known as National Committees to Combat Fascism, served a party desire to have a smaller membership of dedicated revolutionaries who could be trusted, according to a member of the Detroit party in this period.

The party was concerned about police informers in the membership and also had no use for "paper Panthers" who only showed up at rallies and other special events where they could pose in black leather jackets and berets.

As an "organizing" agent for the party, NCCFs recruited, taught, and imposed party tasks such as paper sales. Black members considered it a test period to show headquarters a core of dedicated workers existed on which to found a regular party chapter, the Detroit Panther said.²⁵

COMMUNITY CENTERS ADDED TO ORGANIZATIONAL STRUCTURE

In 1970, community centers or community information centers were added to the organizational structure of the Panther Party on local levels.

They were set up in some cities where a Panther chapter also operated. In at least one case its address was the same as Panther headquarters (as in Seattle); but more often they were at completely different locations (as in San Francisco, Los Angeles, Denver, and Indianapolis). In such cities as Atlantic City, N.J., Hartford and Bridgeport, Conn., and Riverside and Compton, Calif., the party was represented solely by a community information center, according to the Panther paper.

²⁵ HCIS hearings on BPP, pt. 3, testimony of Donald Berry. The *Guardian* of Aug. 8, 1970, claimed that the Berkeley NCCF was the sole predominantly white NCCF in the Nation and that the rest of the committees had become recruiters for local chapters of the party.

It appeared that the centers were a new and less formal "organizing bureau" for the party than the National Committees to Combat Fascism (which still continued to operate in numerous cities where no chapter or community center was to be found).

Community information centers in the Panthers' home territory of Oakland, committee investigation disclosed, sometimes doubled as living quarters for Panthers.²⁶ The Panther paper indicated that a center's function was the supervision of "community service" aspects of the Panther programs otherwise handled in a city by an official Panther chapter or NCCF. Oakland and Atlantic City community information centers, for example, were responsible for stimulating members of the black community to work with breakfasts for schoolchildren, liberation schools, petitions to decentralize police, health clinics, and political education classes for adults in the community. An Oakland center also advertised legal aid and voter registration assistance. A statement from an Oakland center in *The Black Panther* of May 31, 1970, explained:

The purpose of opening the community information centers is that we realize that in order to be close to the people in the community it is necessary that we locate ourselves among the masses. The centers will be able to reach more people and bring the Black Panther Party closer to the people.

The community centers are set up primarily as a base in the community for the people to identify with, work, and claim as their own.

* * * * *

Anyone can work in the Community Info. Centers. * * *

The purpose of a community worker is to arm themselves with the ideology of the Black Panther Party and to arm themselves politically and militarily.

By the fall of 1970, the facilities of the party in the Oakland area were physically located as follows: a national Black Panther Party headquarters at 1046-48 Peralta Street, Oakland; an office of the National Committee to Combat Fascism, located in former party offices at 3106 Shattuck Avenue, Berkeley, with a white married couple, Cecilia and Sol Levinson, serving as supervisors; and a "National Distribution" office for packaging and otherwise preparing the Panther paper for distribution, at 1336 Fillmore Street, in San Francisco.²⁷

The organizational picture on a local level also changed considerably between early 1969 and mid-1970.

As previously noted, in March 1969—before the creation of NCCFs and community information centers—the Panther Party claimed to have 25 "offices" located in 24 cities in 15 States.²⁸

In June 1970, the Panther paper reported 38 affiliates were functioning in 27 cities in 17 States and the District of Columbia. These affiliates were broken down into 14 chapters or branches²⁹ of the party, 10 National Committees to Combat Fascism, and 14 community information centers.

A comparison between the 1969 and 1970 lists showed that chapters or branches continued functioning in only 12 of the 24 cities originally listed. Ten chapters were dropped and in only two cases were they

²⁶ HCIS hearings on BPP, pt. 4.

²⁷ HCIS hearings on BPP, pt. 4. Early in 1971, the National Distribution was renamed Central Distribution.

²⁸ Two offices were located in New York City, according to a list in *The Black Panther*, Mar. 16, 1969.

²⁹ The San Francisco affiliate was called a "branch" and the New York City "chapter" also had two "branches."

replaced by NCCFs. NCCFs appeared in six cities and the District of Columbia, where no affiliates previously existed, while community information centers were listed in two Connecticut cities and three neighborhoods in the New York City area not previously the scene of organized Panther activity.³⁰

MEMBERSHIP IN A LOCAL PANTHER CHAPTER

There was little consistency, among chapters examined by HCIS, in requirements for membership. Some chapters "investigated" would-be members and required attendance at "political education" classes. Others made no effort beyond the common requirement that a Panther applicant memorize the party's 10-point platform and program.

In some chapters, membership applications were required and applicants were asked to indicate if they belonged to any of the following categories: student, dropout, laborer, housewife, unemployed, or "hustler."

One chapter investigated imposed a one-dollar initiation fee, and another chapter tried to collect three-dollar monthly dues, but others imposed no financial obligation on its members. All members were under obligation—by national edict—to contribute man-hours of labor to the party cause, which in 1969 and 1970 involved street sales of the party's weekly national paper (apparently a principal source of income for some chapters as well as for the national organization). Work on breakfasts for schoolchildren, health clinics, liberation schools, and petitions for community control of police was expected by national headquarters but not always forthcoming on the local level, HCIS hearings disclosed.³¹

Inquiries by the committee³² into the types of persons who joined the Black Panther Party revealed Panthers were usually between the ages of 18 and 23, with some chapters reaching down as low as 14-year-olds. Leaders were usually in their early twenties and often had some college education, whereas the membership might involve college students but had a greater proportion of high school dropouts. There was rapid turnover among Panthers with college backgrounds. Most of the members were unemployed or sporadically employed.

The Panther Party provided bed and board for many of its hard-core members, who often bunked at the same building designated as chapter headquarters. An average hard-core membership of 21 was recorded for Panther chapters on which HCIS was able to obtain information.

In at least 16 instances, a Black Panther chapter was organized by individuals who had been active in some other nationalist-oriented group using such titles as Black Vigilantes, Black Society, and Afro-American Unity Movement.

The members of most of the Panther chapters on which information was available acquired firearms and also, in some instances, explosive materials. Eleven chapters acquired and stored firearms in such

³⁰ *The Black Panther*, June 20, 1970.

³¹ See ch. III, pp. 50-57 for further discussion of the community programs.

³² In addition to the seven Black Panther Party chapters on which HCIS received testimony, a questionnaire was sent to police departments in cities where chapters were reported to have been active. Police departments in 42 cities responded with information on local Panthers which was summarized as exhibit 1 to pt. 4 of HCIS hearings on BPP.

excessive quantities that police departments felt they constituted "stock piles" of weapons.

A majority of the leaders of party chapters surveyed had criminal records, which corresponded with the backgrounds of the national leadership. In the year 1969 alone, 348 Black Panther Party members across the country were arrested for serious crimes, including murder, armed robbery, rape, bank robbery, and burglary, the FBI Director informed Congress.³³

Some Panthers condoned thievery, it has been noted, and one current Panther chapter leader declared he did not consider an arrest or even conviction to be a sufficient criterion for expulsion. Newton did not believe stealing was a justifiable way to advance the party's revolutionary cause, according to a former national Panther officer, and Panthers who "liberated" (stole) goods were regarded as acting on their own. The practice was blamed on lack of discipline at all levels of the organization. There were observable changes in some areas which may have been the effects of the party's reorganization and purge of late 1968 and early 1969. Larceny by Panthers in the Oakland area—which in 1968 had been encouraged by Hilliard himself, according to previously noted testimony—disappeared from headlines. Quite a striking change of image was effected by the Panther Party chapter in Seattle.

Extensive HCIS investigations in Seattle disclosed that half of the 81 persons who were associated with the chapter at some time after its formation in April 1968 had arrest records, most of them for various forms of larceny. Their records were compiled after they joined the party as well as in previous years.

The Seattle chapter has been previously described as one of the more militant locals whose paramilitary activity in 1968 included close order drills, target practice and guerrilla warfare instruction. Leaders also collected dynamite and handgrenades in addition to the usual supply of guns. Even women Panthers—who usually made up about one-fourth of a chapter's membership—were instructed to learn how to use guns and administer first aid.

A witness who appeared before HCIS in executive session swore to having heard a dozen members of the chapter plan to commit various criminal acts, or discuss them after the fact, in the period from September 1968 through March 1969. The acts included five major robberies, five burglaries, and two attempted extortions of merchants followed by arson. One Panther, Welton Armstead, died from police bullets during a search for a suspect in a stolen auto case, previously described, and a second Panther was killed by a grocer during an attempted holdup in December 1968. According to the witness, one of the top chapter officers knew about every robbery that was committed and expected the perpetrators to split the proceeds with him. One chapter member reportedly was expelled when he refused to turn over one-fifth of the proceeds of certain robberies to this officer.³⁴

When the community service image was inaugurated at the direction of the national office in 1969, Seattle chapter members dispensed with open display of weapons, paramilitary drilling, and eventually their

³³ J. Edgar Hoover, testimony before House Appropriations Subcommittee, Mar. 5, 1970.

³⁴ HCIS hearings on BPP, pt. 2.

uniforms. Three breakfast programs were put into operation in Seattle, along with a medical clinic. Interestingly, the chapter achieved its peak membership in the summer of 1968 during its paramilitary phase. Some 25 to 30 hard-core Panthers who could then count on about 200 supporters dwindled by the spring of 1970 to eight to 15 members with vastly diminished influence.

The Kansas City chapter of the Panther Party, also subject to thorough-going investigation by HCIS, was formed almost a year later than the Seattle chapter—on the last day of January 1969. After only a few weeks of armed “patrols” of police cars in imitation of the Oakland Panthers of an earlier period, difficulties with the law forced them into other projects including community services such as the breakfast programs. Of the approximately 50 individuals who passed through the party in the 15 months it operated, 40 of them had arrest records—again principally for some type of larceny. Investigation showed, however, that most of the criminal activity—in contrast to the situation in Seattle—occurred prior to their Panther careers.

The Indianapolis Black Panther chapter, organized in September 1968 and still functioning at the time of committee hearings on the group in July 1970, did not follow the pattern of either the Seattle or Kansas City Panthers. Investigation revealed no arrests of a chapter member for criminal activity.³⁵

WHY PANTHERS JOIN AND LEAVE THE PARTY

Former Panthers from the Oakland headquarters and chapters in Detroit, Kansas City, and Philadelphia—though separated by great distances—voiced to HCIS the same belief that, in joining the Black Panther Party, they expected to better conditions for residents of black communities.

An ex-national officer explained he hoped the new armed “self-defense” line introduced by the Panther Party might combat racism and other problems of blacks which other organizations had failed to solve. The introduction of “community service” programs strengthened such expectations among the membership.

Other motives, admittedly held even by some of those who felt the party had a positive role to play in the black community, included resentment of police officers as a real or symbolic “oppressive” force in their lives. Many members were reportedly attracted, however, by the novelty of the organization and merely sought to satisfy their curiosity. Others were characterized as publicity seekers, drawn by the attention accorded to assemblages of Panthers equipped with black jackets and rifles. A great many members, particularly in the youngest age bracket, were lured by tough Panther talk about the violent fate they wished upon law enforcement authorities and the whole American “system.” To the immature, the Panthers were a new and exciting gang to “run with.”

Parents and the law reputedly helped to cut away many of the younger members. Prosecutions on weapons and other charges were also, in fact, responsible for the eventual disaffection of many Panthers of all ages, particularly when they discovered that bail funds were

³⁵ HCIS hearings on BPP, pts. 1, 2, 3.

not forthcoming from the organization which had put them in jeopardy in the first place.

Dictatorial attitudes by chapter leaders or regional and national representatives of the party turned away some members. The forced "political education" imposed on members in 1969 with lectures on Mao Tse-tung's advice for revolutionaries and on the advantages of socialism over capitalism also repelled black activists.

The leadership's overzealousness in seeking publicity and the derogatory approach to other black organizations and leaders led some idealistic members to question the sincerity of the party's proclaimed interest in "serving the people." Where benefits were negligible, disillusionment was hastened and it was reflected in declining chapter memberships.

PANTHER PARTY FINANCES

Information has been obtained from HCIS and other investigations on the various sources of Panther income as well as the expenses entailed by the Panthers. No hard and fast figures are available, however, which offer a complete picture of the flow of funds into and out of the party organization on either national or local levels. Bank records examined with care by committee investigators revealed only a part of the story of Panther finances.

At no time has the party filed any type of income tax return with the U.S. Internal Revenue Service. It has claimed exemption from taxation on the basis of its "political" nature.³⁶

From the fragmentary financial information on the public record, it cannot be said with certainty that the Black Panther Party is a "profitable" enterprise. From its earliest days, the party avowed the intention of providing only subsistence (not salaries) to Panthers willing to become "full-time revolutionaries."³⁷

However, the paramilitary nature of the organization resulted in an ever mounting financial burden in the way of lawyers' fees, bail bonds, and court costs. *The Black Panther* paper on February 21, 1970, listing some of the arrests of Panthers on charges ranging from petty theft to criminal conspiracy to commit murder, insisted: "The total amount of money we have paid on bails and fines since the beginning of the Black Panther Party until 1969 is approximately: \$5,240,-568.00." No corroboration is available for this figure.

In its early years as an operation limited to the Oakland-San Francisco area, the party obtained money from donations received for speeches at private homes and campuses, before church groups and other community organizations. Sums were also received from individual donors. Until the spring of 1967, Seale reported, a sizable profit was realized from Panther sales of "red books" (*Quotations from Chairman Mao Tse-tung*) to white "radicals and liberals." The party realized 70 cents for every dollar copy sold.

Almost from its inception, the party recognized and took advantage of the superior financial benefits that could be realized in the white community as compared with the black community. Major expenses of the party in 1966-1967 included the purchase of weapons to imple-

³⁶ The party's excuse was cited to HCIS Chairman Ichord in an Internal Revenue Service response to his query about the party's tax status. The Commissioner of the Internal Revenue Service also advised the chairman that a full-scale investigation of the party was under way to determine its liability for taxes.

³⁷ See Seale, *Seize the Time*.

ment a program of so-called "armed self-defense"; subsistence for full-time Panthers; and, particularly after the May 2, 1967, invasion of the California State Legislature, bail premiums and court costs.

Former Panthers informed the committee that thefts and robberies by Panthers were the answer of some members to the eventual failure of the party to provide subsistence or court costs to all but the top officers and favored friends.³⁸

The financial assets of the white community were heavily exploited in 1968 when the primary party expense was the cost of legal defense and a worldwide publicity campaign around the Newton murder trial.³⁹ Panther Captain Anthony described a speaking engagement in an actress' home in Los Angeles, one of many similar affairs arranged by the Peace and Freedom Party to aid the Newton defense fund—

many of them were really caught up in what I was saying, not how I said it, or because I was saying it, but because any Panther spending an hour or so to talk to them provided an emotional and intellectual catharsis. *They had done their part in the revolution by coming to listen to a revolutionary.*

After the presentation, I would make a fund-raising pitch, and we would pass around a collection plate.⁴⁰

For the Newton defense fund campaign, Panthers also sponsored rallies and sold buttons, badges, and posters.

Soon after April 1968, when the national Panther hierarchy began granting official recognition to local Panther chapters around the country, local chapters were expected to conduct fundraising rallies, solicit contributions, and sell "Free Huey" buttons and posters to build up the national Panther bail fund.

On April 29, 1968, a bank account of the Black Panther Party national headquarters was opened in Emeryville, Calif., with an initial deposit of \$710.50. The activity of this account progressively increased and total deposits amounted to \$171,943.24 by October 1970. However, an examination of the account year by year revealed that average monthly deposits in 1968 were \$4,018; in 1969 they dropped to \$2,465 per month; but in 1970 they rose (due to several extremely large deposits) to \$11,798 per month. In 1970 some of the large deposits reflected donations toward the \$50,000 bail on which Newton was released from jail in August of that year. The account was overdrawn by almost \$400 when it was last examined by the HCIS staff in October 1970.

Only individuals authorized to draw funds from this headquarters account as of June 4, 1970, according to bank records, were Chief of Staff David Hilliard; Patricia Hilliard, David's wife and national "finance secretary"; and Roosevelt Hilliard, David's brother and national assistant chief of staff.⁴¹

As legal difficulties of national and chapter leaders increased in late 1968 and 1969, supporters staffed fundraising committees with such names as the Los Angeles Friends of the Panthers, Legal Defense Committee of the New York Panther Party, and later the New York

³⁸ HCIS hearings on BPP, pt. 4, exhibit 8.

³⁹ In addition to soliciting contributions to a Huey P. Newton Legal Defense Fund, the party also had to raise bail and other expenses as a result of numerous weapons charges against the headquarters group in 1968. The party paid bail premiums of \$4,000 as a result of arrests of Seale and others on Feb. 25, 1968, according to *The Black Panther*, Mar. 3, 1969.

⁴⁰ *Picking Up the Gun*, p. 114.

⁴¹ Results of HCIS investigations into funds of national headquarters are summarized in HCIS hearings on BPP, pt. 4, exhibit 25.

Committee to Defend the Panthers. An appeal for legal defense and bail funds was also the purpose of an Emergency Conference To Defend the Right of the Black Panther Party to Exist, held March 7 and 8, 1970, in Chicago. Officials of the CPUSA, despite their theoretical differences with the Panthers, were among the participants in the affair which led to the creation of a continuations committee to carry on the cause.⁴²

Individual donors were shown to be an important source of funds and though many contributions were small, some were fairly substantial gifts. For example, deposits in a national headquarters' bank account included a \$20,000 cashier's check purchased from a New York bank on July 23, 1970. Notations on the check indicated it was a gift from an anonymous donor to the Panthers' breakfasts for schoolchildren program. Committee investigation disclosed the donor was Paul Moore III, a New York City resident who later moved to Berkeley, and that the \$20,000 was withdrawn from the account on August 5, 1970, and applied toward the \$50,000 bail required for the release from prison of Minister of Defense Newton.⁴³

The party was the recipient of a \$17,000 gift in 1970 from the estate of the late Anna Louise Strong, American Communist ex-patriate who died in Red China. Legal defense funds amounting to \$10,000 were assured from movie executives and other prominent New Yorkers attending a cocktail party given by orchestra conductor Leonard Bernstein in January 1970. FBI Director Hoover informed a House Appropriations Subcommittee on March 17, 1971, that "The chief form of financial support for the Black Panther Party has been contributions from sympathetic donors."

The campus speakers' circuit eventually offered another lucrative source of funds for both national and chapter leaders. Statistics compiled by the Federal Bureau of Investigation revealed that Panther leaders made 189 appearances on high school and college campuses during 1969, in contrast to 11 such appearances in 1967. Speaking fees went as high as \$1,900 plus transportation costs in some instances.⁴⁴

The FBI Director disclosed on November 19, 1970, that Newton was asking a fee of \$2,500 plus travel expenses for a speaking appearance on a college campus.⁴⁵ Chairman Seale and other Panther leaders claimed to have received speaking fees ranging from \$500 to \$1,000 before unidentified groups in 1968.⁴⁶

During the testimony of Richard Shaw, committee investigator, he was asked by counsel:

How do many of the Panthers regard the white element who significantly contribute money?

Mr. SHAW. Stupid, patsies, more money than sense. There is no regard or respect for these individuals who contribute money on behalf of the Black Panther Party from this element.

Mr. ROMINES. What is the Black Panther Party's policy concerning members having jobs?

Mr. SHAW. They are discouraged from having jobs.

Mr. ROMINES. Were you informed as to why?

⁴² *Ibid.*

⁴³ HCIS hearings on BPP, pt. 4, testimony of Investigator Neil Wetterman and exhibit 27.

⁴⁴ FBI Director J. Edgar Hoover, testimony before House Appropriations Subcommittee, Mar. 5, 1970.

⁴⁵ Testimony before House Appropriations Subcommittee, Nov. 19, 1970.

⁴⁶ Seale, *Seize the Time*.

Mr. SHAW. Yes; it is felt that party business is too time consuming and to be gainfully employed would interfere with the amount of time you could make available to the party.

Mr. ROMINES. Are active members, who are not gainfully employed, given any subsistence money by the party?

Mr. SHAW. No, they are not.

Mr. ROMINES. Did your source of information indicate to you how some of the rank-and-file members decided to obtain subsistence money?

Mr. SHAW. Yes; they committed acts of larceny, burglary, robberies.⁴⁷

THE PARTY PAPER

On November 25, 1969, a San Francisco bank account in the name of the Black Panther Party "National Distribution" was opened with a \$1,000 deposit. The account recorded financial transactions relating to the party's paper.

Although the paper was introduced in April 1967, it was published sporadically until early 1969 when it became a regular weekly chronicler of nationwide Panther activity and other developments of interest to the party, national and international. The yearly subscription rate was \$7.50, but most sales were by members of chapters hawking them at 25 cents a copy.

In 1969 the national office usually received 12.5 cents per copy sold. The local chapter, which retained the remainder, sometimes gave 5 of its 12.5 cents to an individual salesman as incentive to meet quotas set for the chapter by national headquarters.⁴⁸ Of the national office's share, about 5 cents' profit was realized after production and shipping costs were subtracted, according to Chairman Seale.⁴⁹ The paper, therefore, became an important, relatively predictable source of income for the national organization. Calculations on the basis of HCIS investigations led to the estimate that 140,000 copies of the paper were circulated in the United States weekly in 1970. In a statement to a House Appropriations Subcommittee on March 17, 1971, FBI Director Hoover put the weekly circulation at "nearly 100,000 copies."

Deposits in the National Distribution bank account for the 11 months preceding October 1970 totaled \$447,817, or an average of \$40,000 per month. In a sample 1-month period, telegraphic money orders, apparently reflecting payments for newspapers from local affiliates, were received from 30 cities in a total amount of \$38,758.88. Signatories to the party's National Distribution bank account included Sam Napier, head of the paper's circulation department; Patricia Hilliard as finance secretary and three other women designated as "secretaries."⁵⁰

LOCAL CHAPTER FINANCES

As previously noted, Panther leaders and some of the hard-core members, often unemployed, depended for subsistence on the Panther Party among other sources of income. Chapter headquarters, as in Kansas City and Seattle, provided lodging and sometimes a place for communal meals for a group of Panthers.

⁴⁷ Black Panther Party hearings, pt. 4, p. 4743.

⁴⁸ HCIS hearings on BPP, pt. 4, has testimony specifically related to the preparation, distribution, and sale of the party's paper.

⁴⁹ *Seize the Time*.

⁵⁰ HCIS hearings on BPP, pt. 4.

A chapter's "expenses" therefore would involve subsistence for certain members as well as headquarters rent, utilities, cost of vehicles and travel, printing, and bail money.

Chapters relied for their income—to varying degrees—on sales of the Panther paper, fundraising rallies, speakers' fees or "passing the plate" after a speaking engagement, and donations from organizations and individuals. Evidence that robberies and burglaries supplemented the income of members and officers in some chapters has already been discussed.

Chapter members pressured merchants in black communities for food and funds for the free breakfasts for schoolchildren and other community "service" programs on the Panther agenda. Use of a portion of such food and/or funds for the personal subsistence of members was reported in Seattle, Kansas City, Indianapolis, and Philadelphia. In Seattle a group of Panthers was maintained for 2 months with the help of Government food stamps.

Variations in the financial situation of Panther chapters are illustrated by those investigated by HCIS. The national office imposed quotas of newspapers to be sold by chapters and sought to insure remittances by requiring payment for a previous week's papers before new deliveries were made. The Detroit and Indianapolis chapters, however, were at times unable to make the sales effort expected of them and were in arrears or losing money in an effort to make up the deficit. The paper was a source of income, however, in Des Moines, Philadelphia, Omaha, and Kansas City.

Speaking engagements were the main source of funds for the Indianapolis chapter, with up to \$200 netted from some out-of-town appearances. They were also essential to the support of Philadelphia and Des Moines Panthers who spoke before community and college groups. The hat was passed or speaking fees were charged. Kansas City Panthers scheduled their own fundraising rallies with speakers to build their treasury.

Paper sales and speechmaking were also cited as the principal sources of funds for Panther affiliates by police departments responding to HCIS questionnaires regarding Panther activity in their cities.⁵¹

Donations or contributions formed a third important source of a chapter's funds. Church groups and college organizations or individual students were repeatedly identified as contributing to subsistence or legal defense needs. A church agency furnished rent-free headquarters, utilities, bail funds, and some employment to Panthers in Kansas City. White college students helped out Panthers in Des Moines. In Ann Arbor, a group of white "hippie-type" youths formed the White Panthers to build sympathy for the party in poor white communities and also to provide financial support for a brief period in 1968-1969. Some chapters such as that in Indianapolis enjoyed the largesse of an "angel" who donated \$3,000 over a 9-month period and loaned his credit cards for Panther travels.

Party membership was the sole occupation of many Panthers, but the standard of living afforded was far from luxurious, and the income was unreliable. Police departments reporting to HCIS on active Panther Party affiliates in 25 cities rated 19 of them as barely solvent, five as seriously in debt, and only one in good financial condition.

⁵¹ HCIS hearings on BPP, pt. 4, exhibit 25.

PARTIAL LIST OF LOCAL AFFILIATES OF BLACK PANTHER PARTY, ACTIVE AND INACTIVE¹
(National Hq. (1970-71) 1046-48 Peralta St., Oakland, Calif.)

State and city	Type of affiliate and date organized, if known		National Committee to Combat Fascism	Community information center	Inactive by late 1970	Active latter part of 1970 or early 1971
	Chapter	Branch				
California:						
Bakersfield	X (Feb. 68)					X
Berkeley			X			X
Compton			X			
Fresno	X (Sept. 68)				X	
Los Angeles	X (Feb. 68)			X		X
Watts		X				
Oakland				X		
Richmond	X (May 68)					X
Riverside			X			
Sacramento	X (June 68)				X	
San Diego	X (May 68)				X	
San Francisco		X		X		
San Quentin		X (71)				X
Santa Ana	X (Mar. 69)					
Vallejo	X				X	
Colorado: Denver ²	X (Nov. 68)		X (Aug. or Sept. 70)	X		X
Connecticut:						
Bridgeport			X			X
Hartford			X			X
New Haven	X					X
Delaware: Dover			X (Mar. 70)			X
District of Columbia ²	X (June 70)		X (Early 70)	X		X
Illinois:						
Chicago	X (June 68)					X
Peoria	X (Sept. 69)				X	
Rockford	X (Early 69)					X
Indiana: Indianapolis	X (Sept. 68)			X		X
Iowa: Des Moines	X (July 68)				X	
Louisiana: New Orleans			X (June 70)			X
Maryland: Baltimore ²	X		X			X
Massachusetts:						
Boston	X (1968)					X
Cambridge			X (1969)			X
New Bedford			X			X
Michigan:						
Detroit ²	X (1967)		X (1969)			X
Flint			X			X
Minnesota: Minneapolis	X				X	
Mississippi: Cleveland			X (Jan. 70)		X	
Missouri: Kansas City	X (Jan. 69)				X	
Nebraska: Omaha ^{2,3}	X (summer 68)		X (Aug. 69)			X
New Jersey:						
Atlantic City			X (Sept. 69)		X	
Jersey City ²	X		X			X
New Brunswick			X			
Newark	X (1968)				X	
New York:						
Albany	X (1968)				X	
Buffalo			X			X
Mount Vernon				X		X
New York City	X					X
Bronx				X		X
Brooklyn		X				X
Corona		X		X		X
Harlem		X				X
Jamaica		X		X		X
Washington Heights			X			X
Peekskill	X (1968)				X	
North Carolina: Winston-Salem						
			X			X
Ohio:						
Cincinnati			X			X
Cleveland			X			X
Columbus	X					X
Dayton			X	X		X
Toledo			X			X
Oklahoma: Tulsa			X		X	
Oregon: Portland			X			X

See footnotes at end of table.

PARTIAL LIST OF LOCAL AFFILIATES OF BLACK PANTHER PARTY, ACTIVE AND INACTIVE¹—Continued
(National Hq. (1970-71) 1046-48 Peralta St., Oakland, Calif.)—Continued

Type of affiliate and date organized, if known						
State and city	Chapter	Branch	National Committee to Combat Fascism	Community information center	Inactive by late 1970	Active latter part of 1970 or early 1971
Pennsylvania:						
Harrisburg				X		X
Philadelphia	X (June 68)	X (4)				X
Pittsburgh			X			X
Tennessee: Memphis						
			X			X
Texas:						
Dallas			X			X
Houston	"Office" ⁴					
Washington: Seattle ²	X (Apr. 68)		X (late 70)			X
Wisconsin: Milwaukee			X			

¹ This organizational chart does not purport to list all groups professing to represent the Black Panther Party in local communities at one time or another since the formation of the party in 1966.

The chart includes affiliates mentioned by 42 police departments which had responded to an HCIS questionnaire by the close of committee hearings on the BPP in the fall of 1970. The committee questionnaire was sent to 77 police departments in whose jurisdictions Panthers were alleged to have been active. The chart also includes lists of "recognized" affiliates printed in "The Black Panther," the party's official newspaper, on Mar. 16, 1969, May 9, 1970, and June 20, 1970, as well as the names of affiliates submitting articles to the party paper in late 1970 and early 1971.

Early in 1971 the Panther newspaper began to publicize affiliates not on its list of locals in 1970. They are located in San Quentin, Calif., Flint, Mich., Dayton, Ohio, and Memphis, Tenn.

² In some cities, a chapter of the Black Panther Party was superseded by an affiliate known as a National Committee to Combat Fascism. Testimony before HCIS disclosed that this occurred in Detroit, Mich., and Omaha, Nebr. The Panther newspaper early in 1970 publicized the activity of Panther "chapters" in Denver, Colo., Jersey City, N.J., and Seattle, Wash. Later in the year, it was reporting on NCCFs active in those cities.

This procedure was reversed for Panther activity in Washington, D.C., and Baltimore, Md. An NCCF, organized in the Nation's Capital early in 1970, became a "chapter" of the party in June of that year.

Organized Panther activity had been reported in Baltimore since 1968. Lists of recognized Panther affiliates appearing in the party newspaper in May 1970 referred to the Baltimore operation as an NCCF. Beginning in June 1970, the newspaper listed the Baltimore affiliate as a "chapter" of the party.

³ The Panther operation in Omaha was represented by a chapter of the party from about July 1968 until August 1969 when a reorganization was undertaken as a result of dissatisfaction by national headquarters with the performance of the members. The local then took the name, United Front Against Fascism, which was used from August 1969 until March 1970, when the name was changed to National Committee to Combat Fascism, according to HCIS hearings on the BPP. "The Black Panther" of July 25, 1970, announced that national headquarters had withdrawn recognition of the Omaha NCCF, but the Panther organization continued its activity.

⁴ A list of local "offices" of the Black Panther Party appearing in "The Black Panther" of Mar. 16, 1969, included Houston; lists published in 1970 included no such local.

CHAPTER V

CHANGING REVOLUTIONARY GOALS; MOUNTING DIFFICULTIES WITH THE LAW

The Black Panther Party grew out of the Black Power movement, but the Party transformed the ideology of Black Power, into a socialist ideology, a Marxist-Leninist ideology. * * * we have become not nationalists, like the Black Power movement in the past but internationalists."

(Huey P. Newton, interview in August 1970, in *The Black Panther*, January 16, 1971, p. 10.)

"Political education" classes for members of the Black Panther Party were held in every local affiliate investigated by HCIS. The classes began in Detroit and Philadelphia late in 1968, although chapters had been functioning there for quite some time.

The timing confirmed statements by former Panthers that "political education" of the membership was part of a sweeping purge and reorganization of the party undertaken late in 1968 and early in 1969.

Then national Minister of Education George Murray reportedly worked with some Los Angeles Panthers on a pilot political education program for section leaders in the summer of 1968 and devised mimeographed study kits which were later sent out to chapters. Longtime Panthers, as well as new members taken in after the temporary halt in recruitment in 1969, were to become "students." The party's previous absorption with military preparations, a former Panther explained, was being balanced by an effort to build a "successful political party" as well. A "unified political ideology" was to be transmitted by the national leadership to members throughout the country via "political education" classes.¹

The so-called "unified political ideology" at first meant little more than instructions to members to study "all revolutions" while learning the self-discipline which Mao Tse-tung had preached to Chinese communist revolutionaries.

A letter from party headquarters transmitting a study kit was in great part copied, without attribution, from advice given by Mao to his Chinese Red army troops in 1929. The national office, substituting the Panther Party where the name of the Red army had appeared, instructed its chapters almost 40 years later that defeat of an enemy relied not only on military action but also on political work. The latter included propaganda efforts among masses of people to organize them for a future revolutionary bid for political power.

A "mandatory" reading list in a study kit included Newton's essays on America's so-called "black colony"; the Chinese Communist Party chairman's *Quotations*; Fanon's *Wretched of the Earth*; three works by Ghana's procommunist Premier, Kwame Nkrumah; two

¹ Anthony, *op. cit.*

books on Malcolm X; Karl Marx's *The Communist Manifesto*; three works of Lenin; and Che Guevara's *Guerrilla Warfare*.²

Panthers were studying all revolutionary writings—communist and nationalist—since the time of Karl Marx, Chairman Seale announced in a speech at a Newton birthday celebration in Berkeley on February 16, 1969.³ As a "revolutionary black political party," Field Marshal Don Cox told a San Francisco rally, the Panthers "dig on all the people that held up the light before: Marx, Lenin, Stalin, Mao, Fidel, Che, Lumumba and Malcolm," and all those continuing to show the way—including fighters in Africa and Latin America, Ho Chi Minh in Asia, and the Palestinian guerrilla organization, Al Fatah.⁴

The Panther leaders repeatedly stressed they were selecting from noted revolutionaries that which appeared applicable to their own position in American society and would not get "hung up" on ideological differences over which white radicals were then split. Ray "Masai" Hewitt, then deputy minister of information in the Los Angeles chapter who within months would succeed Murray as national minister of education, explained in an interview:

We dig Chairman Mao, Ho Chi Minh, we have a profound love for Fidel Castro. I am not talking about their own individual ideological lines. We dig what they are doing. They resist and as long as they resist we have a chance to survive. * * *

ADVICE FROM MAO TSE-TUNG

Panther Party mottos, such as those emphasizing the need for the gun in achieving political power, were frankly borrowed from the Red Chinese party chief, Mao Tse-tung. With the introduction of political education for Panthers, Mao's *Quotations* or "red book" was a basic teaching tool in local chapters. A former Panther attached to the national headquarters group, as well as other witnesses before HCIS, said Mao's advice was followed "when applicable." The Panthers did not stress orientation toward "communism per se" but rather the discipline required of a revolutionary and the support of masses of people before a revolution can succeed.⁶

Wholesale borrowing from Maoist rules of discipline during the party reorganization was also evident when the Panthers first published their own 26 rules in their paper on January 4, 1969. The party appended "8 Points of Attention" and "3 Main Rules of Discipline" without attribution to Mao's *Quotations* in which they appeared in virtually the same form. Panthers thus were instructed to speak politely, pay fairly for what they buy, return everything they borrow, pay for anything they damage, not take a single needle or piece of thread from poor people, and obey orders in all of their actions. A Maoist injunction against damage to crops was changed by the Panthers to damage to property. This and other adjustments made instructions to Chinese peasant-soldiers more applicable to residents of an American urban center. The Chinese-based "8 Points" and "3

² One of the study kits was introduced in HCIS hearings on BPP, pt. 3, as exhibit 11. A study outline of the Indianapolis Black Panther chapter, introduced as exhibit 10 to the same hearings, required knowledge of past revolutions in Russia, China, Cuba, Algeria, other African nations, the Philippines, and Indonesia.

³ *People's World*, Feb. 22, 1969.

⁴ *The Black Panther*, Apr. 20, 1969.

⁵ Interview printed in *The Black Panther*, May 31, 1969, p. 16.

⁶ HCIS hearings on BPP, pt. 4, exhibit 8. Former Panthers reported to HCIS that Mao's advice was featured in political education classes for chapter members in Seattle, Kansas City, Indianapolis, and Philadelphia.

Main Rules" disappeared without comment from issues of the Panther newspaper printed after August 23, 1969.⁷

Witnesses before HCIS and other sources of information indicated that, despite widespread "study" of Mao's *Quotations*, no great interest in or even understanding of communism was manifested by the rank-and-file party membership. Some members cited such "studies" as grounds for leaving the party. The interests of many members were limited to action programs on local issues. Testimony also demonstrated that Mao's rule against theft was not firmly adhered to by Panther leadership and was not always enforced or enforceable considering the types of individuals attracted to the Panther organization.

The appeal of writings by current heads of communist states, some sources suggested, lay in their vigorous denunciations of the U.S. Government while professing concern for the plight of black Americans.⁸ Leaders of communist regimes in Cuba and China, it might be noted, had issued repeated public declarations of sympathy and support for inner city rioters in America and had suggested that black Americans belonged in a third world "liberation" movement which would one day defeat an "imperialistic" U.S. Government.

In August 1967, Stokely Carmichael was an honored guest at a Havana conference at which Castro predicted that a "revolutionary movement" would emerge from the "oppressed" and rebellious black populations and it would prove to be "a vanguard of a struggle called someday to liberate all of U.S. society."⁹ In August 1968, the Panther national Minister of Education George Murray was being entertained by Castro's regime.

The political education kit, issued by Panther headquarters under Murray's supervision, reflected the anti-U.S. Government line which the party always had in common with communist regimes. A discussion of "capitalism, imperialism [and] neocolonialism," the minister of education wrote, brings "the realization that we must resolve to defeat unconditionally the enemies of the human race." He identified "mankind's enemy" as the imperialist, capitalist, and racist domain of North America, and concluded:

Victory to the people; Panther Power to the Vanguard. Death to the imperialist, to the bankers, presidents, senators, congressmen, mayors, and all the enemies of the wretched of the earth.¹⁰

SHIFT FROM A BLACK NATIONALIST TO "INTEGRATED" REVOLUTION

From its inception and continuing until late in 1968, the Black Panther Party represented itself as a "vanguard" group which was willing to show black Americans the road to "liberation" or black autonomy within an "imperialist" and "racist" white American society.¹¹

As a result of a major shift in the party's orientation, the Panthers in 1969 appeared to view themselves as the organizers and leaders of that black revolutionary movement which Fidel Castro declared would

⁷ HCIS hearings on BPP, pt. 4, exhibit 4.

⁸ See, for example, HCIS hearings on BPP, pt. 4, exhibit 1, and testimony regarding Kansas City Black Panther chapter, pt. 1.

⁹ A summary of Chinese communist statements beginning in 1963 and Cuban Government comments since 1967 appears in HCUA hearings on Subversive Influences in Riots, Looting, and Burning, 1967, pt. 1, exhibit 1.

¹⁰ HCIS hearings on BPP, pt. 3, exhibit 11.

¹¹ See ch. I.

be in the forefront of a revolution eventually encompassing *all* of American society.

The change allegedly was the result of the Panthers' search in 1968 for a political "ideology" and reflected the influence on the party of its white radical allies.¹²

During 1969, the party's top leaders publicly advocated preparations for revolutionary struggles by both blacks and whites to tear down the present U.S. Government, to abolish the capitalist economic system, and to introduce socialism throughout America.¹³

No formal change was made in the party's published platform and program other than the substitution in July 1969 of the word "capitalist" for "white man" in referring to those "robbing" black communities. The new party position nevertheless abrogated the basic nationalistic goals enunciated at the inception of the party. Rendered meaningless was the party demand for a UN plebiscite permitting a majority of black Americans to decide upon the nature of their society and their relationship with white Americans.

The Panther leadership had submerged issues of integration, separation, and racism in its support for Marxist-type "class struggles." This was the complaint of nationalist-oriented members who were suspicious of "integrated" revolutionary struggles with white radicals because they questioned the commitment of white leftists to improving the position of black Americans.¹⁴

The anticapitalist, "class" revolution was not, apparently, made more palatable by party references for a short time to "two" revolutions. In a period also marked by extreme campus unrest, Newton talked in late 1968 and early '69 of the revolutionary potential of white students. The Panthers, Newton said, had therefore to fight on two fronts: to liberate the black colony as well as to "stimulate revolution in the mother country."¹⁵ In a taped message from jail to his birthday rally in Berkeley on February 17, 1969, Newton referred to campus radicals as "white revolutionary comrades" and proposed an escalation of "our offensive" by "the two-revolutionary force in the country * * * the alienated white group and the masses of Blacks in the ghetto."¹⁶

To a black nationalist group called the Republic of New Africa, Newton offered the following defense of the party's goal of an "anti-capitalist" revolution directed at the whole of society by both black and white revolutionary forces: The so-called ghetto already provided an "enclave" for doing battle against the established order. Additional territory for black Americans demanded by RNA would not bring "freedom" as long as America as a whole was an "imperialistic" and "capitalistic" nation. For blacks to be free, it was necessary to "wipe out once and for all the oppressive structure of America" with a "popular struggle" requiring many "alliances."¹⁷

An article in the party paper of May 25, 1969, presented the new position as follows: Freedom for all the people depended on ending "capitalism, racism and imperialism" through a "revolution in the white mother country led by white radicals and poor whites, and

¹² Anthony, *op. cit.*

¹³ Bobby Seale, interview in *The Movement*, March 1969, reprinted in *The Black Panther*, Mar. 3, 1969.

¹⁴ Earl Anthony parted with the Panthers over the new "class struggle" line, as did Frank B. Jones, managing editor of the party paper.

¹⁵ Film, "The Black Panther," *op. cit.*

¹⁶ *The Black Panther*, Mar. 3, 1969, p. 2.

¹⁷ Message to Republic of New Africa, Sept. 13, 1969, in *The Black Panther*, Dec. 6, 1969, pp. 10, 11.

national liberation in the black and third world colony here in America."

In March of 1969, the national council of the largest white radical student organization, the 40,000-member Students for a Democratic Society, claimed that they henceforth recognized the Black Panther Party as "the vanguard" in their common struggle for an anti-capitalist revolution involving the whole of American society. The SDS also pledged propagandistic support for the party program and legal defense efforts in behalf of Panther leaders.

Cleaver in June 1969 declared that, despite special problems of black people, a "united-front struggle" was necessary—a coalition of forces in the black and white communities to make a "common thrust against their common oppressor."¹⁸ According to Deputy Minister of Information Elbert Howard in a statement addressed to the Vietcong in November 1969: "We members of the Black Panther Party recognize that there is only one world and one revolution. The revolution is not split up between one community and another. The oppressor is manifested in the imperialist ruling class, wherever they may be."¹⁹

In his aforementioned communication to the Republic of New Africa, Newton coupled an appeal for support for Panthers in legal difficulties with assurances that the party still considered itself subject to the majority will of black Americans, to be ascertained through a United Nations plebiscite after an anticapitalist revolution in the whole of America.

The denunciations of "black capitalism" by Panther leaders, however, and eventually talk of one anticapitalist revolution for a socialist economic system did not appear to make allowances for alternatives favored by other black Americans. Cleaver's comments on how problems of "racism" would be resolved by an anticapitalist revolution offered little comfort to those Panthers who entered the party in response to "fight white racism" slogans. "The Black Panther Party does not and has never said that if socialism is instituted that racism automatically ceases," he declared. "* * * What we say is that in a socialist society the conditions are more favorable for a people to begin to struggle to eliminate racism."²⁰ Still later, he told an interviewer for the *New York Times* that "racial barriers will be broken down in the fires of [anticapitalist] struggle, out of a necessity to survive in a war situation."²¹

PANTHERS AS MARXIST-LENINISTS

The national leaders of both the Black Panther Party and its SDS ally professed a commitment to Marxist-Leninist principles in 1969 and described their goals as some form of socialism or communism.

Their terminology was reminiscent of groups such as the Communist Party, U.S.A., and the Progressive Labor Party, both organized as Marxist-Leninist revolutionary parties but in the first case, Soviet dominated, and in the latter, oriented toward the line of the Soviets' rival, Red China.

The CPUSA, PLP, and other so-called old left organizations expressed support for the revolutionary potential in both the BPP and

¹⁸ *Conversation with Eldridge Cleaver, Algiers.*

¹⁹ *The Black Panther*, Nov. 8, 1969, p. 2.

²⁰ *The Black Panther*, Jan. 17, 1960, p. 6.

²¹ *New York Times Magazine*, Nov. 1, 1970, p. 112.

SDS, often joined in coalition-type mass actions and performed important legal defense services. The groups, nevertheless, remained at odds over the most suitable leadership, political line, and tactics for revolutionaries in 20th century America.

The BPP was wary of CPUSA efforts to dominate, and it also showed a preference for Red Chinese advice to "third world" revolutionaries. The CPUSA, on the other hand, reproved those Panthers suicidally talking of an imminent armed struggle in America. Both the CPUSA and its Maoist antagonist, the PLP, criticized the BPP's unorthodox interpretations of Marxist authorities. The Panthers' unorthodoxy included their failure to believe with Marx and Lenin that industrial workers (the proletariat) were the backbone of any "socialist" revolution.²²

In terminology, however, Panther leaders for a brief period sounded surprisingly like older orthodox Marxist organizations. Beginning in 1969, for example, Panther Minister of Information Cleaver insisted that "Marxism-Leninism" was a "very accurate and very useful analysis of the capitalist system" which helped to inform the Panthers "how we have to move in order to destroy the system of our enemies."

The Panther Party, Cleaver stated in 1969, was in fact a "Marxist-Leninist party."²³ (The top Panther, Newton, at the end of 1970 was also still insisting that "The Black Panther Party is a Marxist-Leninist Party * * *")²⁴

Chairman Seale made much of the fact that the Panther Party had defied Marxist theory by recruiting unemployed street youth (the lumpenproletariat) at the time of its founding in 1966. But Seale and Chief of Staff Hilliard declared in 1969 that Panthers were part of the "proletariat" (industrial workers) who Marx predicted would one day overthrow capitalism.²⁵ (This untenable claim was soon abandoned, however.) Newton was described in party propaganda of 1967 as the "child of Malcolm X." Seale described him in 1969 as a "Lenin," with Cleaver filling the role of a "Stalin."²⁶

In adopting a Marxist-Leninist outlook, however, the Black Panther Party appeared to some observers to be representing itself as more competent than other Marxist groups in applying Marxist-Leninist principles to the American situation and, therefore, the foremost authority on how to make a domestic revolution. (The "dogmatism" of the Panthers was Carmichael's complaint in his highly publicized resignation from the party in July 1969. The party leaders' castigation of white radicals who failed to agree with every Panther proposal at the July antifascism conference tended to bear out Carmichael's charges.)

Cleaver described the source of the party's ideas in the following fashion: "The ideology of the Black Panther Party is the historical experience of black people and the wisdom gained by black people in their struggle against the system of racist oppression in Babylon, interpreted through the prism of Marxist-Leninist analysis by our minister of defense, Huey P. Newton."²⁷

²² See "The Black Panthers and Black Liberation," *Political Affairs*, theoretical journal of the Communist Party, U.S.A., September 1970, and HCIS report on SDS, *op. cit.*

²³ Cleaver statements from *The Black Panther*, July 12, 1969, and Oct. 11, 1969, summarized in HCIS hearings on BPP, pt. 4, exhibit 4.

²⁴ Newton, speech at Boston College, Nov. 18, 1970, printed in *The Black Panther*, Jan. 23, 1971.

²⁵ Seale in *The Black Panther*, May 4, 1969, and Hilliard in *The Black Panther*, Apr. 20, 1969.

²⁶ *The Black Panther*, Apr. 20, 1969.

²⁷ Cleaver in *The Black Panther*, Apr. 18, 1970. The same idea was expressed by Bobby Seale, in *The Black Panther*, Apr. 20, 1969, p. 12, and Jan. 10, 1970; and David Hilliard, *The Black Panther*, Nov. 8, 1969, and Nov. 22, 1969.

Panther publications in the first half of 1969 were filled with advice to revolutionaries from Mao Tse-tung, and Newton expressed willingness to "follow the thoughts of Chairman Mao." The party's paper that same month, however, also carried pages labeled "Quotations from Huey."²⁸

"Quotations from Huey" was largely Newton's statements when he was actively organizing for the party in 1967. The new line on the possibilities for socialist revolution in America which appeared in the Panther paper later in 1969 was often enunciated by Cleaver, writing from Algerian exile. The first of a purported series of articles by Cleaver "on the Ideology of the Black Panther Party" appeared in the June 6, 1970, issue of *The Black Panther*. No further articles were printed, however.

On August 5, 1970, Newton's release from prison pending a new trial put the party under the active command of its founder and top officer for the first time in almost 3 years. In statements, which the Panther paper sometimes reminded its readers were the words of the party's "supreme commander," Newton proceeded to redefine party goals. The Panther objective was, henceforth, no longer a socialist nation but transformation of all nations on the face of the earth into a one-world "intercommunalist" system.

Newton announced the change with the explanation that "history has bestowed upon the Black Panther Party the obligation to take these steps and thereby advance Marxism-Leninism to an even higher level * * *"

A Newton speech was printed in *The Black Panther* under headlines adapting to the Panther Party the language by which the Chinese Communist Party customarily referred to its chairman, Mao Tse-tung: "Let us hold high the banner of intercommunalism and the invincible thoughts of Huey P. Newton, minister of defense and supreme commander of the Black Panther Party."²⁹

A SOCIALIST STATE AND FINALLY NO STATE

Despite expressions of personal distaste for capitalism by Newton and Cleaver, the Black Panther Party "doesn't advocate anything, really," the minister of defense insisted in 1968; "* * * we only interpret what the people seem to want." The battle being fought by the Panther Party at that time, Newton also stated, was in the so-called "black colony."³⁰

The "socialist" revolution which replaced black self-determination as the goal of the Panther Party during 1969 and much of 1970 was justified as follows in Newton's statement to *Ebony* magazine in August 1969:

Capitalism deprives us all of self-determination. Only in the context of socialism can men practice the self-determination necessary to provide for their freedom. This is the ultimate objective of the Black Panther Party. * * *

A socialist revolution by both blacks and whites, Newton also explained, would replace the present form of U.S. Government administration and the economic system with new institutions allegedly more representative of the popular needs and will. The Panthers'

²⁸ See *The Black Panther*, Feb. 17, 1969.

²⁹ Newton in *The Black Panther*, Aug. 29, 1970, p. 13, and Jan. 23, 1971, supplement.

³⁰ Newton interview, *Guardian*, Aug. 3, 1968, p. 9.

community service programs were expected to spur the community into action to change the existing system.

Minister of Information Cleaver, sounding a theme repeated by Chairman Seale, predicted the "revolution" for which Panthers sought popular support would lead to a "Yankee-Doodle-Dandy" kind of socialism. Cleaver said concentration on "making" the revolution did not allow time for designing a new society in detail, but he assured an interviewer the Panthers were committed to the slogan "power to the people" and to democratic liberties which were not enjoyed after "socialist" revolutions in the Soviet Union, China, and Cuba.³¹

The goal of a national socialist revolution in the United States was abandoned when Newton was released from prison and redefined the party's long term objectives in a series of articles and speeches between August and November 1970.³² Newton acknowledged the shift in the party's orientation since its founding:

In 1966, we called ourselves, that is, the Party, a Black nationalist Party. We called ourselves Black nationalists because we thought that nationhood was the answer. Shortly after that we decided that what was really needed was revolutionary nationalism, that is, nationalism plus socialism. After analyzing the phenomena a little more, we found that it was impractical and even a contradiction. * * *³³

The new line devised by Newton rejected all ideas of nationhood, alleged to be meaningless in a world dominated by U.S. "imperialists." Panthers would no longer view black Americans as a colony or oppressed nation, Newton said. Nor would they seek conversion of the "imperialist" North American "empire" into a socialist nation. They would, instead, advocate the eventual disappearance of all national sentiments and national boundaries. The world should be a collection of free "communities," according to Newton, and an "intercommunal framework" devised providing for proportional representation and for equal distribution of the world's wealth among the various communities.

A "community" was described as a "comprehensive collection of institutions which serve the people." Red China, North Korea, and North Vietnam were cited as examples of "liberated" or "progressive" communities.

Revolutions by the world's peoples would eventually crush the North American "imperialist ruling circles" and put control of the means of production in the hands of the people. Thereafter, nationalist and racist ideas would be washed away and humanity would be united as a one-world "community" where "people will be happy, wars will end, state itself will no longer exist, and we will have communism," according to Newton.

As leaders of a Marxist-Leninist party, Newton said he and Cleaver used the analytical methods of Marx and Lenin to arrive at the conclusion that the greatest revolutionary potential in modern times was in the "lumpenproletariat" (defined by Newton as the "unemployables" and "my people"). Newton said the "lumpen" could there-

³¹ *Conversation with Eldridge Cleaver, Algiers*; and Seale, interview, *The Movement*, February-March 1970.

³² See particularly, Newton press conference, Aug. 26, 1970, reported in *The Black Panther*, Sept. 5, 1970, statement to National Liberation Front and Provisional Revolutionary Government in South Vietnam, *The Black Panther*, Aug. 29, 1970; speech, Boston College, Nov. 18, 1970, *op. cit.*; speech, Nov. 28, 1970, Washington, D.C., in *Washington Post*, Nov. 30, 1970.

³³ Boston College speech.

fore be counted upon to "carry the people of the world to the final climax of the transformation of society."

The new Panther Party objective, Newton stated, corresponded with Marx' vision of a withering away of the state under "communism."

Newton suggested that Panthers, henceforth, refer to themselves as "intercommunalists" in keeping with the party's new vanguard position with respect to not only black Americans but all the peoples of the world. According to Newton:

The Black Panther Party would like to reverse [imperialist domination of the world] and lead the people of the world into the age of Revolutionary Intercommunalism.³⁴

HOW AND WHEN REVOLUTION WILL BE MADE

Panther leaders have given varying, and sometimes conflicting, assessments of the "ripeness" of the United States for revolution and the best means for hastening the event. Although all paid lipservice to the need for popular support for any successful revolution, immediate use of "exemplary" violent actions was favored by some leaders. Others emphasized that "political" education and organization were necessary to assure mass support for a future violent social upheaval.

In 1968, with urban rebellions in mind and "black liberation" the party's chief objective, Newton's line was as follows: "There's a war going on inside America. The colony is attempting to free itself." White radicals should help blacks to "liberate" themselves, and show less preoccupation with demonstrations against American military support to the South Vietnamese. According to the Panther leader, "resisting the military and the police in this country" would result in the opening of a homefront which would divert American troops from foreign fronts and thus allegedly aid "colonized" people in South Vietnam and in other parts of the world as well.³⁵

In 1969, when the objective shifted to a socialist revolution by both black and white forces, the party acknowledged the impact on its positions from campus rebellions in the 1968-1969 academic year. Domestically, Panther officials plagued with legal problems chose to emphasize a new "community service" aspect of the Panther Party. A much more militant line emanated from Cleaver in Algeria, where—after almost a year's silence in Cuba—the Panther officer began to write and lecture extensively on the American "revolution."

National Panther officers within the United States made relatively few references in 1969 to party support for an eventual guerrilla or people's war in the United States. "You'll hear Huey say," Chairman Seale told an interviewer in a more militant stance early in 1970, "that when the people learn guerrilla warfare tactics and they see guerrilla warfare as necessary, when the people are educated to this there will no longer be a need for us to go to the streets." ³⁶ Illinois Panther leader

³⁴ *Ibid.* The one article which appeared in *The Black Panther* of June 6, 1970, from a so-called series by Cleaver on Panther "ideology" agreed that the "lumpenproletariat" had the greatest revolutionary potential in America. However, Cleaver went into a discussion of differences between America's "black colony" and the "mother country" in terms reminiscent of the party's earliest orientation.

Newton's speech in November 1970, quoted above, held that the previous Panther idea that black Americans constituted either a "colony" or "nation" was erroneous. Critics who had insisted to Newton that black Americans were a "community" rather than a colony had some responsibility for reorientation of the party toward a goal of intercommunity relationships on a global basis, he said.

³⁵ Newton, interview, *Guardian*, Aug. 3, 1968.

³⁶ Seale, interview in *The Movement*, February-March 1970, p. 15.

Fred Hampton explained that physical confrontations with police forces were only deferred: "We have to organize the people. We have to educate the people. We have to arm the people. We have to teach them about revolutionary political power. And when they understand all that we won't be killing no few and getting no little satisfaction, we'll be killing em all and getting complete satisfaction."³⁷

CLEAVER AND A "NORTH AMERICAN LIBERATION FRONT"

The Panthers' minister of information, however, in interviews immediately after his arrival in Algeria in the summer of 1969, called for the creation of a fighting "North American Liberation Front" in the United States.

In his aforementioned talk with a West German journalist, Cleaver reportedly declared that armed struggles which were carried out in the mountains of Cuba and Vietnam could also be waged in the United States because "it has more mountains than all of these other areas," as well as large "rural areas" in which Government forces would find themselves very thinly spread.³⁸ In an interview with the American, Lee Lockwood, in Algiers in June 1969, Cleaver also called for guerrilla warfare in the United States, directed and coordinated by a North American Liberation Front, composed of revolutionaries of all races. But mountain fighting guerrilla tactics were "nonfunctional" in the United States and those who proposed them were "romantics," Cleaver allegedly told Lockwood. The minister of information reportedly felt it was necessary to think in terms of urban guerrilla warfare and even to study the model of the Mafia to learn how to move in an urban situation.³⁹

Cleaver was more consistent in his prediction that any revolution in America would be a violent affair. Saying the new socialist society sought by the party in 1969 depended on violent overthrow of the existing order, he wrote:

In order to transform the American social order, we have to destroy the present structure of power in the United States, we have to overthrow the government. * * * We must do this by the only means possible, * * * and the only means possible is the violent overthrow of the machinery of the oppressive ruling class. * * *⁴⁰

He tried to put the breakfasts for schoolchildren program into a revolutionary context. Feeding children exposed the failures of the "ruling class," Cleaver wrote, and also "liberated" children from hunger:

Revolution, in its essence, means precisely the rearrangement of a system. Many people think of revolution only as overt violence * * *. This is only one phase of the revolutionary process * * *. It is the means for expropriating the land, the natural resources, the machines, all the means of production, the institutions of society—f-r taking them out of the control * * * of those who have abused them * * *.

Cleaver added that he personally would prefer to see "some liberated territory in Babylon [the U.S.] that we are willing and prepared

³⁷ *The Black Panther*, July 19, 1969, p. 7.

³⁸ Interview, summer 1969, with Stefan Aust *op. cit.*

³⁹ *Conversation with Eldridge Cleaver, Algiers.*

⁴⁰ *The Black Panther*, June 28, 1969, p. 14.

to defend, so that all the exiles, fugitives, draft-dodgers, and runaway slaves can return to help finish the job.”⁴¹

In a speech on September 22, 1969, during a trip to North Korea, Cleaver acknowledged that his views on the need for immediate assumption of armed hostilities in the U.S. were not necessarily shared by his comrades at home. “One of the slogans of the revolutionary movement inside the United States is REVOLUTION IN OUR LIFETIME!” he reported to a journalists’ conference in the communist nation.

Cleaver appended his own opinion that it was, nevertheless, high time for “revolution to explode” inside the “fascist” and “imperialist” United States.⁴²

Cleaver was insisting in 1969 that a “revolution” or “war” was underway between various antagonistic forces in the United States whether or not other persons were aware of it. The minister of information declared that actions of revolutionaries should be aimed at unlocking the revolutionary spirit which he claimed already existed in large numbers of the American people. People should be mobilized, he said, by revolutionaries beginning to fight in the manner of Castro’s guerrillas who attacked an army barracks and signaled the start of the Cuban revolution.⁴³ (Cleaver thus was always optimistic about the possibilities for revolution in America. In October 1970, he was still telling interviewers that “* * * the revolutionary prospects inside the United States are very bright.”)⁴⁴

CLEAVER’S SUPPORT OF TERRORISTIC ACTS

In the summer and fall of 1969, an aggressive “Weatherman” faction of SDS, claiming inspiration from the Panthers, embarked on a program of hit-and-run street battles with policemen in various U.S. cities. The SDS group claimed to be opening a revolutionary front within the United States which would allegedly reduce the effectiveness of the allied military effort to prevent a communist takeover in South Vietnam, as well as help to free “political prisoners” like Panther leaders.

Newton, as previously noted, had called for a second front in 1968 in behalf of liberation of the black communities. However, by 1969 the party leaders within the U.S. were emphasizing “education” for a future revolution. They refused to endorse and remained aloof from Weatherman actions which were placing former white radical allies in the same legal difficulties as the Panthers.

Cleaver chose to defend the Weatherman strategy, declaring: “In times of revolution, just wars and wars of liberation, I love the angels of destruction and disorder as opposed to the devils of conservation and law-and-order.”

“Actions speak louder than words,” Cleaver said, citing Castro and Guevara as examples. Killing “pigs” in the streets of America spoke more eloquently for revolution than statements in courtrooms

⁴¹ *The Black Panther*, Aug. 16, 1969, p. 4.

Chairman Seale told white radicals in an interview in the *Guardian*, Aug. 16, 1969, that the police decentralization plan of the Panthers was “revolutionary” despite its reliance on electoral processes. He explained that community-controlled police forces would eventually lead to “liberated zones” in America and police forces would become a “people’s militia.”

A year later, Newton contradicted this position, stating the community service programs were intended for the survival of black Americans, and, by implication, the Panther Party as well, until the day when American society would be transformed totally by revolution. (Boston College speech, Nov. 18, 1970.)

⁴² Cleaver speech reproduced in *The Black Panther*, Oct. 25, 1969, pp. 12, 13.

⁴³ *Conversation with Eldridge Cleaver, Algiers*, in June 1969, and *Ramparts*, September 1969, p. 35.

⁴⁴ Interview in *New York Times Magazine*, Nov. 1, 1970.

and press conferences, and if the Weathermen used iron pipes against policemen, "what's wrong with that?" he asked. Cleaver added that he considered Emory Douglas' cartoons in *The Black Panther* to be representative of the "ideology" of the Panther Party:

Emory's art says if we really want pigs dead (Lyndon Johnson, for example, or Henry Ford or his cousin or his friends), then we must kill them.⁴⁵

In Cleaver's September 22, 1969, appearance before the North Korean journalists, the minister of information itemized some of the terroristic actions which were allegedly justified in the interests of revolution. Killing of the President of the United States and generals, as well as kidnappings and bombings, was sanctioned by the Panther official from the haven of foreign communist countries. He told the North Korean conference that:

* * * we need words [from journalists] that will make the soldiers, sailors, marines and special forces of the U.S. imperialists turn their guns against their commanding officers; words that will persuade them to evacuate South Korea, Vietnam, all the bases of U.S. imperialist aggression around the world; we need words that will return the U.S. troops to the United States with their guns still in hand, there to put before firing squads President Nixon, ex-President Johnson, all the generals of the U.S. Armed Forces, all warmongers and exploiters.

We need articles by journalists that will inflame the masses, that will spur on the revolutionary temptation to kidnap American ambassadors, hijack American airplanes, blow up American pipelines and buildings, and to shoot anyone who uses guns or weapons or causes others, directly or indirectly to use guns and other weapons in the blood-stained service of imperialism against the people.⁴⁶

The advantages of political assassination were also pointed out by Cleaver a year later in an interview in Algiers with a *New York Times* correspondent. Discussing the vulnerability of U.S. cities to certain types of "sabotage" in the course of revolution, Cleaver went on to say:

There are also advantages to political assassination, not that this can eliminate the function, but you know that the man will be replaced, and it has great educational value. It teaches the people to kill the enemy and hate the enemy. It would give me great satisfaction if Richard Nixon should be killed. I would consider that an excellent thing.⁴⁷

In a Columbia Broadcasting System television interview, shown to American audiences on January 6, 1970, Cleaver obligingly repeated his hopes for the demise of not only the President but other public officials. He told a CBS interviewer in Algiers that it was not mere "rhetoric" to say that a goal of the Panther liberation movement was to "take off the head" of President Richard Nixon, FBI Director Hoover, and Senator McClellan who headed a Senate investigation of the Panther Party in 1969. Cleaver said the officials were regarded as criminals and their fate would depend on the resistance they put up.⁴⁸

A former national officer of the Panther Party, admittedly still sympathetic to the organization, told HCIS interviewers that talk about "taking" the head off a Senator and other officials meant Cleaver was "running his mouth" to attract attention from the news media.

Whatever Cleaver's motive, his statements to CBS did nothing to assist Chief of Staff Hilliard who a month earlier joined the other top

⁴⁵ "Eldridge on Weatherman" reprinted from the *Berkeley Tribe* in *The Black Panther*, Nov. 22, 1969, p. 5. See also HCIS hearings on BPP, pt. 4, p. 5066.

⁴⁶ *The Black Panther*, Oct. 25, 1969, pp. 12, 13.

⁴⁷ *New York Times Magazine*, Nov. 1, 1970, p. 112.

⁴⁸ Broadcast summary by FBI Director Hoover before House Appropriations Subcommittee, Mar. 5, 1970.

Panther officers in the U.S. in jail on a charge of making a public threat against the life of President Nixon. Hilliard was arrested by Secret Service agents December 3, 1969, after a Federal grand jury indicted him for "willfully and knowingly" threatening "We will kill President Nixon" in a speech at an anti-Vietnam war rally held by the communist-dominated New Mobilization Committee to End the War in Viet Nam in San Francisco on November 15, 1969.⁴⁹ An interview of Hilliard by CBS News a week prior to the CBS interview of Cleaver recorded a denial by Hilliard of any intent to assassinate the President. Remarks for which he was indicted, he claimed, were "political rhetoric" and "the language of the ghetto."⁵⁰

As subsequently printed in *The Black Panther*, Hilliard's speech before 100,000 persons at a Golden Gate Park antiwar rally demanded that "peace" activists support a Panther proposal to barter with Hanoi for a release of American prisoners of war if the U.S. Government dropped criminal charges against imprisoned Panther leaders Newton and Seale.⁵¹ If his audience couldn't relate to such a bid for freedom for Panther officers, Hilliard reportedly said, then Panthers "can't relate to the American people." He continued, according to the Panther paper, as follows:

We say down with the American fascist society. Later for Richard Millhouse [sic] Nixon, the ———. Later for all the pigs of the power structure. Later for all the people out here that don't want to hear me curse because that's all that I know how to do. * * * I'm not going to ever stop cursing, not only are we going to curse, we're going to put into practice some of the ——— that we talk about. Because Richard Nixon is an evil man. This is the ——— that unleashed the counter-insurgent teams upon the BPP. This is the man that's responsible for all the attacks on the Black Panther Party nationally. This is the man that sends his vicious murderous dogs out into the Black community and invade upon our Black Panther Party Breakfast Programs. Destroy food that we have for hungry kids and expect us to accept ——— like that idly. ——— that ——— man. We will kill Richard Nixon. We will kill any ——— that stands in the way of our freedom. We ain't here for no ——— peace, because we know that we can't have no peace because this country was built on war. And if you want peace you got to fight for it.

NEWTON'S STATEMENTS IN 1970 ON THE REVOLUTION

At a press conference in his attorney's office following his release from prison in August 1970, Huey Newton declared: "This country cannot fight against every country in the world and fight a revolutionary war at home. I hope to do all I can to bring about that revolutionary war. The struggle is coming to a final climax."⁵²

"The people" must "rise up and take power," Newton said then and in subsequent statements. Without popular support, there could be no revolution, and one of the party's first duties was to "educate" the masses to the merits of revolutionary change.

The Panthers' highest ranking official did not appear to regard revolution in the United States as an imminent possibility. He recited (without attribution) the Chinese communist line that the United States would not be "liberated" until the developing nations of Africa, Asia, and Latin America had been freed through revolutions. Rural areas of Cuba were first captured by revolutionaries and supplies

⁴⁹ *Washington Post*, Dec. 4, 1969, pp. A 1 and 3. See ch III, p. 52, including footnote 13 for status of legal proceedings involving David Hilliard.

⁵⁰ CBS News interview of Hilliard, Dec. 28, 1969, reported in Foner, *op. cit.*, p. 132.

⁵¹ See p. 108 for further details on the POW proposal. *The Black Panther* of Nov. 22, 1969, pp. 10, 11, carried a purported copy of Hilliard's speech, which is quoted here.

⁵² *Guardian*, Aug. 15, 1970, p. 3.

cut off to the capital city, Newton said. The United States would be slowly strangled as raw materials were cut off by revolutions occurring in one nation after another, and "our final act will be the strike against the 'city' of the world"—the U.S.⁵³

The role of the Panthers, Newton explained in a statement taking the form of a message to the Vietcong, was to "keep fighting and resisting within the 'city' so as to cause as much turmoil as possible and aid our brothers by dividing the troops of the ruling circle."⁵⁴

Changing Panther goals apparently had not altered the Panthers' view of themselves as "part of the link in the chain of worldwide revolution."⁵⁵

Newton foresaw no prospects of nonviolent revolution, in another interview within a week of his release on bail:

We see the need to overthrow the evil gentry and corrupt officials and we see only one way to do this: we don't believe we can do it through negotiation or electoral politics or any kind of non-violent means.⁵⁶

In a speech in Philadelphia in September 1970, the minister of defense predicated the degree of revolutionary violence on the resistance encountered:

We will change this society. It is up to the oppressor to decide if this will be a peaceful change. We will use whatever means are necessary. * * *⁵⁷

DOMESTIC AND INTERNATIONAL ALLIES

Chairman Seale and Chief of Staff Hilliard made a speaking tour of the Scandinavian countries in March 1969. Hilliard and Minister of Culture Emory Douglas traveled to Algiers for a Pan African Arts Festival the following July. Cleaver's September 1969 trip to North Korea was the first public reception of a Panther official in a communist nation since Minister of Education Murray was entertained in Havana in the summer of 1968.

Cleaver's address at the North Korean conference of journalists called attention to the prosecutions facing Panther leaders in the United States and the fact that by the summer of 1969, Seale had joined Newton in jail on charges that could result in the death penalty.⁵⁸

That same summer, SDS, which had served as a domestic ally from whom the Panthers obtained workers, funds, and publicity,⁵⁹ broke up into warring factions. As previously noted, members of the Weatherman faction of SDS were themselves prosecuted for street fighting until their conversion into an underground terrorist group at the end of the year.

The head of the White Panther Party, John A. Sinclair, in Ann Arbor, Mich., wrote in the Panther paper of October 11, 1969, that his

⁵³ Newton, *The Black Panther*, Aug. 29, 1970, p. 13.

⁵⁴ *Ibid.* The Chinese communists' description of a world revolution succeeding in "rural areas" (Latin America, Africa, and Asia) and gradually encircling the "cities" of the world (North America and Western Europe) was offered by Lin Piao, vice-premier and defense minister, on Sept. 3, 1966, and reproduced in *Peking Review*, Aug. 4, 1967.

⁵⁵ David Hilliard in *The Black Panther*, Feb. 17, 1970, p. 4.

⁵⁶ Reproduced in *The Black Panther*, Jan. 16, 1971, pp. 10, 11.

⁵⁷ Speech at plenary session of a Revolutionary Peoples Constitutional Convention, Temple University Philadelphia, cited in HCIS hearings on BPP, pt. 4.

⁵⁸ A New Haven, Conn., grand jury on Aug. 27, 1969, indicted Seale on first degree murder charges. He went on trial in September 1969 in Chicago on separate conspiracy to riot charges growing out of his participation with white radicals in demonstrations in Chicago at the time of the Democratic National Convention in 1968. Further details of legal proceedings involving Seale appear on p. 36, including footnote 71, and p. 62.

⁵⁹ HCIS report, *Anatomy of a Revolutionary Movement: Students for a Democratic Society*; HCIS hearings on Black Panther Party, pt. 3, p. 4456.

group had been organized in the summer of 1968 as part of the clear duty of "white mother country revolutionaries" to join the Panthers in "liberating" America. The letter was written from a prison where the White Panther leader was serving a 9½- to 10-year sentence on drug charges.

Mention has already been made of the lack of enthusiasm among many predominantly white radical groups for joining a "united front" with the Panthers to push Panther community projects. Some of those at the 1969 antifascism conference, like Charles Garry, identified CPUSA member, would not buy the Panther line that in 1969 America was "Fascist." Panthers claimed the Nation was an "open terroristic dictatorship" resulting from the combination of "capitalism" with "racism." Garry said he could agree only to the extent that "fascism" existed for the Black Panthers and residents of black and brown communities.⁶⁰ Continuous Panther publicity in 1969 favorable to Arab commando forces dedicated to the destruction of the State of Israel and Cleaver's contacts with groups such as Al Fatah after reaching Algeria added to alienation of white sympathizers.⁶¹

While the Panther Party's domestic alliances deteriorated in 1969, its international contacts grew as a result of the peregrinations of the party's exiled minister of information.

The party had sent no representatives to Cuba since that regime reputedly encouraged Cleaver to take up residence elsewhere in the summer of 1969.⁶² When SDS and other left organizations in the U.S. recruited young people for a Venceremos [Victory shall be ours] Brigade which would help Castro try to achieve a record sugarcane harvest late in 1969, a Panther paper editorial denied that several professed Panthers in the brigade were bonafide members of the party. A Cleaver statement in the same issue of the Panther paper charged that Cuba 10 years after its revolution had not yet eliminated "all forms of racism."⁶³

The outcome of Cleaver's trip to communist North Korea in September 1969 was quite different. For at least 6 months thereafter, news and opinion from North Korea occupied the top billing in the Panther paper previously reserved for advice coming out of Red China. Cleaver reported that the North Korean communists had developed the most "profound" Marxist-Lennist analysis, strategy, and tactics he had ever encountered.

The Panther paper also propagated Cleaver's discovery of the Korean concept of "juche." Cleaver explained that juche (pronounced joo-che') meant self-reliance and independence of a communist party at a time when some communist nations sought to impose their policies on others. Juche provided justification for the Panther Party to interpret "Marxist-Leninist" principles in its own way, and to solve "all the problems of the revolution and construction [of a new

⁶⁰ Garry in Foner, *op. cit.*

⁶¹ Statements by Black Panther leaders denouncing Israel as a Zionist, Fascist state and expressions of mutual support by Panther and Al Fatah leaders may be found in HCIS hearings on BPP, pt. 4, exhibit 4.

⁶² *Conversation with Eldridge Cleaver, Algiers.* Lockwood reported that Cuban efforts to discourage increasing arrivals of hijacked airplanes contributed to withdrawal of asylum for Cleaver once his presence was publicized.

⁶³ *The Black Panther*, Jan. 17, 1970, p. 6.

society] in conformity with the actual conditions at home, and mainly by one's own efforts." ⁶⁴

Field Marshal Don Cox said the Korean lesson was simply, "Use what you got to get what you need." ⁶⁵

ASIAN COMMUNIST SOLIDARITY WITH THE PANTHERS

Subsequent to the Cleaver visit, the North Korean communist regime joined communist China in public expressions of sympathy for black Americans and the Black Panther Party in particular. Statements from both countries concurred with the Panthers that the United States was the world's "public enemy number one" as a result of its "imperialistic" foreign policy and "Fascist" domestic programs. In an international broadcast denouncing a series of highly publicized police raids on local Panther offices in the U.S. marked by exchanges of gunfire in the fall of 1970, the North Korean radio declared the "people" expressed "solidarity" with the Panthers and "will as ever actively support and encourage their struggle." A Red Chinese broadcast on the same issue deplored the treatment of the party they considered to be a "progressive black organization." ⁶⁶

On the eve of the September 1969 journalists' conference, several North Korean organizations had sent a cablegram to the Panthers' imprisoned chairman condemning the "illegal" imprisonment of Panther officers. A New Year's Day greeting from the Black Panther Party to North Korean Premier Kim Il Sung in 1970 drew a telegraphic response expressing the "sympathy and solidarity" of the "Korean people" and the communist dictator's personal wishes for the Panthers' success in their "just struggle to abolish the cursed system of racial discrimination of the U.S. imperialists and win liberty and emancipation." ⁶⁷

The minister of information in exile was back in North Korea for a month's stay in mid-July 1970. Prior to his arrival, a telegram in the name of the central committee of the Black Panther Party was received by the premier in observance of the 20th anniversary of the outbreak of the Korean war. The message, as broadcast by North Korean radio, commiserated with the North Korean communist regime for the "imperialist aggression" practiced by the U.S. Government against Korea and wished success to the regime in the North in obtaining control of noncommunist South Korea. ⁶⁸ While Cleaver was in North Korea, the regime designated August 18, 1970, as an "international day of solidarity with the black people of the United States." ⁶⁹

Cleaver, accompanied by new left and "peace" movement activists on his second Far East trip, went on to North Vietnam for a 2-week stay. He acknowledged making a broadcast in Hanoi specifically directed toward black American soldiers fighting in behalf of the South

⁶⁴ The quotation appeared in a box in the Panther paper, Jan. 31, 1970, p. 7. The concept was also discussed by Cleaver in *The Black Panther*, Mar. 15, 1970, and Apr. 11, 1970; and Judi Douglas, *The Black Panther*, Jan. 24, 1970.

Cleaver explained in the party paper on June 6, 1970, that "Around the world and in every nation people, all who call themselves Marxist-Leninists, are at each other's throats. Such a situation presents serious problems to a young party, such as ours, that is still in the process of refining its ideology."

⁶⁵ *The Black Panther*, May 9, 1970.

⁶⁶ North Korean international broadcast in English, Sept. 23, 1970, and Red Chinese international broadcasts in English, Sept. 18 and 23, 1970.

⁶⁷ *Daily World*, Oct. 3, 1969, p. 3, and *The Black Panther*, Jan. 24, 1970, pp. 10, 11.

⁶⁸ North Korean radio broadcast, in English, July 10, 1970.

⁶⁹ *Guardian*, Aug. 29, 1970. The Jan. 30, 1971, issue of *The Black Panther* reprinted an article from the *Pyongyang Times* in North Korea avowing that the Korean "people" supported the Black Panthers and demanding an end to the U.S. "Fascist suppression" of the militants.

Vietnamese Republic. The text of the broadcast in *The Black Panther*, September 26, 1970, disclosed that Cleaver urged black GIs to desert, commit sabotage, and "rip off" the commander of the U.S. forces in South Vietnam. Cleaver later expressed hope that the Panthers' International Section under his leadership would be able to recruit black GI deserters who had taken up residence in Europe.⁷⁰

Cleaver said he visited the communist Chinese on the same journey. Cleaver's expression of appreciation to Mao Tse-tung for Peking's support of black American struggles had won him publicity in Red China's *Peking Review* on June 12, 1970.

The "International Section" of the Black Panther Party was formally opened in Algiers under Cleaver's direction in September 1970. Cleaver described its main tasks as: internationally publicizing the Panther "struggle"; making alliances with other movements; receiving assistance from other groups; and laying proposals before the U.N. in the future.⁷¹

EXPLOITING THE VIETNAM WAR

In the autumn of 1969, the Panther minister of information negotiated with North Vietnamese representatives in North Korea in an attempt to get an agreement from Hanoi to release American prisoners of war in North Vietnam if the U.S. Government would agree to drop criminal charges against the top two Panthers, Newton and Seale.

During 1968 and continuing until August 1969, the North Vietnamese Government sporadically released a total of nine American POWs to American "peace" movement activists, bypassing U.S. Government channels. At HCIS hearings in 1969 on the release procedures, testimony indicated that the POWs were returned as a communist "propaganda gambit" which also served to enhance the position of pro-Hanoi "peace" groups in the U.S.⁷²

Rennie Davis and Dave Dellinger, who were "negotiators" in some of the POW releases, issued a press statement on October 21, 1969, agreeing to repeat their efforts for the Panthers. They were barred by the court from foreign travels, however, because both were co-defendants with Seale in a trial then underway on conspiracy-to-riot charges.⁷³

The imprisoned Seale claimed in a message to American "peace" activists in November 1969 that Hanoi had announced its willingness to barter POWs for Panthers. The HCIS staff could find no evidence that North Vietnam ever responded favorably, or even publicly acknowledged, the Panther proposal. It also appeared that the American "peace" groups were uncooperative about furthering the Panthers' scheme to free the so-called U.S. "political prisoners," Newton and Seale.

A Panther press release was circulated in November 1969 when mass anti-Vietnam war demonstrations were being staged in the U.S. by groups such as the communist-run New Mobilization Committee

⁷⁰ Information on Cleaver's Asian travels appeared in the *New York Times*, Sept. 4, 1970, and in his interview in the *New York Times Magazine*, Nov. 1, 1970.

⁷¹ *New York Times* interview of Nov. 1, 1970. The interviewer reported that the Panther Party was one of about a dozen "liberation" movements accredited by the Algerian Government and given some assistance and support in their tasks of overthrowing governments in power in their respective countries.

⁷² HCIS hearings on SDS, 1969, pt. 7-A.

⁷³ Davis and Dellinger had leading roles in the planning of demonstrations in Chicago in August 1968 under the auspices of the National Mobilization Committee To End the War in Vietnam. Both were convicted on Feb. 18, 1970, of violating a Federal antiriot law and received sentences of 5 years in prison and a \$5,000 fine.

to End the War in Vietnam (New Mobe). The release denounced the New Mobe leadership for alleged failure to see the importance of the "black people's" struggle and demanded (without known success) that the organization dispatch delegates to Hanoi to negotiate under Cleaver's direction for a package Panther-POW release.⁷⁴

Newton launched another gambit apparently exploiting the Vietnamese war in order to call attention to the Panther cause shortly after his release from prison in August 1970. One of his statements on the party's new "one world" outlook was addressed to the "courageous revolutionaries of the National Liberation Front and Provisional Revolutionary Government of South Vietnam." In recognition of U.S. "imperialism" as their "common enemy" and in a spirit of "international revolutionary solidarity," Newton said, the Black Panther Party offered to the NLF and PRG "an undetermined number of troops to assist you in your fight against American imperialism."⁷⁵

The Black Panther of January 9, 1971, printed a reply from the deputy commander of the South Vietnamese "People's Liberation Armed Forces" (Vietcong). The message, dated October 31, 1970, thanked Newton for the troop offer but saw no need for such "concrete assistance at this time." The Vietcong officer advised the Panther commander that "struggles" in the U.S. and on South Vietnam battlefields both made "positive contributions for national liberation and safeguarding the world peace," and "Therefore, your persistent and ever-developing struggle is the most active support to our resistance against U.S. aggression for national salvation."

RISING BELLIGERENCE OF PANTHER STATEMENTS

By 1970, Panther spokesmen in the United States appeared to take a more belligerent stance in a campaign to survive what they insisted was a national Government plot to exterminate them through law enforcement procedures.

As the Panthers' legal difficulties multiplied, leaders expressed continuing disappointment with the degree of assistance from white activists.⁷⁶ Some officers revived the militant line and even the black nationalist overtones which characterized the party before its attempt to build community support through alleged service programs in 1969.

This theme was sounded by Cleaver in a March 2, 1970, press release from Algeria which urged "white people" not to "sit back" and allow Seale to be convicted on murder charges pending against him in the State of Connecticut. If white people did not answer the prosecution of Panthers by rising up in "class struggle" against the "Fascist" American system, Cleaver declared that "black people" would not accept the treatment of Seale and would "have to go it alone, thus transforming a dream of interracial solidarity into the nightmare of a Race War."⁷⁷

Other "Cleaverisms"—proposed as retaliation to free the Panthers

⁷⁴ HCIS hearings on BPP, pt. 3, particularly exhibit 7.

The Black Panther project regarding POWs was discussed by HCIS Chairman Ichord on the House floor, *Congressional Record*, Oct. 31, 1969, p. H 10415; in *The Black Panther*, Nov. 1, 1969, Nov. 15, 1969, and Nov. 22, 1969; and by Seale, *Seize the Time*, op cit.

⁷⁵ Newton in *The Black Panther*, Aug. 29, 1970, p. 13.

⁷⁶ See Chief of Staff Hilliard's statement to an antiwar rally Nov. 15, 1969, which included a threat to President Nixon for which he is awaiting trial, p. 102. In mid-November 1969, Seale had been sentenced to 4 years in prison for contempt of court and awaited trial in Connecticut on first degree murder charges.

⁷⁷ *The Black Panther*, Mar. 7, 1970, pp. 10, 11.

from U.S. jails—included a January 1970 article proposing that black GIs in Vietnam either quit the Army or start destroying it from within by killing U.S. General Abrams, his staff, and officers and sabotaging supplies and equipment.⁷⁸ With a *New York Times* interviewer in November 1970, Cleaver chose to discuss acts of violence against police officers and judges:

* * * a dead pig is the best pig of all. We encourage people to kill them, because the police constitute an army.

* * * I feel like the young brothers who went in the [Marin County, Calif.] courtroom and offed the judge. That's how black people should treat the courts in Babylon.⁷⁹

Elbert Howard, managing editor of the Panther paper and assistant minister of information of the party, reportedly uttered the same threat of “race” war in a speech at a university on April 14, 1970. He allegedly said Panthers had pursued a “myth” in working for a “class struggle” in the U.S., that whites were willing to fight only when their own interests were threatened, and the party was prepared to fight a “race war” to prevent an alleged extermination effort by the Government.⁸⁰

Howard's editorial statements in the Panther paper also castigated whites for “lip service” to the Panthers' programs and for being unable to “take directions from Black people.” He revived an earlier Panther proposal that black Americans arm themselves and create self-defense groups in their communities.

The declaration by Hilliard in his November 1969 antiwar speech—“We will kill any _____ who stands in the way of our freedom”—was sounded repeatedly in the Panther newspaper thereafter, in articles by Editor Howard and others. The Panthers' Minister of Culture Emory Douglas (whose art work in the newspaper continued to depict physical extermination of police and other “pig” representatives of the U.S. Government) was reportedly preparing a book of cartoons for printing under the title, “We will not hesitate to either kill or die for our freedom.”⁸¹

Threats of a race war were incorporated in the Panther Party's call to a “Revolutionary People's Constitutional Convention” which was the Panther Party's major activity in 1970 aimed at generating mass support and publicity. The call, released at a rally in Washington, D.C., on June 19, 1970, claimed that on the 107th anniversary of the Emancipation Proclamation “white America” was escalating “repression” and “genocide” against “black people” in the U.S. and on an international scale, and was “organizing the White race against the people of the world who have color.”

If “white America” failed to respond to the Panthers' warning, the call declared:

* * * then we, Black people, will be forced to respond with a form of War of Salvation that in the chaos of carrying it out and the attempt to repress it, will gut this country and utterly destroy it. Before we accept Genocide, we will inflict Total Destruction upon Babylon.⁸²

⁷⁸ *The Black Panther*, Mar. 21, 1970, p. 4.

⁷⁹ *New York Times Magazine*, Nov. 1, 1970, pp. 31, 112. Details on the murder of a Marin Co. judge appear on p. 109.

⁸⁰ Providence, R.I., *Journal*, Apr. 15, 1970.

⁸¹ Howard in *The Black Panther*, Mar. 21, 1970, p. 3 and Feb. 28, 1970, p. 11; Elaine Brown, head of information for the BPP southern California chapter, *The Black Panther*, Apr. 25, 1970; Douglas' book announcement, *The Black Panther*, Oct. 24, 1970, p. 17.

⁸² *The Black Panther*, June 20, 1969, pp. 11-13.

An opening address to a plenary session of the convention in September 1970 by one of the 21 New York Panthers facing prosecution on bombing conspiracy charges was reportedly an exhortation to acts of violence. New York Panther Michael Tabor was quoted as urging everyone to dedicate himself "to the proposition that the only good pig is a dead pig" (using "pig" as a synonym for policemen and other representatives of authority). The speaker chose to define the Panther concept of self-defense as a preemptory attack on policemen "if you don't get him today, he will get you tomorrow."⁸³

NEWTON ON VIOLENCE

The newly freed Panther minister of defense, as previously noted, discussed force at the September convention only in the sense of its applicability in a revolutionary situation to those who "resisted" loss of power.

One of his few allusions to the advisability of violent actions in the current situation occurred a few days after his release on bond pending a new trial for manslaughter of a police officer. On August 7, 1970, 2 days following Newton's release from jail, a shootout occurred in a Marin County courtroom in San Rafael, Calif., where a proceeding was underway involving two black inmates of San Quentin. The shootout was precipitated by an abortive escape attempt in which the judge, the prosecutor, and three women jurors were taken hostage. The judge, the two convicts, and a 17-year-old youth described as having been involved in the escape plot were killed in the shooting fray.⁸⁴

The Black Panther Party sponsored "revolutionary" funerals for the two convicts and their youthful accomplice (a service for one convict in Los Angeles and services for the second convict and the youth in Oakland). More than 1,000 persons reportedly turned out for ceremonies August 15 in Oakland, supervised by Panthers in full-dress uniform and addressed by Newton and David Hilliard.

Newton pledged that the Panther Party "will follow the example that was set by these courageous revolutionaries. * * * If the penalty for the quest for freedom is death—then by death we escape to freedom." Newton's eulogy also pledged "our lives" to accomplish goals set by the slain men, although none was represented as having any organizational tie to the Panthers. The rhetoric of the Panther leader also referred to a "high tide of revolution" about to sweep American shores and to a "revolutionary lesson" taught by the San Quentin convicts.⁸⁵

Newton expounded again on the Marin County courthouse shooting in an interview with the "underground" press service, the Liberation News Service, on August 21, 1970, in New Haven. "I think that the Marin courthouse event, a colossal event, was some indication of what might happen in the future," Newton allegedly said. Asked how he could afford to make such a public statement, the Panther official replied:

Now as far as Marin is concerned, and all action by the people—the people have to perform these things. All we can do is set an example or educate the

⁸³ *Washington Post*, and *Washington Star*, Sept. 6, 1970. Additional references to the Panther convention appear on p. 124.

⁸⁴ The shootout was described in the press and also by FBI Director Hoover in an appearance before a House Appropriations Subcommittee, Nov. 19, 1970.

⁸⁵ *The Black Panther*, Aug. 21, 1970, pp. 12, 13, and *Guardian*, Aug. 29, 1970, p. 4.

people either by illustrations or by lectures or by whatever way we can get through to the people. But the final task will be the people bearing the burden in changing things. So we can talk about all of those things with immunity, because we know that we can't do them anyway. We're probably the most focused upon Party in America at this time—by the wrong people, by the FBI, CIA and so forth—and so we can't indulge in those things. But the people will follow that example. And I think they will. I think that the Marin incident has a definite relationship to things that have been happening in Latin America and so forth. So I think world revolution now is a reality, and that the struggle is just intensifying.⁸⁶

Newton referred to concepts of "revolutionary suicide" and "reactionary suicide" in this and subsequent discussions of revolutionary theory. Reactionary suicide was defined as physical or spiritual death without lifting a hand to prevent it. A believer in revolutionary suicide, on the other hand, would not accept death meekly but would engage in head-on conflict with forces that are very strong and "individual chances of surviving are very slim." The Panthers, Newton said, must say, "if die we must, then we will die the death of the revolutionary suicide."⁸⁷

RENEWED INSTRUCTION IN GUERRILLA WARFARE

A call for the organization of "self defense groups" in black communities appeared in the Panther paper of March 21, 1970. The Panther paper of April 18, 1970, printed instructions by a Panther officer on "Organizing Self-Defense Groups."

Written and pictorial advice on the care and handling of firearms was offered with the explanation that such information was "basic" training for members of a self-defense group. Equal space was allotted to simple methods for making "self-igniting Molotov cocktails" and "people's handgrenades."

The Panther author declared that the power structure and the police could not be allowed to define the means of struggle. What those in power call "terrorism" no longer had a negative meaning, but was even an "ennobling" action, the article claimed, citing a Brazilian urban guerrilla as an authority. A concept of self-defense—similar to that offered by the New York Panther at the aforementioned Philadelphia convention—permitted a self-defense group to take preemptive action:

In our 400 year struggle for survival it has been the guns and force manifested in the racist pig cops that occupy our communities that directly oppress, repress, brutalize and murder us. * * * So when a self-defense group moves against this oppressive system, by executing a pig by any means, sniping, stabbing, bombing, etc., in defense against the 400 years of racist brutality and murder this can only be defined correctly as self-defense. The slavemaster, however, through his lackeys and puppets calls it "terrorism." * * *

At a Panther-sponsored Black Student Revolutionary Conference at Yale University May 16-19, 1970, the Panthers set up workshops on urban guerrilla warfare. The Assistant to the FBI Director who

⁸⁶ *Liberation News Service*, No. 283, Aug. 26, 1970, pp. 6-10.

⁸⁷ *Ibid.* and Boston College speech, *op. cit.* Newton repeatedly maintained that genocide was a program of "ruling circles" in America directed at all black Americans, and limitation of Panther activity was repression of the entire minority group.

made this disclosure stated that workshops dealt with the construction and use of incendiary and explosive devices and means of sabotaging public utilities. Techniques of attacking police were also discussed.⁸⁸

VIOLENT CONFRONTATIONS BETWEEN PANTHERS AND THE POLICE

Violent confrontations between Panthers and police officers occurred with increasing frequency in cities throughout the country in 1969 and 1970.

The death toll was heavier for law enforcement officers than for Panthers. Policemen were usually felled by gunfire but in varying circumstances. Incidents in 1969 often began with apparently routine police checks of a pedestrian, car, or building. In 1970, deaths were attributed more often to sniping or other ambush types of assault while policemen were engaged in routine patrols or sat in parked police vehicles.

The committee was informed that 11 police officers were killed as a result of acts by persons identifying themselves as Panthers in the period 1967-1970. The single death recorded prior to 1969 was that of an Oakland policeman in 1967, as a result of which Newton was still subject to legal proceedings 4 years later. In 1969, four other policemen met death at the hands of Panthers (two of the fatalities occurring in Chicago and the others in the southern California cities of Los Angeles and Santa Ana). During 1970 six policemen lost their lives as a result of acts attributed to self-styled Panthers in Sacramento, Omaha, Chicago, Detroit, Toledo, and Baltimore.⁸⁹

Seventeen police officers were wounded in a total of eight confrontations which had resulted in death and/or injury to police in 1967-1968. The total of policemen injured jumped to at least 64 as a result of 23 separate incidents leading to death and/or injury of police officers in 1969-1970.⁹⁰ Injuries were recorded most often among members of the Chicago Police Department, with California the second most common trouble spot.

By contrast, five Panther fatalities resulted from the aforementioned incidents during 1969 and none at all in 1970.⁹¹

Some of the circumstances in which violence exploded between Panthers and police are illustrated by accounts of the incidents by the press and other sources. The first police fatality since the 1967 Oakland shootout occurred around midnight on June 4, 1969, when a police officer in Santa Ana, was shot without warning as he made a pedestrian check (frisk) of two young men en route home from a Black Panther meeting.⁹²

⁸⁸ William C. Sullivan, speech of Oct. 12, 1970, Williamsburg, Va., reproduced in part in HCIS hearings on BPP, pt. 4, exhibit 21.

⁸⁹ Statistics are based on statements by FBI Director Hoover to House Appropriations Subcommittee, Nov. 19, 1970, and in a yearend release, Jan. 6, 1971; and a compilation by HCIS staff of police deaths and injuries at the hands of Black Panthers from the inception of the party through September 1970. (HCIS hearings on BPP, pt. 4, exhibit 3.)

⁹⁰ *Ibid.*

⁹¹ A private research project into the circumstances under which a total of 10 Black Panthers died in the course of police confrontations showed five of the fatalities occurred in 1968 and five in 1969. (Edward Jay Epstein, *New Yorker*, *op. cit.*)

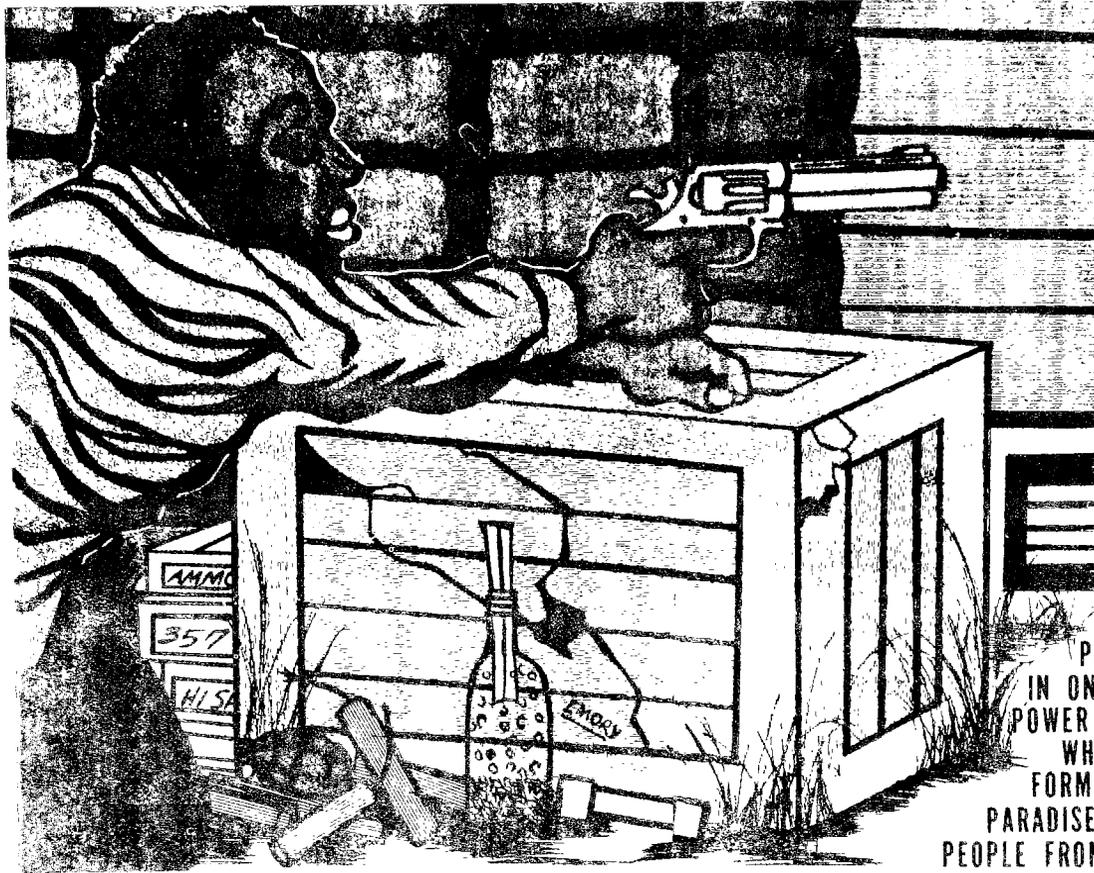
⁹² Testimony at trial in May 1970 which led to second-degree murder conviction for one of the young men, identified as a Panther. (Long Beach *Press-Telegram*, May 24, 1970.)

[*The Black Panther*, Jan. 9, 1971, p. 20]

WHEN A PIG IS CAUGHT DIRTY SNOOPIN'
AND SHOWS YOU HIS BADGE AND BEGS FOR MERCY
MERCY HIM TO DEATH WITH THE BUTT OF THE GUN --



KILL THE PIGS BEFORE THEY KILL YOU



"WHEN A MECHANIC WANTS TO FIX A BROKEN DOWN CAR ENGINE, HE MUST HAVE THE NECESSARY TOOLS TO DO THE JOB. WHEN THE PEOPLE MOVE FOR LIBERATION THEY MUST HAVE THE BASIC TOOLS OF LIBERATION: THE GUN. ONLY WITH THE POWER OF THE GUN CAN THE BLACK MASSES HALT THE TERROR AND BRUTALITY PERPETUATED AGAINST THEM BY THE ARMED RACIST POWER STRUCTURE; AND IN ONE SENSE ONLY BY THE POWER OF THE GUN CAN THE WHOLE WORLD BE TRANSFORMED INTO THE EARTHLY PARADISE DREAMED OF BY THE PEOPLE FROM TIME IMMEMORIAL."

Two California highway patrolmen stopped a car with a faulty taillight on the night of September 7, 1969, in the community of Gardena in Los Angeles County. According to a reconstruction of events by law enforcement officials, one of the officers was writing out a ticket when bullets struck him in the chest and knee. Three men in the vehicle escaped on foot after the shooting. In an episode that continued into the following day, the three at some time or another stole a pickup truck and eventually abandoned it. They were next spotted at a private residence where they commandeered the family car, taking a mother and 5-year-old daughter as hostages. Another shootout ensued when police boxed the fugitives in an alley and rescued the hostages. When the shooting ended, the two-day toll of wounded included two police officers (one permanently paralyzed as a result of his wounds), a woman hostage and two of their assailants.

Two of the gunmen arrested on the scene and a third who escaped and was apprehended later were identified in the Panther Party paper as members of the party's southern California chapter.

When the third gunman was apprehended, he was charged with attempted murder in the September 7 shootout and with the actual murder 3 weeks later of a security police officer. Law enforcement authorities claimed that the officer had been sitting in his auto eating a sandwich in a Los Angeles shopping center when, in the early morning hours of September 29, he was cut down by seven bullets. The third gunman, identified as a section leader in the Panthers' Los Angeles organization, was convicted in both cases. He was sentenced to life imprisonment in April 1970 for the September 7 shooting and in early May he was sentenced to death for the shopping center murder.⁹³

A Los Angeles distribution manager for the Panther paper was killed and another Panther wounded in a shooting fray in Los Angeles on October 18, 1969, which two police officers testified started as the officers sat in an unmarked car observing a restaurant plagued by robberies. Shotgun wounds in the back of the officer who fired the fatal shot were cited as evidence bearing out police accounts that Panthers opened fire as they approached from behind the police.⁹⁴

A 4-hour gun battle erupted when Los Angeles police officers arrived at local Panther headquarters on December 8, 1969, with warrants for the arrest of two men charged with assault with a deadly weapon and to search for illegal weapons. Three police officers and two Panthers were wounded. Police found the Panthers heavily armed and the headquarters equipped with sandbags, reinforced doors, gunports, and an incomplete escape tunnel.⁹⁵

Two Oakland police officers were severely wounded when a police van in which they were taking four men to jail was ambushed on April 17, 1970. As police pursued a vehicle carrying their attackers,

⁹³ HCIS investigative information; Senate Permanent Subcommittee on Investigations, hearings, *op. cit.*, pt. 25, exhibit 827; *Los Angeles Times*, Sept. 9, 1969, Sept. 30, 1969, May 5, 1970; *The Black Panther*, Nov. 1, 1969, Feb. 21, 1970.

⁹⁴ Epstein, *op. cit.* The wounded Panther was subsequently convicted on two counts of assault with intent to commit murder.

⁹⁵ FBI Director Hoover, testimony before House Appropriations Subcommittee, Mar. 5, 1970, and HCIS staff study, hearings on BPP, pt. 1, exhibit 5.

handgrenades were thrown from the vehicle, injuring a mother and child on the sidewalk. One of two assailants captured was identified as a captain in the Black Panther Party and his fully automatic weapon was traced to a bunker of a nearby military reservation.⁹⁶

ESCALATING VIOLENCE IN CHICAGO

One of a series of violent confrontations in Chicago during 1969 occurred around 2 a.m. on July 16, 1969, when two policemen responded to a citizen's complaint about a fruit-stand theft. As the officers discussed the theft with the owner and his friends, two Black Panthers approached, identifying themselves as "community leaders." After a great deal of Panther "mouthing," eyewitnesses (confirmed in part by the Panther paper) reported that one of the Panthers started shooting. Both policemen and a friend of the fruit-stand owner were wounded before their assailant was shot down by one of the officers. (The Panther was hospitalized with gunshot wounds to ankle, thigh, and abdomen; his death in a hospital 7 weeks later was attributed to jaundice.)⁹⁷

In the early morning hours of July 31, 1969, local police engaged in a 30-minute gun battle with Panthers at party headquarters in Chicago. Police reported that an attempt to investigate guns carried by individuals in front of the headquarters sent the suspects into the Panther building from which gunfire soon greeted them. With the aid of reinforcements, police entered the building and arrested three Panthers, slightly injured by broken glass. Four police officers were treated for minor gunshot injuries, and a fifth was hospitalized with a bullet wound in the leg.⁹⁸

Another gun battle took place in predawn hours of October 4, 1969, as police responded to what they described as sniper fire from the roof of the Panthers' Chicago headquarters. A policeman was wounded in the face by pellets and brick fragments, and some of the seven Panther officers and members in the headquarters who were arrested on attempted murder and other charges complained they were victims of police aggression.⁹⁹

A confrontation about 3 a.m. on November 13, 1969, in an abandoned building on Chicago's South Side had more tragic consequences. While Panthers made their customary charge of a police "attack," research revealed that police had actually responded to a wife's fear for the safety of her prison-guard husband. Alarmed by alleged threats of a Black Panther to get the husband after a brawl near a tavern, the wife was instrumental in summoning two police officers to investigate persons lurking in an abandoned building across from the guard's home. When police entered the building, gunfire fatally wounded one

⁹⁶ Testimony, Charles O'Brien, chief deputy attorney general, State of California, Senate Permanent Investigations Subcommittee, hearings on Riots, Civil and Criminal Disorders, pt. 24, July 22, 1970, and exhibit 827 in pt. 25, July 1970.

⁹⁷ Epstein, *op. cit.* Confrontations in Chicago in 1969 were also summarized in *Report of the January 1970 Grand Jury, United States District Court, Northern District of Illinois, Eastern Division*, released May 15, 1970. The grand jury was empaneled to investigate a confrontation of Dec. 4, 1969.

⁹⁸ *New York Times*, Aug. 1, 1969.

⁹⁹ *New York Times*, Oct. 5, 1969; Panther statement in *Workers World*, Oct. 6, 1969; *Guardian*, Oct. 11, 1969; and *The Black Panther*, Feb. 21, 1970. Attempted murder charges were dropped against six of the seven but resisting arrest charges remained (*Chicago Sun Times*, Nov. 11, 1969).

officer and injured the other. Police reinforcements also suffered casualties before the shootout ended. The final tragic toll was two police officers and one Panther slain and seven police officers and one Panther wounded or hurt. A news bulletin from the local Panther chapter reported that the dead Panther had "defined political power by blowing away racist pig Frank Rappaport and racist pig John Gilhooly and retired eight other reactionary racist pigs before he was shot down."¹⁰⁰

A climactic confrontation occurred in Chicago on December 4, 1969, as a result of an effort by the State's attorney's office to execute a warrant to search for illegal weapons in an apartment rented by Panthers. The State attorney's police, which are drawn from the Chicago Police Department and the county sheriff's forces, arrived at the Panther residence shortly before 5 a.m. A rifle shot which greeted them set off a barrage of firing by law officers which led to the deaths of the head of the Illinois Panther Party, Deputy Chairman Fred Hampton, and the head of the Peoria chapter, Defense Captain Mark Clark, as well as the wounding of two policemen and four Panthers.

Police seized an illegal sawed-off shotgun and a stolen police weapon and observed some 17 other weapons which had not been registered. A coroner's jury ruled in January 1970 that the shootings constituted justifiable homicide and a county grand jury on January 30 indicted the seven surviving occupants of the Panther apartment on attempted murder and other charges. Subsequent reports on the raid showed that the body of the top Illinois Panther was found in his bed. This led to a spate of announced plans for investigations by a Federal grand jury empaneled at the request of the U.S. Department of Justice on January 5, 1970; a citizens' "Commission of Inquiry" headed by a former Supreme Court Justice; and an unofficial body of U.S. Congressmen. A "people's" inquiry was scheduled by the Black Panther Party itself.

The Federal grand jury's findings on May 15, 1970, rebuked the State attorney's office and various divisions of the Chicago Police Department for a raid which was "poorly planned and executed" and for "evidence which was mishandled." The news media were criticized for improper pretrial publicity. Prosecution of surviving Panthers was dropped at the behest of the Federal grand jury which found evidence of only one shot fired by a Panther and almost 100 gunshots by police in the confrontation.

Refusal of the Panthers to cooperate with the grand jury made it impossible to make a determination as to whether their civil rights had been violated, according to the panel. It found no fault with close police surveillance of the violence-prone Panthers or the practice of searches for illegal weapons. "The activities of violence-oriented groups such as the Panthers," the report concluded, "seriously complicate" the job of law enforcement agencies, which is to preserve order, administer justice, and guarantee the fundamental rights of *all* American citizens.¹⁰¹

¹⁰⁰ Epstein, *op. cit.*, and *Washington Post*, Nov. 14, 1969. The wounded Panther was indicted for murder in a case that is still pending.

¹⁰¹ *Report of the January 1970 Grand Jury. . . ., op. cit.*

The last Chicago fatality was reported to HCIS to be a result of a Panther-police confrontation on June 19, 1970. A patrolman was shot twice in the head with a sawed-off shotgun as he sat in his squad car making out a report, according to the local police department. A few hours later, police arrested five men including an individual identified in the national Panther newspaper as a member of the local Panther chapter. Police had stopped a car in which the men were riding because it lacked license plates. The Black Panther and one of his companions were convicted on September 15, 1967, of murder, armed robbery, and unlawful use of weapons. (Another was found innocent on that date and the remaining suspects awaited trial.) On February 19, 1971, a judge sentenced the Panther to a prison term of 15 to 50 years.¹⁰²

Additional highly publicized violent confrontations during 1970 included the fatal shooting of one police officer and the wounding of another as the two sat in their police car in Baltimore, Md., on the night of April 24, 1970. (Arrest in the shooting led to a first degree murder conviction of a Baltimore Black Panther on January 15, 1971.)¹⁰³ Gun battles between Panthers and local police followed the slaying of a Toledo, Ohio, policeman who was shot at pointblank range as he sat in a parked police vehicle on September 18, 1970,¹⁰⁴ and the death of a Detroit, Mich., policeman on October 24, 1970. The press reported a gunblast from an office of a National Committee to Combat Fascism felled the Detroit policeman. He was responding with other reinforcements after gunfire capped scuffling between police and Panthers who were blocking a sidewalk to persons who refused to buy Panther literature.¹⁰⁵

An ex-Panther testified before HCIS that two men were arrested in Detroit a couple of weeks prior to his July 21, 1970, testimony for sniping at police officers driving by in their police cars. The witness said he had removed the men from the security squad of the Detroit Panther chapter because of their unreliability, and he claimed both were associated in 1970 with a more violence-prone successor to the Panther chapter, known as the National Committee to Combat Fascism.¹⁰⁶

OTHER TYPES OF CRIMINAL ACTIVITY

Allegations that Panthers tortured individuals suspected of being police informants were made not only in the New Haven court case involving the May 1969 torture-slaying of Panther Alex Rackley

¹⁰² *The Washington Post*, June 20, 1970, p. A-3; *Guardian*, July 4, 1970, p. 2; *Chicago Tribune*, Sept. 16, 1970, sec. 2, p. 9; *The Black Panther*, Mar. 20, 1971, p. 4.

¹⁰³ Senate Permanent Investigations Subcommittee hearings, *op. cit.*, pt. 25, exhibit 827, and *Washington Post*, Jan. 16, 1971.

References will be made here to "Panther"-police confrontations in Baltimore, Toledo, Detroit, and New Orleans. Technically, the local Black Panther Party affiliate at the time was operating under the name, "National Committee to Combat Fascism." (See *The Black Panther*, May 9, 1970, Oct. 3, 1970, Nov. 28, 1970, and Dec. 5, 1970.)

¹⁰⁴ William C. Sullivan, Assistant to FBI Director, statements quoted in HCIS hearings on BPP, pt. 4, exhibit 21.

¹⁰⁵ FBI Director Hoover, testimony, House Appropriations Subcommittee, Nov. 19, 1970. In a subsequent prosecution resulting from this incident, a jury on June 30, 1971, found 12 Black Panthers innocent of charges of first degree murder, conspiracy to murder and assault with intent to murder, but found three of them guilty of felonious assault. (*Washington Post*, July 1, 1971.)

¹⁰⁶ *Washington Post*, Oct. 26, 1970, and testimony, Donald Berry, HCIS hearings on BPP, pt. 3.

but also in others. A shootout ensued around the New Orleans, La., NCCF headquarters on September 15, 1970, when local police tried to investigate beatings administered there to two police undercover agents.¹⁰⁷ In late 1970, court proceedings began against a group of Baltimore Panthers charged with varying offenses as a result of a July 1969 torture-murder of a local man suspected of being an informant.¹⁰⁸

Police raids on local Panther headquarters or arrests of Panthers on a variety of criminal charges frequently led to the discovery of sizable quantities of guns and ammunition and, on occasion, explosives. Those police departments which responded to an HCIS survey of Panther activity in their cities reported that 36 local Panther affiliates were known to possess firearms and 11 had them in such quantities police referred to them as stockpiles. Seventeen of the active affiliated groups were also reported to have had explosives in their possession. (Stockpiling per se, it should be noted, is not necessarily illegal, and laws regarding possession of explosives vary from State to State.)

The aforementioned police survey revealed that 15 Panther locals had sandbags in their headquarters or were otherwise barricaded in a manner suggesting the occupants were prepared for a possible shootout. After the widely publicized December shootout in Chicago, the Seattle chapter was relocated in a two-story house combining living and office space. The second story, witnesses testified before HCIS, was fortified with sandbags, sheet metal, and an illegal automatic rifle. Fortification of the Los Angeles chapter has previously been described.

Criminal charges brought against Panthers throughout the country during 1969 and 1970, according to the party's own paper, continued to cover a broad range of offenses: traffic violations, disorderly conduct, possession of drugs, purse snatching, burglary and robbery, unlawful use and/or possession of weapons, possession of explosives, assault with a deadly weapon, murder, and conspiracy to commit murder.¹⁰⁹ The FBI Director reported that 348 Black Panthers were arrested, during 1969 alone, on a variety of serious criminal charges:¹¹⁰ murder, armed robbery, rape, bank robbery, and burglary.

Arrests on charges ranging from purse snatching to serious felonies were itemized in the Panther paper on February 21, 1970, as evidence of "intimidation" and "Fascist crimes by the U.S.A." A press conference held in Washington, D.C., on January 9, 1970, by the Panthers' national minister of education in the aftermath of the Panther fatalities in Chicago promised that the party would go before the United Nations to press charges of "genocidal" U.S. Government intentions with respect to the party.¹¹¹ The theme was repeated by the Panthers'

¹⁰⁷ Sullivan, *op. cit.*, and *Washington Post*, Sept. 16 and 19, 1970.

¹⁰⁸ Hoover, *op. cit.*, and *Washington Post*, Dec. 16, 1970.

The first of the Baltimore group to be tried was found guilty on Dec. 10, 1970, of first degree murder in the slaying of a suspected police informant. On Feb. 1, 1971, he was sentenced to life imprisonment. (*Washington Post*, Feb. 2, 1971.)

¹⁰⁹ Lists in *The Black Panther*, Feb. 21, 1970, and individual cases reported in subsequent issues.

¹¹⁰ Hoover, House Appropriations Subcommittee, Mar. 5, 1970. The Federal grand jury investigating the Dec. 4, 1969, police raid on a Panther residence in Chicago included as background in its report the fact that 16 local Panther officers or members were under indictment since June 10, 1969, on torture and kidnaping charges for an alleged beating and torture of a black man and woman in April 1969.

¹¹¹ *Washington Post*, Jan. 10, 1970.

attorney, Charles R. Garry, and quoted widely in the news media which even made reference to "urban guerrilla warfare" between Panthers and police.¹¹²

Private research into the circumstances surrounding 10 Panther deaths at the hands of policemen (all of which occurred in the 1968-1969 period) disclosed that in every case some of the Panthers involved were armed and represented a threat to police. Six of the 10 died at the hands of seriously wounded policemen who had reason to believe their lives were in danger, and the researcher found no positive evidence that these policemen even knew they had been shot by Panthers. (For example, some Panthers were confronted as burglary suspects.) The two cases in which Panthers were killed without a direct threat to a policeman's life were identified by the researcher as Bobby Hutton, shot while allegedly running from the scene of an Oakland shootout in April 1968, and Illinois Panther Hampton, apparently hit by stray bullets during the December 1969 raid in Chicago.¹¹³ A study of fatalities, the researcher concluded, offered no substantiation for "exaggerated charges" bandied about that police forces were engaged in a deliberate campaign of genocide (in the sense of physical extermination).¹¹⁴

Panther run-ins with law enforcement authorities in Chicago in 1969 were the result of street crimes, possession of weapons and sporadic shooting sprees with those weapons. The aforementioned Federal grand jury noted the existence of a kind of vicious circle:

The pattern had become familiar [the jury reported]. Because of the Panthers' well-publicized reputation as violence-prone revolutionaries with a particular hostility for police, law enforcement agencies kept them under tight surveillance and were especially alert for Panther crimes. For their part, the Panthers could be counted on to emphasize their social improvement programs and to charge publicly that any law enforcement activity directed at a member or a sympathizer was part of a conspiracy of repression. And Chicago's competitive news media would report every charge and countercharge in meticulous detail.¹¹⁵

VARYING VIEWS OF LOCAL PANTHERS ON USE OF VIOLENCE

HCIS investigations into the operations of a number of Black Panther chapters disclosed a lack of uniformity with respect to orientation toward violence.

Although some degree of hostility toward police forces was common to all chapters examined in depth by on-the-spot investigation, shootouts and other violent confrontations with police were uncommon.¹¹⁶ A chapter occasionally switched from relatively pacific to belligerent policies (or vice versa) in different periods and with leadership changes.

¹¹² Epstein, *op. cit.*

¹¹³ Epstein, *op. cit.* See also report by Federal grand jury, *op. cit.*

¹¹⁴ Epstein, *op. cit.*

¹¹⁵ *Report of the January 1970 Grand Jury. . . . op. cit., p. 12.*

¹¹⁶ It should be observed that HCIS investigations focused on chapters where litigation was not underway as a result of alleged acts of violence or conspiracy to commit such acts by local Panthers.

References to various violent confrontations between Panthers and police in the preceding section of this report cited information from officials of Federal agencies such as the FBI and from the press. HCIS offers no conclusions regarding matters which are yet to be resolved in the courts.

Such criminal acts as burglaries, attempted extortion followed by arson, and beatings, attributed to a group of Seattle Panthers in 1968, tapered off by the spring of 1969. Four of the Seattle Panthers were accused of engaging in sniping at policemen for the stated purpose of getting "rid of pigs," in that period, and some of the beatings were administered to Panthers who wanted to quit the party.

In Detroit, on the other hand, a former Panther described the chapter as nonviolent and community service oriented from 1967 until the summer of 1969 when a new group of Panther supporters allegedly influenced by policies learned at national headquarters began to talk up the virtues of violent actions against police officers and property. A few Panthers who had traveled to Oakland and then tried to inculcate hit-and-run "kill-the-police" tactics in the Kansas City, Mo., chapter were halted by the leaders. Panther-police relationships remained on the level of "psychological," rather than shooting, warfare. The lack of aggressiveness of Panther affiliates in Indianapolis and Philadelphia was a cause for complaint from representatives of the national Panther hierarchy.

More uniformity was observed in public acknowledgments by chapter leaders that they were part of a national organization preparing the ground for a revolution in the United States. The revolution was described as a future event which would occur after Panthers finished arming, organizing, and educating the "people."

Some chapter leaders characterized the forthcoming upheaval as an inevitably violent affair. Speeches by spokesmen for the Seattle chapter predicted guerrilla warfare, while the Kansas City chapter chairman talked of "armed" struggle and a "holocaust" in one of his press interviews. Detailed instructions for creating "chaotic" conditions in the course of revolution were contained in a document obtained by informants from the headquarters of the Indianapolis chapter of the Panther Party but allegedly prepared by a Panther affiliate in Chicago. The document declared a "people's revolution" in the State of Illinois would require the destruction of communication and transportation networks and the execution of city, State, and Federal officials.¹¹⁷

The results of such a revolution were not consistently or clearly projected by local leaders. The Seattle chapter chairman allegedly preached there would be an equal distribution of wealth in post-revolutionary American society, with Cuba used as a model. The Kansas City chapter head spoke of achieving an American form of socialism, while expressing admiration for Chinese communist policies. The "power to the people" slogan of the party meant power in the hands of "black people" in separate black communities to some Panthers, even though whites would join in carrying out a nationwide revolution. One ex-Panther described local chapter discussions which indicated expectations of a Black Panther Party dictatorship over the whole of U.S. society.

¹¹⁷ HCIS hearings on BPP, pt. 3, exhibit 9.

Not all local leaders and members of Black Panther Party chapters approved of violent confrontations with law enforcement officers or supported the revolution which was discussed in political education classes introduced on orders from the national leadership beginning in late 1968, according to testimony of former Panthers.

Not only were some of the rank-and-file members against the idea of violent revolution, an ex-Panther from Philadelphia stated, but "most of the local leaders aren't that heavy." They were more interested in purely local actions to deal with local problems. In the generally unaggressive Detroit chapter, a former member said, there were those who approved and others who disapproved of the national organization's call for violent revolution in America. The same was true in the Kansas City chapter, according to a former officer. On the other hand, there were chapters such as Seattle's, which enjoyed its peak membership when it was openly giving its members military training for the forthcoming revolution.

THE TWO FACES OF THE BLACK PANTHER PARTY

[*The Black Panther*, Jan. 2, 1971, p. 12]

TO ALL REVOLUTIONARY ARTISTS

I would like to take this time to express on behalf of the Black Panther Party our warmest thanks to all revolutionary artists who have given their talents and thoughts to the people through revolutionary art. We would like to say that the artist's work that has appeared in the Black Panther Newspaper this past year has been a great contribution of the interpretation of the ideology of the Black Panther Party and of the oppressed people of the world.

ALL POWER TO THE PEOPLE

DEATH TO THE FASCIST PIGS

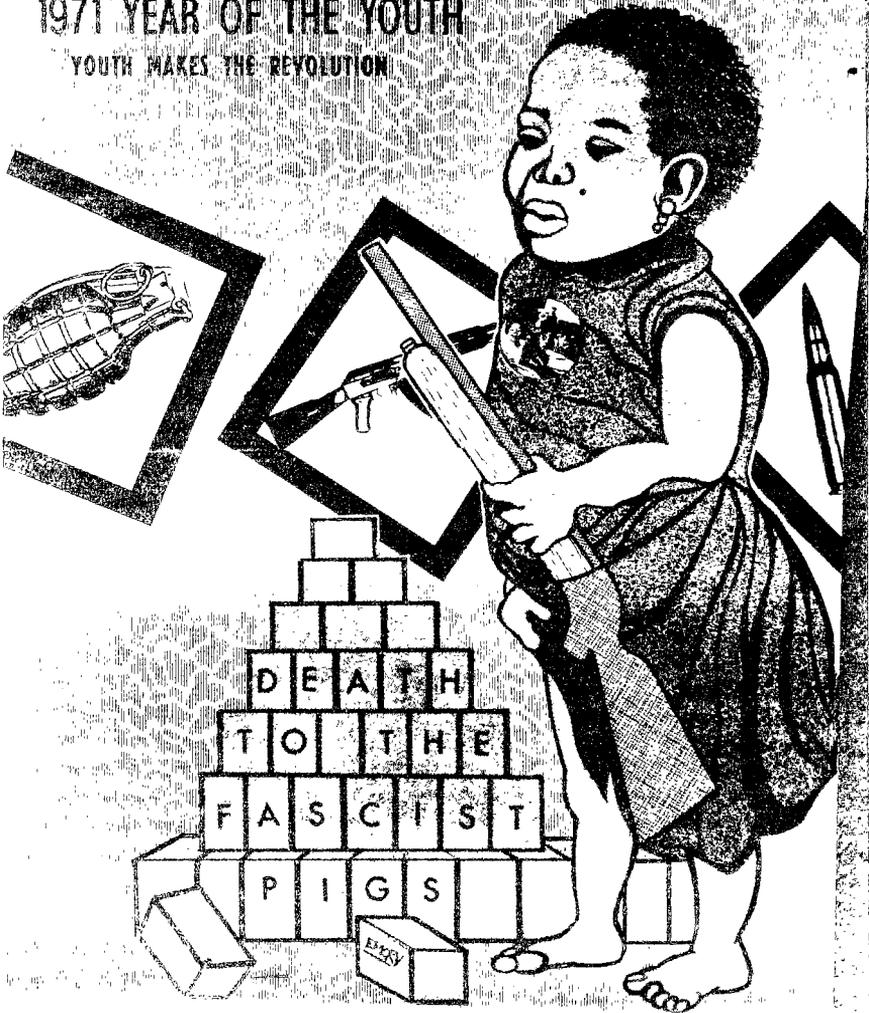
Emory Douglas

Minister of Culture

Black Panther Party

1971 YEAR OF THE YOUTH

YOUTH MAKES THE REVOLUTION



[*The Black Panther*, Apr. 17, 1971, p. 16]

IT IS MY BELIEF THAT WE BLACK PEOPLE NEED GAS AND ELECTRICITY ON COLD AND DARK DAYS, DOCTORS AND
MEDICINE IN TIMES OF SICKNESS, BREAKFAST, LUNCH AND DINNER IN TIMES OF HUNGER



A CONVENTION TO WRITE A NEW U.S. CONSTITUTION

The Panthers' second mobilization of supporters around the country in an assemblage which served to focus national publicity on the Panther cause took the form of a convention to write a new U.S. constitution.

Plenary sessions of a so-called Revolutionary People's Constitutional Convention were scheduled for Philadelphia, Pa., and Washington, D.C., in the fall and winter of 1970. Although several thousand persons showed up in both cities, the convention floundered in the Nation's Capital and no constitutional document of any kind was adopted. Nor was there any continuing community program, as was the case after the first national conference which the Panthers called in July 1969 to build a so-called United Front Against Fascism.

A second constitutional convention for America had been projected a year earlier by the Panther minister of information, Eldridge Cleaver, as a possible *aftermath* to revolution, so that a capitalistic economy would be officially replaced with an American style of "socialism or communism."¹¹⁸

According to a Panther leader of a workshop at a convention session, revision of the U.S. Constitution without political power to make it effective was an "educational" effort. The new constitution would allegedly help to "educate" and "unite" people in behalf of a Panther-style revolution in the United States.¹¹⁹

As previously noted, the call to this constitutional convention—released at a Panther rally in Washington, D.C., on June 19, 1970—contained a threat of race war if interracial efforts did not halt alleged repression and genocide against black Americans. The possibility of separatism was also raised in the call: "For us, also the alternatives are absolutely clear: the present structure of power and authority in the United States must be radically changed or we, as a people, must extricate ourselves from entanglement with the United States."¹²⁰

The first "plenary" session of the Revolutionary People's Constitutional Convention opened on September 5, 1970, at Temple University in Philadelphia with speeches by New York Panther Michael Tabor and Minister of Defense Newton. The New York Panthers' encouragement of acts of violence against police and other authorities, and Newton's more restrained reference to future revolutionary violence in the event of "resistance" from the power structure have previously been referred to. Newton's long speech in a university gymnasium also promised that alternatives to the American system to be prescribed by a new constitution would be founded on a "new economic system * * *—a Socialist framework."

The Panther paper reported about 2,000 persons had registered the preceding evening, and plenary sessions on September 5 and 6 reputedly attracted 5,000 to 6,000 persons. Leaders of workshops, held on September 6, conferred on September 7 to conclude the first stage of the constitutional convention.¹²¹

All "oppressed" ethnic minorities in the United States and others who questioned whether the present Constitution adequately protected their "rights" were invited by the Panther "call" to express

¹¹⁸ *Conversation with Eldridge Cleaver, Algiers, a June 1969 interview.*

¹¹⁹ Proceedings of convention sessions in Philadelphia, Sept. 6, 1970, in *Guardian*, Sept. 19, 1970.

¹²⁰ *The Black Panther*, June 20, 1970, pp. 12, 13.

¹²¹ Description of proceedings appear in *The Black Panther*, Sept. 12, 1970, Sept. 19, 1970; HCIS hearings on BPP, pt. 4, exhibit 23; *The Philadelphia Inquirer*, Sept. 6, 1970; and *Washington Star*, Sept. 6, 1970.

their views at the constitutional convention. Youth, women, soldiers, and elderly people were among those specifically invited. The proportion of whites at the Philadelphia session was estimated at from 25 to 40 percent, in contrast to the white majority at the United Front Against Fascism conference a year earlier. There were reportedly members of such organizations as SDS; the Young Lords Party; the Youth Against War and Fascism, youth arm of the Workers World Party, a dissident Trotskyite organization; and the Yippies.¹²²

Considerable press attention was attracted by the welcome given to members of a Women's Liberation movement and a so-called "Gay Liberation" movement. Workshops scheduled for September 6, 1970, included one meeting to discuss self-determination for "national minorities" (i.e., ethnic minorities) and separate workshops for discussing the "rights" of women, street people, and male and female homosexuals.

The new Panther alliances were in keeping with instructions from Minister of Defense Newton in a special letter to Panthers on the subject of "the women's liberation and gay liberation movements." Newton advised Panthers to overcome prejudices which he himself shared and permit "full participation" of members of the movements in Panther conferences, rallies, and demonstrations. "We should try to form a working coalition with the Gay liberation and Women's liberation groups," he explained, because some of them are sincere revolutionaries and, furthermore, they are "our friends, they are potential allies, and we need as many allies as possible."¹²³

The independent communist weekly, *Guardian*, reported the greatest enthusiasm in the September 6 plenary session was generated by reports from the workshops on "sexual" rights and the rights of street people. A spokesman for the Gay Liberation Front reportedly announced that the front recognized the Panther Party "as the vanguard of the revolution" (a position taken 1½ years earlier by the then viable Students for a Democratic Society). A report from the street people's workshop upheld use of hallucinogenic drugs as a tool for building "revolutionary consciousness" (in contravention of the Panther Party's own rules against mixing drugs with the tasks of making revolution).¹²⁴

Proposals offered at Philadelphia were supposed to be fashioned into one or more draft constitutions to be submitted for ratification at convention sessions in Washington, D.C., November 27-29, 1970. A predominantly white delegation, variously estimated at 2,500 to 5,000 in number, arrived in the Nation's Capital to find no convention facili-

¹²² The Young Lords Organization, a Chicago-based group of Puerto Rican youth, agreed to ally with and follow the BPP as a "vanguard revolutionary organization," according to an interview with the YLO chairman in *The Black Panther*, June 7, 1969. The BPP, YLO, and the aforementioned white youth group in Chicago—the Young Patriots—were sometimes referred to as the "Rainbow Coalition."

In May 1970, the New York State chapter of YLO split away from the Chicago group as a result of organizational and "political" differences and formed a separate Young Lords Party, with headquarters in New York City and chapters soon operating in Philadelphia and other places. The YLP continued to work closely with the BPP, proclaiming the latter to be the "head" of black people who in turn would one day lead a revolution in the United States. (*The Black Panther*, Mar. 6, 1971, statement by YLP Central Committee.)

FBI Director Hoover has characterized the Youth Against War and Fascism as the youth group of the "communist splinter group," the Workers World Party. He noted that the Yippies (Youth International Party) were among those involved in activities aimed at disrupting the August 1968 Democratic National Convention in Chicago. (Testimony before House Appropriations Subcommittee, Feb. 16, 1967, and April 17, 1969.)

¹²³ Newton, "A Letter from Huey to the Revolutionary Brothers and Sisters about the Women's Liberation and Gay Liberation Movements," *The Black Panther*, Aug. 21, 1970, p. 6.

¹²⁴ *Guardian*, Sept. 19, 1970, pp. 1, 3.

ties available which would accommodate all of them. The Panther Party did not pay the more than \$10,000 rental required in advance for use of facilities at Howard University in the District of Columbia.

Convention participants spent much of 2 days aimlessly sitting or wandering about Washington streets and the area around several local churches which offered makeshift accommodations. Only formal activities were a rock concert on the evening of November 27 and speeches by Newton and Tabor in church facilities on the night of November 28. The same organizations and movements represented at the Philadelphia session were reported to be represented in Washington as well.

Newton told the Panthers' supporters who had traveled to Washington that they had a "raincheck" for another Revolutionary People's Constitutional Convention which would be held *after* the revolution. Newton took the line, repeated in a formal Panther Party statement in the next issue of its paper, that the convention was being converted into a "mobilization" of the people for survival until the Nation and its Capital became a "liberated community."

Lack of convention facilities—due to what Panthers claimed was a last-minute demand for advance payment of rent—was denounced as a plot of the "Fascist ruling class." The statements in Washington by Newton and Tabor and a party document circulated at the same time, however, showed that the project to write a new national constitution was not in harmony with the "philosophy of intercommunalism" which Newton had recently imposed upon the Panther Party.

Newton's previously described "rejection" of nationalist concepts in favor of a one-world "community" was reflected in the party declaration circulated in Washington and reprinted in *The Black Panther* on December 5, 1970. The party told its supporters in Washington that they were now being asked to think in terms of "formulating a new constitution for a new world."¹²⁵

PROBLEMS FACING REVOLUTIONARIES IN 1971

The number of Black Panther Party affiliated organizations scattered throughout the Nation multiplied during 1970, according to the FBI's Director.¹²⁶

A new emphasis on recruitment for the revolution from within jails and prisons was illustrated by an announcement in the February 27, 1971, Panther paper that a branch of the party had been formed in San Quentin.

"We have to wage a struggle inside the jails and prisons simultaneous with the struggle in the streets," a caption accompanying a photograph of that maximum security facility in northwestern California proclaimed. A message from the State prison branch of the party observed that "The increase in revolutionary prisoners has proportionately increased the level of political awareness throughout the penal system." The branch informed the Panther publication that it would try to increase the "awareness" of San Quentin prisoners with the aid of "revolutionary literature."

¹²⁵ See p. 97 for Newton on "intercommunalism." The Washington, D.C., sessions of the Revolutionary People's Constitutional Convention were reported in *The Black Panther*, Dec. 5, 1970, pp. 8-11, and in *The Washington Post*, Nov. 28, 29, and 30, 1970, and *Washington Star*, Nov. 29 and 30, 1970.

¹²⁶ J. Edgar Hoover, year-end report in the form of an FBI press release, Jan. 6, 1971.

Publicity in the Panther paper on the party's community service programs such as free breakfasts and health centers revealed the addition of a new service in 1971. The Panther chapter in Chicago and a National Committee to Combat Fascism in Cleveland, for example, offered free bussing of visitors to nearby prisons.¹²⁷

The Panther paper disclosed party efforts to arouse national and international support for Panther leaders on trial in the early months of 1971. The prosecution was still presenting its case in the new year against 13 of the aforementioned "New York 21" charged with bombing conspiracy and other illegal acts. Jury selection for the first group of the New York Panthers to be tried actually began on September 8, 1970.

As the new year opened, prosecution and defense were still arguing over jurors who would hear the State of Connecticut's case against Panther national chairman, Bobby Seale, and Ericka Huggins, organizer for the State Panther organization. Jury selection began on November 17, 1970, in this prosecution arising out of the torture-murder of Panther Alex Rackley in 1969. Charges against the two defendants included capital offenses of murder and kidnaping resulting in death.

Panthers tried to stir up interest in an "Intercommunal Solidarity Day" to be observed on March 5, 1971, throughout the world to focus attention on the Seale-Huggins prosecution. Connie Matthews Tabor, the "international coordinator" of the party in 1970 who now was working with Newton out of Oakland national headquarters, announced demonstrations would be held on that date in Germany, England, Belgium, Italy, France, Denmark, Sweden, and The Netherlands. Kathleen Cleaver was allegedly scheduled to arrive from Algeria to speak with Newton at a mass rally in Oakland on March 5.¹²⁸

Cartoons in the Panther paper continued to depict various acts of violence against the police or military. A full page of news items, all involving killings of police officers in American cities bore the heading: "News briefs: Guerrilla Attacks in U.S.A. February, 1971." An editorial comment described the deaths as "successful executions of fascist police."¹²⁹

Instructions in the care and handling of weapons and discussions of guerrilla warfare tactics also appeared in the Panthers' weekly paper in 1971. The author of some of this advice, as in the past, was Panther Field Marshal Donald Cox, fugitive from justice residing in Algeria. Cox joined Cleaver's International Section of the party, now known as the "Intercommunal Section," after he was charged early in 1970 with complicity in the torture-murder of a Baltimore man suspected of being a police informant.¹³⁰

Cox' instructions in the Panther paper, under the heading "Organizing Self-Defense Groups," contained his customary explanation of differences in the firing power of guns and appeal for continuous practice with them. However, from the security of exile he publicly exhorted those he had left behind to engage in guerrilla-type activity

¹²⁷ *The Black Panther*, Mar. 27, 1971.

¹²⁸ *The Black Panther*, Jan. 23, 1971, and Mar. 6, 1971. The Seale-Huggins trial ended in a hung jury on May 24, 1971. See ch. II, footnote 71, for further details.

¹²⁹ *The Black Panther*, Feb. 27, 1971, p. 9. However, the paper did not link guerrilla attacks to the Black Panther Party.

¹³⁰ *The Black Panther*, Jan. 16, 1971, and *Workers World*, Jan. 15, 1971.

without delay. "Attack * * * at will" the police "communication and transportation system" in the U.S., was Cox' advice in a section on the importance of sabotage in a guerrilla operation. Cox also seconded Cleaver's appeal to GIs to turn their weapons against their officers. Cox added that GIs should bring all the weapons they could lay hands upon to help "freedom fighters" (whose ranks Cox had just deserted) carry out a "war of true liberation" in the United States.

CRACKS IN THE PANTHER EDIFICE

The new year brought the first signs of serious internal strife in the Black Panther Party. By March 1971, the dissension led to an open break between two of the most prominent Panthers, the party's founder and minister of defense, Newton, and minister of information in exile, Cleaver.

Newton announced in the party's paper of January 23, 1971, that five west coast Panthers had been purged for allegedly attempting to organize themselves into a roving armed band. One of the five was Elmer Gerard Pratt, more commonly known as Geronimo. He was the deputy minister of defense for the Panthers' southern California chapter, located in Los Angeles, in 1969 and 1970, but he functioned from an "underground" or concealed location. In the summer of 1969, he faced charges in Los Angeles of illegal possession of bombs. He was again arrested with 18 other Panthers and charged with attempted murder when police raided Panther offices and a residence in Los Angeles on December 8, 1969. His next arrest in December 1970 in Dallas, Tex., added a new charge of fleeing California to avoid prosecution.¹³¹

In announcing Geronimo's expulsion from the party, Newton declared the Los Angeles Panther had been guilty of self-indulgent and careless conduct which was not conducive to a clandestine existence. Newton also accused him of being dissatisfied with the financial support provided by the Panther Party and threatening Newton and Chief of Staff Hilliard with assassination if his demands for more money were not met.

Purges of 11 east coast Panthers, having more far-reaching consequences, were announced by the party's central committee in *The Black Panther* of February 13, 1971.

The committee confirmed a mimeographed statement circulated on February 9 in Newton's name and declaring that nine New York Panthers then in jail and then on trial on bombing conspiracy charges had been expelled "for their attacks on the Party." Newton's statement was passed out by Panthers near the courtroom where the nine were on trial together with four other New York Panthers who remained free on bail. All 13 were among the original "New York 21" indicted in the spring of 1969.¹³²

The Panther newspaper said the nine expressed their divergent views in an "Open Letter" addressed to the SDS underground Weatherman faction and printed in the January 19, 1971, issue of the New York newspaper, *east village OTHER*.¹³³ The letter, actually signed "Your fellow guerrillas in the revolution, the Panther 21," criticized

¹³¹ *The Black Panther*, Dec. 20, 1969; Los Angeles *Herald Examiner*, July 10, 1969; *Guardian*, Dec. 28, 1970; Senate Permanent Subcommittee on Investigations, hearings, *op. cit.*, p. 19, June 1969.

¹³² *New York Times*, Feb. 10 and 14, 1971, and *Time* magazine, Feb. 22, 1971.

¹³³ The New York Panthers' Open Letter was also printed in the *Liberated Guardian*, New York, Feb. 25, 1971.

a Weatherman declaration in December 1970 that the SDS faction had made a "military error" in deciding a year earlier that armed struggle and reliance on guns and bombs were the "only legitimate form of revolutionary action." The New York Panthers regretted that members of the SDS faction had come to believe that there was also virtue in open activity such as rallies and mass demonstrations. Opposition to the Vietnam war, support of individuals in legal difficulties, such as the Panther leaders, and support of rebellious prison inmates were suggested as issues for mass demonstrations in the Weatherman communique.¹³⁴

Although Newton and the Panther Party were never mentioned, the New York Panthers' criticism of the reputed Weatherman statement clearly also applied to tactics pursued by the Panther Party. Whereas the Panther paper in 1971 repeatedly referred to the party as "the vanguard" of the American revolution,¹³⁵ the New York Panthers stated that they regarded the SDS underground group as "one of the—if not the true vanguard" in the United States "at this time." Prospects of a "real" revolution with armed struggle were reduced when revolutionaries involved themselves with issuing newspapers and holding rallies and conventions, the Open Letter contended.

EMPHASIS ON IMMEDIATE URBAN GUERRILLA ACTIVITY

Like Cleaver, the Panther dissidents sided with Latin American revolutionaries who preached that immediate armed struggles would best unlock the revolutionary energy of masses of people. Mocking those who talked of "revolutionary suicide," the Open Letter declared that mass demonstrations had to be combined in a "coordinated way" with "the rebellion of the urban guerrilla." "We desperately need more revolutionists who are completely willing and ready at all times to KILL to change conditions," the letter stated. Noting that the Weathermen themselves agreed that their bomb attacks had had a "devastating" political effect, the Panther letter suggested that targets should be selected with more care in the future in order to have a greater effect on the American economy and to obtain money and weapons for the movement. The "war is on," the New York Panthers declared, and if whites from the mother country did not help, blacks in the colony and their third world allies would simply "go it alone."

Two of the "New York 21" who were free on bail and who reputedly did not join in the foregoing dissent failed to appear when legal proceedings against them resumed in a New York City courtroom on February 8, 1971. The judge immediately revoked bail for two other defendants still at liberty, sending them to join the dissident defendants in prison. The two fugitive defendants, Michael Cetewayo Tabor and Richard Dharuba Moore, together with Tabor's wife, reportedly fled to Algeria. In a video tape released by the New York Panthers a month later, Tabor complained that Newton failed to live up to the members' "expectations" of him and the leader's talk about "inter-

¹³⁴ The *Liberated Guardian* in New York alleged that on Dec. 11, 1970, it received a communique from the Weather Underground, as the SDS faction was also known. Printed in that publication on Jan. 4, 1971, the communique was attributed to the well-known SDS underground leader, Bernardine Dohrn.

The difficulties in ascertaining the authenticity of such messages from the "underground" are illustrated by this alleged Weather Underground communique. It disavowed two recently publicized statements attributed respectively to Weather Underground and Bernardine Dohrn.

¹³⁵ See, for example, *The Black Panther*, Jan. 23, 1971, Feb. 13, 1971, and Feb. 20, 1971.

communalism" in November 1970 led to a gradual drifting away of the party's membership.¹³⁶

The Panther central committee, in the party paper of February 13, 1971, declared the three to be "enemies of the people" expelled "for life." The committee claimed that their "treacherous acts" involved not only bail-jumping but also loss of important records maintained by Mrs. Tabor.¹³⁷ The two Panther defendants who were remanded to jail after the escape of Tabor and Moore, and the entire New York chapter of the party, were shortly thereafter expelled by the national headquarters for allegedly taking the side of the fugitives.¹³⁸

A San Francisco television program brought about Cleaver's public intervention into the dispute on February 26, 1971, by arranging an intercontinental telephone discussion between the exiled Panther and Newton. Cleaver called for reinstatement of the Los Angeles Panther "Geronimo," the New York defendants, and their Panther chapter and the expulsion of Chief of Staff Hilliard.¹³⁹ A second intercontinental interview by a wire service representative in early March sought Cleaver's reaction to a Panther paper article accusing him of abuse of his wife and the murder of another Panther in Algeria. Cleaver and his wife denied the charges and the minister in exile reportedly also declared he was "expelling" from the party its commander, Newton, and his chief of staff, David Hilliard.¹⁴⁰ The New York Panther chapter had similarly "expelled" Newton and Hilliard a few days earlier.¹⁴¹

A tape by Cleaver, made available by the dissident New York Panthers on March 4, 1971, criticized Newton for creating a "bureaucratic" party machinery and for opposing a shift to an underground party operation. Cleaver allegedly felt the party was putting too much emphasis on mass actions and the defense of "political prisoners" and too little emphasis on "military struggle."¹⁴² (New York Panthers told the *New York Times* that Oakland headquarters paid more attention to legal defense for national officers than to New York members who had been in jail since the spring of 1969. Oakland was also accused of being angry at its inability to "control" the New York chapter.)¹⁴³

Another tape publicized by the New York chapter on March 4 allegedly was a conversation between Cleaver and Newton on February 27, 1971, in which the defense minister read out of the party the entire Algerian section including Cleaver.¹⁴⁴

¹³⁶ The contents of a video tape from Algeria, released on Mar. 11, 1971, were described in *The Militant*, Apr. 2, 1971.

¹³⁷ The central committee also announced, without explanation, the expulsion from the party of two female members of the New Haven branch.

¹³⁸ *The Militant*, *op. cit.* On May 13, 1971, a jury acquitted all of the 13 defendants from the New York Panther chapter, including the fugitives Tabor and Moore. On May 12, 1971, the *New York Times* had printed the text of a letter the newspaper stated was written in Algeria by fugitive Richard Moore. On June 5, 1971, the New York City police commissioner announced that Moore was one of four men arrested earlier that day following a holdup in the Bronx.

¹³⁹ *The Militant*, *op. cit.*, and *Washington Post*, Feb. 27, 1971.

¹⁴⁰ Associated Press interview reported in the *Washington Star*, Mar. 5, 1971. The charges against Cleaver appeared in an article by an officer of the southern California Panther chapter in *The Black Panther*, Mar. 6, 1971.

¹⁴¹ A New York Panther chapter announcement of Mar. 1, 1971, reported in *The Militant*, Apr. 2, 1971.

¹⁴² Report in *The Militant*, *op. cit.* The same criticism was voiced by Kathleen Cleaver in an interview with a staff correspondent for the *Guardian*, printed in that publication on Apr. 17, 1971, p. 3.

Mrs. Cleaver was reportedly angry at the cowardly action of Chief of Staff Hilliard which changed the party's primary orientation from "organizing violence against the pigs" to "concentrating on legal action and defending people in court." Indicating that it was time to force jails to free their prisoners, Mrs. Cleaver said: "We are through with legal action. . . . What is necessary now is a party to advance and expedite the armed struggle."

¹⁴³ *New York Times*, Apr. 10, 1970, p. 24C.

¹⁴⁴ *Guardian*, Mar. 13, 1971, p. 4.

The fatal shooting of a New York Panther officer on March 8, 1971, was attributed by spokesmen for the chapter to Panther assassins sent by Newton from the west coast. The Panther, shot in the daytime on a Harlem street, was identified as a deputy field marshal who favored Cleaver over Newton.¹⁴⁵ A deputy minister of information for the New York chapter announced about this time that his group was setting up a new national headquarters of the Panther Party in New York City and would publish its own newspaper.¹⁴⁶

The first official statement on the controversy from the Oakland national headquarters was a central committee declaration in *The Black Panther* of March 20, 1971, that the entire "Intercommunal Section" in Algiers, which included its director, Cleaver, and his wife, had "defected" from the party.

Chairman Seale broke his silence on the party's internal problems with a letter from jail printed in the April 3, 1971, edition of *The Black Panther* and also issued to the press by national headquarters on April 7. Seale denounced Cleaver for "divisionary" and "counter-revolutionary" actions but insisted, "There is no split in the Black Panther Party, at all."¹⁴⁷

Newton came up with lengthy analyses which held Cleaver largely responsible for serious mistakes in Panther policies in the past and used Cleaver's departure as a signal for a new soft-sell party line.

Like Seale, Newton scoffed at the idea that the party was "split" into factions, pointing out only two eastern affiliates sided with Cleaver while 38 others remained loyal to the Oakland headquarters.¹⁴⁸

Despite many positive contributions, Cleaver erred in believing revolution could be made by armed Panther-police confrontations rather than by winning popular support through serving the needs of the black community, according to Newton. He described the party's decision to ally with white radicals late in 1967 as another mistake which put the party in a "twilight zone"—unable to mobilize whites yet unable to influence blacks. The alienation of the black community resulting from the use of profanity in speech and publications was also blamed on Cleaver, although the entire party was consigned some responsibility for implementing such tactics.¹⁴⁹

Cleaver "defected" from the party, Newton declared, "because we would not order everyone into the streets tomorrow to make a revolution." However, as a result of mistaken policies initiated by Cleaver, the party had long ago "defected" from the black community, Newton added.

The departure of Cleaver, the defense minister promised, would permit the party to seek to end its isolation from the black community by returning to its "original vision" of serving the needs of the people and defending them against "oppressors" whether they took the

¹⁴⁵ *Washington Post*, Mar. 10, 1971, and *The Militant*, *op. cit.* The body of Samuel Napier, circulation manager of the Panther paper, working out of San Francisco, was found in the basement of the Panther office in Corona, Queens, N. Y., on Apr. 17, 1971. He had been bound and gagged and shot six times. Napier reportedly had traveled east to seek continued circulation of the paper in an area hostile to Oakland headquarters. (*New York Times* and *Washington Post*, Apr. 19, 1971.)

¹⁴⁶ *The Militant*, *op. cit.* The Algerian group had already opened a U.S. headquarters in the Bronx, N. Y., and a clandestine central committee was in the process of formation, according to the aforementioned Kathleen Cleaver interview.

¹⁴⁷ *The Black Panther*, Apr. 3, 1971, p. 2, and *Washington Post*, Apr. 8, 1971.

¹⁴⁸ Speech at Center for Urban-Black Theological Studies, May 19, 1971, in *Washington Post* and *Washington Star*, May 21, 1971.

¹⁴⁹ Newton's most comprehensive review of past party policy and Cleaver's effect on the organization appeared in *The Black Panther*, Apr. 17, 1971, supplement.

form of police or "capitalist exploiters." Service to the people programs are "the most important thing in the Party," Newton declared. Without the people, he said, there was no way in which the party could make *any* revolution.

While the party had no intention of fielding electoral candidates, it would consider endorsing and working for candidates considered qualified by the party, Newton said. By promoting the interests of "the people" in many ways, he proclaimed:

We can truly [sic] become a political revolutionary vehicle which will lead the people to a higher level of consciousness, so that they will know what they must really do in their quest for freedom, and they will have the courage to adopt any means necessary to seize the time and obtain that freedom.

In keeping with the new tone of his oratory, Newton's pronouncements in the Panther paper were not designated as the words of the party's "supreme commander" but as the words of a humbler Newton: the "minister of defense" and "servant of the people."¹⁵⁰

¹⁵⁰ *Ibid.* A United Press International account of Newton's May 19 speech at the theological seminary quoted a promise by the Panther chief to "operate within the system so we can change it" and to work or change through churches as well as other community institutions.

CHAPTER VI

CONCLUSIONS

"In times of revolution, just wars and wars of liberation, I love the angels of destruction and disorder as opposed to the devils of conservation and law-and-order."

(Eldridge Cleaver, reprinted from the Berkeley Tribe in The Black Panther, Nov. 22, 1969, p. 5).

The Black Panther Party, in a sense, is a product of our times.

Born in the flames of urban rioting in 1966, the organization of black youth first saw its mission as the creation of an autonomous black America through the threat of violence, if not actual violence.

A revision in Panther objectives in 1969 followed alliances with increasingly militant white radical youth. Armed struggle, described as a guerrilla or "people's" war, must "liberate" the whole of American society from capitalism, "imperialism," and "racism," according to the new party line.

Panther leaders never offered a blueprint for a new American social system. How life would be different in a Panther utopia—after proposed equal distribution of the world's wealth—was apparently a question that could be resolved after the destruction of the existing power structure.

The Panther leaders emphasized the *making* of revolution. And they talked as though they expected to play a leading, if not *the* leading, role in mobilizing masses of Americans behind the banner of revolution.

By the close of the decade, the tide of rebellion in inner cities and on the campuses appeared to be on the ebb, and armed Panthers were drawing jail terms instead of masses of followers.

Committee investigations into the Students for a Democratic Society showed that such white radical groups began in 1969 to splinter into factions warring over tactics which would best kindle public support for revolutionary change. The Black Panthers maintained at least a surface unity until early 1971, when they too began splitting up over differences which included the question of tactics.

A faction with the Panthers' minister-in-exile, Eldridge Cleaver, called for party emphasis on underground terrorist-type activity as the bulk of the party under Newton and Hilliard's leadership appeared to be preoccupied with "legal" forms of activity such as spoken and printed propaganda, rallies and conventions, legal defense campaigns, and community service programs.

Cleaver charged that the party departed from its original military-political stance—when the issue was "just Panthers, pigs and guns"—after the prosecution and jailing of Panthers "fragmented" the leadership.¹ Criticism of the domestic leadership for utilizing "legal" activity in an effort to stay out of jail and for refusing to authorize creation of an illegal "underground" party apparatus in the United States came from an officer who himself chose a comfortable life in exile rather than either jail or an underground existence.

¹ "Panther party split deepens," *Guardian*, Mar. 13, 1971, p. 4.

The legal difficulties which piled up for the Panthers and led to their debates over the options remaining open to them in 1971 were the logical outcome of Newton's attempt to organize unemployed black street youths into a paramilitary organization acting as a vanguard for a revolution.

Violence was no stranger to the youths, even before they answered the Oakland Panthers' call for revolutionaries willing to organize to change the existing system, if necessary, by violence.

ENCOURAGEMENT OF ACTS OF VIOLENCE

The public arming of these youths guaranteed attention from both law enforcement authorities and the communications media. A former Panther has described the gun as the key to the growth of the Panthers in early years when urban unrest was at its peak. But the gun was also the "Achilles heel" of the Panthers, according to this observer.² Many of the street youths used the gun, and the degree to which members of the Nation's police forces were victims has been chronicled elsewhere in this study.

The committee cannot say to what degree such acts of violence represented the Panthers' effort to further a "revolution" against the power structure as distinguished from a psychological penchant for criminal activity. Many youths joining the Panther Party had a history of criminal offenses, including assault. While national Panther officers clearly fancied themselves as generals preparing for an armed struggle for political power, it appears many rank-and-file members in local chapters did not view their Panther activity as any great departure from their normal activities.

The committee received no information which would indicate that acts of violence by members of the Black Panther Party signified the opening shots in a revolution aimed at immediate overthrow of the U.S. Government. The top Panther leadership generally represented violent revolution as a future event, to be preceded by the education and mobilization of large numbers of other Americans in support of their cause. Not to be ignored, however, is the concurrent rhetoric of some of the Panther officers who advocated that the "education" of Americans include terroristic acts of violence against representatives of authority, particularly police officers.

It is difficult to assess the full effects of the continuous endorsement of the physical extermination of police officers and, occasionally, government and community leaders, appearing in the articles and cartoons in the party's official weekly newspaper. They are certainly a malevolent influence in modern America, which is witnessing a rising incidence of terroristic acts, including snipings, bombings, and thefts, for so-called "political" purposes.

The Director of the Federal Bureau of Investigation has informed the Congress that he believes the Panthers' invectives have contributed to a "current wave of attacks on police by members of extremist groups."³ The assistant to the FBI Director has declared that terrorist tactics against police officers in 1970 lead to the "inescapable conclu-

² Anthony, *op. cit.*

³ FBI Director J. Edgar Hoover, testimony, House Appropriations Subcommittee, Nov. 19, 1970.

sion" that not only Panther rhetoric, but even "deliberate planning" by Panthers, lay behind some acts of violence.⁴

It is the committee's conclusion that the Black Panther Party, through its deliberately inflammatory rhetoric and through the actual arming and military training of its members, has contributed to an increase in acts of violence and constitutes a threat to the internal security of the United States.

The committee does not hold that the relatively small group of Black Panthers has at any time constituted a clear and present danger to the continued functioning of the U.S. Government or any other institutions of our democratic society. The BPP has never constituted a force, in and of itself, sufficient to threaten with immediacy the overthrow of the Federal Government. Nevertheless, such an insidious and virulent force must be taken into account—its nature made known to public authorities and the citizenry—for its potential for harm to the fabric of America through its action, techniques, and propaganda devices far exceeds the bounds of that which its own limited membership can directly invoke. The problems posed by the Panthers are substantial enough to command a continuous congressional "alert" to their programs and activities.

Fortunately, the Panthers' rhetoric regarding revolutionary activity has always exceeded performance. Exaggeration and arrogance have been common characteristics of the Panther leadership, demonstrated in advancing the party's demands, in hostilities toward constituted authorities, in pushing projects in the black communities, and in working relationships with other organizations.

The Panthers themselves have likened the party's approach to that of a bank robber. According to a story related by Cleaver, Newton considered creation of his armed political group to be "like walking up to the White House and saying, 'Stick 'em up, m——. We want what's ours.'" ⁵

The epitome of Panther arrogance was undoubtedly the party's elevation of Newton in 1970 to an authority on revolution comparable to Chinese Communist Party Chairman Mao Tse-tung, deified by his own party.

The Panther leadership described the party as "Marxist-Leninist" and in 1970 portrayed Newton as a pace setter in revolutionary theory as a result of his allegedly expert use of Marxist-Leninist analytical methods. Newton's talk about a worldwide "intercommunal" system only served to alienate members of his own party, however. His claim that the American revolution would wait upon successful revolutions in Asia, Africa, and Latin America was nothing more than a reflection of the Chinese communist world view.

When Panther propaganda attacked the United States Government as "Fascist" and "imperialist," and responsible for the suppression of freedom at home and abroad, it was hardly distinguishable from the vilification of the United States broadcast regularly by communist regimes in China, North Korea, and North Vietnam.

Statements of sympathy and solidarity for the Panthers from the three Asian communist nations may have fed the ego of the party

⁴ William C. Sullivan, speech on Oct. 12, 1970, reproduced in part in HCIS hearings on BPP, pt. 4.

⁵ Eldridge Cleaver, speech delivered in November 1968 and printed in *Ramparts*, vol. 7, no. 9, December 1968.

leadership, but they were apparently no asset to the organization in its bid for mass support from black Americans.

Many adults in predominantly black inner cities, committee investigation revealed, considered the Panthers to be young hoodlums, posturing for the communications media and exploiting the community they professed to serve. More militant Panther chapters introduced new problems rather than solutions to the many difficulties facing residents of the black communities of America.

It is true that the level of militance varied from chapter to chapter. The commitment of the Panther national leadership to organizing support for armed conflict in the United States at a future date was widely, but not universally, shared by chapter officers and to a lesser extent by the rank-and-file membership, according to testimony from ex-members. There were also local affiliates which pursued a non-belligerent program, apparently demonstrating the effect of the recruitment of individuals drawn by the party's promises in its platform to try to improve conditions for black citizens. Former officers of chapters in Kansas City, Detroit, and Philadelphia, for example, testified that they had tried to implement the party platform by working on housing, narcotics, and other inner city problems. The party's own service projects, such as free breakfasts for schoolchildren, nevertheless foundered at times when they had to depend solely on the efforts of the party membership. Chapters generally included street youth who were primarily attracted by the image of a Panther, arms in hand, fearlessly confronting police authorities.

Committee inquiry into community attitudes toward local Panther activity disclosed no area in which the party attained a mass membership base. Sympathy or respect voiced by some supporters was based on such reasons as: the organization served to publicize inner city problems; in instances, it stimulated remedial community action; and police overreacted to the threat posed by the group. Fear and rejection were more common responses to the Black Panther Party among inner city residents interviewed by the committee staff. They cited lack of substantial gains to the community from a Panther operation and new problems. The acquisition of arms and threats of violence occasionally lead to outbreaks of violence, they pointed out, and impressionable black youngsters were being urged to become permanent outlaws in American society.

PANTHER ACTIVITY AND EXISTING LAWS

Completed and continuing prosecutions of Panthers in major cities from New Haven to Los Angeles indicate that States and municipalities are utilizing existing local criminal statutes.

However, in view of a number of recent acquittals and dismissals, the effectiveness of the enforcement of these statutes is called into question, and the Department of Justice should carefully examine these cases to determine if prosecution would lie under Federal statutes. The committee notes that Assistant Attorney General Robert C. Mardian informed a House Appropriations Subcommittee on March 22, 1971, that a number of Panther Party associates had been indicted under national firearms laws.

The testimony of numerous law enforcement officers during the committee's hearings on the Black Panther Party showed that local laws were generally considered adequate to meet the problem of

violence from any source directed against police officers. The witnesses suggested that the U.S. Congress could, nevertheless, act in a number of ways to improve the position of the Nation's policemen who today are often the target of the so-called "political extremist" as well as the common lawbreaker.

Representatives of three nationwide associations of law enforcement officers expressed to the committee their support for legislation proposed by HCIS Chairman Ichord in the 91st and 92d Congresses to introduce Federal jurisdiction in cases of assaulting or killing a law enforcement officer or fireman.

By a procedure comparable to that authorized in the Federal Kidnaping Statute, such legislation would enable States and municipalities to rely on the experience, resources, and facilities of the Federal Government in apprehending the highly mobile criminal of the present day, while retaining in most cases jurisdiction over the subsequent prosecution.

The full committee adds its endorsement to the chairman's bill at this time and urges early favorable action by the Judiciary Committee, to which the measure has been referred.

The committee investigation of the Black Panther Party showed that competent police intelligence work helped to prevent personal injury and property damage which might otherwise have resulted from activities of extremist groups such as the Panthers. A tendency in some circles, both in and out of Government, to derogate police intelligence work as a kind of police-state tactic obscures the very essential service that can be rendered to a community by law enforcement officers who are thoroughly informed on the complex subject of political extremism, yet sensitive to the necessity of avoiding infringement on the constitutional rights of any citizen.

A citizen's rights include protection from the depredations of the lawless and the extremist in a community, and the degree of protection which local law enforcement provides depends to a great extent on the degree to which it is informed.

Federal funds, initially made available by the Omnibus Crime Control and Safe Streets Act of 1968, are dispensed by the Law Enforcement Assistance Administration (LEAA) within the Department of Justice for the purpose of assisting the States in improving their criminal justice systems—police, courts, and corrections.

Those local agencies which maintain intelligence units should be encouraged by the Justice Department to make some utilization of such Federal funds to improve the agencies' information collection capability.

The Report of the President's Commission on Campus Unrest issued in September 1970 urges increased police intelligence activity. The Commission referred to the problems on campus but its conclusions are valid generally as well.

The Commission pointed out:

If the police are to do their job of law enforcement on the campus properly, they need accurate, up-to-date information. Only if they are well informed can the police know how and when to react and, equally important, when not to react.

The Commission warned:

But if most information-gathering techniques do not threaten anyone's privacy, some kinds, such as the use of police undercover agents posing as students, do create such dangers. They are sometimes required, but they should not be used unnecessarily.

The Commission concluded:

But, lamentably, there are cases where the decision whether to use informers and undercover agents is not difficult at all. It is an undoubted fact that on some campuses there are men and women who plot, all too often successfully, to burn and bomb, and sometimes to maim and kill.

The police must attempt to determine whether or not such a plot is in progress, and if it is they must attempt to thwart it. If they are unable to prevent it, they must seek to identify, locate, and apprehend the participants after the fact. The best and sometimes the only means the police have to effect these purposes, especially the preventive one, is by clandestine intelligence work. Here the general distastefulness of systematic deception is outweighed by the specific threat to life and limb.

Despite HCIS inquiries made to the Justice Department, the committee has received no assurances that LEAA funds are being allocated to properly train local enforcement agencies in the utilization of intelligence information once received or in the collection of such information at the local level. The Department of Justice advised Chairman Ichord on March 31, 1971, that "few States and local governments have submitted plans aimed specifically at developing an increased capability in the area of combating subversion." And further, "Most of the programs funded to date by the States have been directed toward general improvement of the different segments of the criminal justice system rather than an all-out attack on one particular kind of criminal activity. However, as the system is improved, LEAA anticipates this general upgrading of effectiveness and efficiency to result in more deterrence of specific types of crime such as subversive activity."

In other policing areas, Federal funds are being expended on "hardware" and training programs. However, such funds should also be allocated for educational programs which will insure an intelligent application of the law by local police officers in those difficult situations requiring consideration for the safety of the Government, the protection of the rights of citizens to engage in legal activities, and procedural guarantees for those whose alleged activities range to the illegal.

The committee believes that local police departments—the Nation's first line of defense against those who would undermine it by violent and terroristic acts—should be further strengthened by provisions on Federal and local levels which:

1. assure that a policeman's training and salary are commensurate with the obligations the community imposes upon him;
2. afford policemen liability insurance to cope with suits against police officers for actions taken in line of duty;
3. guarantee adequate benefits to officers injured in the line of duty and to families of officers who lose their lives in the performance of their duty.

It is hardly necessary to point out that law enforcement also will be vastly facilitated by continued effort at all levels of government to eliminate the backlog of court cases now causing unreasonably long delays between many arrests and trials.

The official newspaper of the BPP, which has been sent on a weekly basis to all parts of the U.S., has utilized the U.S. Postal Service for a portion of its distribution. The publication serves as the medium for dissemination of information concerning policies, programs, and activities of the party and its diverse chapters. Some of the views which are promulgated by its reporters, editorialists, and cartoonists must be interpreted by even the most detached observer as intended to incite revolutionary activity as well as common criminality. Statements of BPP leaders such as Eldridge Cleaver, reported upon and editorialized, have repeatedly and openly urged the forcible overthrow of the U.S. Government and assassination of officials.

Such conduct is prohibited under penalty of law by Federal statute. Authority is reposed in the Postal Department to institute proceedings to prevent the use of the mails for such purposes and in the Justice Department to institute proceedings to impose criminal sanctions for such conduct. The Post Office Department has not denied the paper the use of the mail service, and no prosecutions are known to be in progress under the Smith Act or other statutes. The Post Office Department by letter of January 7, 1971, advised in response to a committee inquiry of October 28, 1970, that it believes the provisions of 18 U.S.C. 1461 dealing with crime-inciting matter (with respect to the BPP newspaper) should be enforceable when supported by proper evidence, but had not had occasion to recommend such action. The committee believes that the U.S. mail should be an impermissible conveyance for the dissemination of organizational material which exceeds the contemplation of the first amendment. Written matter which urges or incites the reader to join in any aspect of a violent revolution, or even common crime, should be strictly excluded from the benefits of Federal servicing. If existing laws are inadequate to contend with the problems presented by the BPP newspaper, the executive branch should submit recommendations to the Congress for remedial legislation in the light of its experience. It is incumbent upon the executive branch to enforce statutes which would seem to be applicable to the multitudinous activities of the BPP and its leaders. The Smith Act is only one of many possibilities. If these statutes, including those relating to mailability, are for some reason deficient and unavailing, it is the obligation of the Post Office and Justice Departments to so advise the Congress. Failure on the part of the executive branch to take some definitive action will undoubtedly result in oversight action by the legislature.

By letter of October 14, 1970, in response to Chairman Ichord's letter of September 2, 1970, the Internal Revenue Service advised that the matter of Federal tax liability of the BPP and its principals is under active review. The committee ascertained that the BPP, since its inception in 1966, had not filed any income tax return, employer's quarterly Federal tax return, or unemployment tax return. Nor was any record found that National Distribution, the entity which publishes the Panther newspaper, had filed any returns. The IRS reply stated that BPP representatives "recently" raised the issue that the organization is a political party and therefore not liable for filing tax returns. The BPP, as revealed by committee hearings, is of a nature which should not be entitled to any special benefits or advantages under Federal law. A tax exempt status is a

privileged one, accorded by legislative grant because of particular benefits which accrue to the society as a whole as a result of the classification. To fit the BPP into such a category perverts the entire concept. With due diligence the IRS should be able to penetrate the claim of legitimate exemption which the Panther leaders would attempt to impart. The BPP, its adjuncts, and its leaders should be scrutinized by the IRS to insure that all Federal tax obligations are fully met. If existing legislation in this area is inadequate to require the BPP to file necessary returns and pay its liabilities, or to initiate prosecution in the event of default, the executive branch should submit appropriate recommendations for remedial legislation. The committee, however, is not aware of any complaint by the Treasury Department that existing statutes are deficient.

Finally, the committee's scrutiny of the BPP would dictate that the Federal Government should exercise the highest degree of care in processing for Federal employment the application of any individual who has been active in the party. It is true that this organization has not been the subject of designation by the Attorney General under Executive Order 10450, which mandates certain loyalty and security investigations for employment in the Federal Government. Nevertheless, the organization is certainly a fit subject for designation in accordance with the standards set forth in the order, and it must be presumed that the failure to designate it has relationship to the failure to designate any organization since 1955. Nor has the organization, although it has in its later stages expressed dedication to Marxist-Leninist principles, been the subject of a finding under the Subversive Activities Control Act of 1950. This fact is, however, understandable since those organizations within the purview of the act by definition have been construed to be limited to Moscow-controlled organizations. This suggests a need for amendment of the act. These problems are the subject of a separate investigation and study presently underway by the committee which is intended to survey the Federal Civilian Employee Loyalty-Security Program and will be the subject of a separate report.

It should be noted, however, that while the BPP has not been so highly disciplined or monolithic as to require an automatic exclusion from Federal employment for all members, particularly from "non-sensitive" positions, its militant policies have been so extensively purveyed as to necessitate the most penetrative review of anyone who has held membership in it. Some youthful members undoubtedly joined for altruistic purposes, thinking the party could serve some good purposes in the inner city. But the record as a whole indicates the presence of many members exceedingly disaffected from the Government, bent on attacking any indicia of authority, and willing to engage in overt criminal activity. Persons of such disposition could not be expected to serve as effective, much less dedicated, Federal employees. And serious questions are posed by the person who, after hire by the Government, embarks upon membership in the BPP.

SEPARATE MINORITY VIEWS

The present report does not give the reader a clear understanding of the Black Panther Party as a subversive criminal group, using the facade of politics and Marxist-Leninist ideology as a cover for crimes of violence and extortion.

The committee's Annual Report for 1970 devoted 83 pages to the Black Panther Party. On October 6, 1970, the committee issued a staff study of 142 pages entitled "The Black Panther Party Its Origin And Development As Reflected In Its Official Weekly Newspaper *The Black Panther Black Community News Service*." In addition, there are four volumes of committee hearings on this subject. These publications present a more accurate picture of the purpose and the functioning of the Black Panther Party than does the present report.

This report, in tone and emphasis, is unfair to the police and to the American people—especially blacks—who have to cope with Panther crime and violence. It is not made clear that confrontations between the Panthers and the police were usually precipitated *by the Panthers*.

The treatment of the Panther relationship to the Communist Party is grossly inadequate. Although occasional references are made in the report to Panther-CPUSA collaboration, there is no indication of the extensive Communist involvement with the Black Panther Party. It is clear from the information placed in the hearing record by members of the committee's investigative staff that, as Black Panther Party activists became increasingly involved in legal problems, the effect of Communist Party support became more apparent. Charles Garry, an identified member of the Communist Party, became the leading legal defender of the Black Panther Party. Communist Party activists in various parts of the country, both black and white, began appearing at Panther activities and took a leading role in advising local Panthers. Committee evidence, including a survey of local police departments across the country, revealed significant information from reliable sources that local members of the Communist Party, U.S.A., were regularly in touch with local Panther chapters and provided them with guidance.

Communist Party documents confirm the evidence developed by committee investigation. A resolution passed at the 1969 Communist Party national convention, entitled "On The Relationship Between The Black Panthers And The Party," ordered Communist Party members to "join forces and initiate cooperation with the Black Panther Party."

The language of the report too often fails to challenge Panther rhetoric and propaganda. It sounds, especially in the early chapters, more like a sociological rationalization for Panther violence than an investigative report.

The Black Panther Party is not a product of our times, as the report states, but is largely a creature of the mass media. The publicity given to this relatively small group of criminal misfits has enabled them to

make some gains among a tiny minority of young Negroes and to raise considerable funds from gullible whites. It is in the interest of all Americans, both black and white, to expose this organization for what it is. This, the report has not done.

The undersigned would have preferred to endorse this report without reservation. Unfortunately, the numerous deficiencies in the report, some of which are summarized above, preclude this. Thus, we are compelled to issue this statement of clarification in order to make it plain that, while we recognize that there is much useful information in the report, it is lacking in the tone and balance necessary to afford the general reader a real understanding of the true nature and insidious purposes of the Black Panther Party.

JOHN M. ASHBROOK, Ohio.
ROGER H. ZION, Indiana.
FLETCHER THOMPSON, Georgia.
JOHN G. SCHMITZ, California.

August 11, 1971

SUMMATION

(By Richardson Preyer, chairman of the subcommittee)

The Black Panther Party, as a national organization, is near disintegration. Its peak membership was never more than 1,500 or 2,000, and the committee hearings document the steady decline in these numbers during the last year. Furthermore, the feud between Eldridge Cleaver and Huey Newton threatens the start of a time of violence and terror within what remains of the Panther Party. Probably only remnants of the party will remain alive here and there to bedevil the police and enchant a few of the young, but its day as a national influence and influence in the black community seems over.

It is hard to believe that only a little over a year ago the Panthers, despite their small number, ranked as the most celebrated ghetto militants. They fascinated the left, inflamed the police, terrified much of America, and had an extraordinary effect on the black community. Even moderate blacks, who disagreed with their violent tactics, felt that the Panthers served a purpose in focusing attention on ghetto problems and argued that they gave a sense of pride to the black community. The Panthers themselves, through their excesses, have done most to destroy this myth, a myth of their own creation. But the steadiness of the "system," the commonsense of the people of this country, deserves credit also: by and large, we in the wider community—black and white—have done a good job in keeping our balance, in separating fact from propaganda, reality from myth, and not overreacting; our police (with a few notable exceptions) have done a good job in keeping their cool in the face of intense provocation. The myth that the police were out to eliminate the Panthers, though swallowed whole by the press, has been laid to rest. The recent trial of 13 New York Black Panthers, in which all were freed, including two who jumped bond because they feared they would not get a fair trial, has given the lie to the charge that they would not receive the usual constitutional protections in court. Most of those liberals and idealists who once sympathized with the Panthers have realized that the Panthers are not so much Robin Hoods as they are hoods, and have withdrawn their support.

The foregoing report presents an account of the Black Panther Party which is in this spirit of fairness and balance. Some might say it is too sympathetic to the Panthers, for it would be possible, without departing from the facts, to write a real zinger of a report which would carry a stronger sense of outrage than the present report. Such a report would run the risk of making martyrs of the Panthers; a cooler and more balanced report would avoid any possibility of reviving a flagging Panther Party by making available the charge of "oppression." The Panthers wear "oppression" like a badge; it is their excuse for not making it in society—or even trying to make it. It is their too easy excuse for any unlawful or violent act.

In condensing the vast amount of material available on this subject, the report has arrived at a most reasonable perspective. I cannot agree that the report, in the words of the minority view, "is unfair to the police and to the American people." In situation after situation the text demonstrates that Panthers, not policemen, initiated acts of violence resulting in injury or death to themselves, to police officers, and to others.

If it is correct that the Black Panther Party is presently suffering from a terminal illness, then this report may be of historical interest only. Let us hope this is the case. Nevertheless there are some "lessons learned" which apply to all such paramilitary groups based on hate.

This report and the committee's hearings make clear that the purpose of the Panthers is to incite violent revolution, that they are revolutionary radicals and not reformers. There is a continuing debate as to whether they are purposeful terrorists or mostly big talkers. The latter position is made arguable by the naive character of the Panther organization. They have no doctrine (except a few hand-me-down tags from Marx and Mao Tse-tung), no theory, no tactics, little by way of program. But if we take them at their word, the Panthers convict themselves. They insist their weapons are for self-defense, but they preach organized violence and the overthrow of the "fascist imperialist U.S. Government," and plainly consider themselves the violent vanguard of a new American revolution.

It is equally plain that the Panthers are totally incapable of overthrowing our Government by violence. But this does not mean that they are merely mischievous children. On the contrary, they are capable of doing a great deal of harm. They turn all too easily to guns in their rage and frustration. They pose a serious physical danger to the police, and their violent language and conduct create a *climate* for revolution, even though the Panthers themselves cannot bring about a revolution. They raise the threshold of violence, making the next outrageous act just a little more acceptable.

Their violent ranting is often excused as "ghetto talk," merely militant rhetoric to get the ghetto's attention. Our society must vigorously resist this idea for words have meaning, and the use of them carries responsibility. If David Hilliard cries, "Kill Nixon," in public, someone who hears him is going to believe him and take it as a command and not merely ghetto talk. In a tense United States, such talk could be a dangerous incitement to psychotic action on the part of others. We must make it clear that free speech is not absolute and that people are responsible for what they say. In this connection, it is hard to see why the Post Office Department tolerates the mailing of the Black Panther paper, a paper filled with the most outrageous statements and cartoons. (See the recommendations in the "Conclusions" of the report.)

Another result of Panther activity is the alienation of the young, not only from society as a whole, but also from the black community. The Panthers' guns and leather look, rakish uniform, and "off the pigs" lingo has great appeal for the young. And they attack every black leader—I cannot think of an exception, no matter how militant—and so destroy any models young blacks might normally develop. The dehumanization of their opponents (opponents are never wrong, they are "pigs," "wife-beaters," "bootlickers," "lackeys," or worse) has affected not only the young. It has also seriously split the adult black community.

One must ask, "Is it the goal of the Panthers to help blacks?" Many were originally drawn to the Panthers for this purpose. We have heard much testimony concerning their disillusionment. Originally the Panthers had some innovative community service ideas: the breakfast program for ghetto children, the idea of a Panther patrol which would tape-record police officers who were arresting blacks to insure—or prove the lack of—due process and fair treatment. But the aims quickly shifted from service to the black community to vengeance on the white man. Cleaver says, "The U.S. as it exists must be totally obliterated." This is the spirit of the Panthers. There is no talk of better jobs, more equal educational opportunities, better houses. To the Panther, vengeance is sweeter than any of these things. They would unleash the destructive instincts in man—a very dangerous game to play. They have ended, not as noble Robin Hoods serving the oppressed, but as parasites living off the oppressed community.

How has such an organization been able to flourish in our society? Congressman John Ashbrook has suggested that one reason is that they were glamorized by the press, which treated a shootout with the police as if it might be an exciting 4 to 3 baseball game (four Panthers dead and three police). All of us have probably taken comfort from playing the numbers game ("after all, there are only 1,500 Panthers"); from our belief that they don't mean what they say; and the thought that they can't possibly overthrow the Government and so have no effect. But they can do serious damage to the fabric of our society short of revolution.

The most serious consequences of their acts, if long continued, would be totally unintended. For the outrages and excesses of the Panthers could cause us to harden our hearts and could serve as an excuse to shut the ghettos out of the range of our concern. If we rightly criticize the violence and lawlessness of the Panthers, we must offer hope and demonstrate progress as alternatives to the ghetto dweller in his misery. We must not become prisoners of our anger, for then the Panthers would have won after all.

We must all realize that if our society is ever forced to choose between tyranny and anarchy, society will choose tyranny—for anarchy is the worst tyranny of all.

Panthers, put down your guns and find your voices.

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