

# STOP THE DEATH PENALTY -



Photo: Unidentified Execution U.S.A.

## LEGAL LYNCHING U.S.A.

All over the U.S., states are gearing up for another bloody series of executions. Politicians are trying to out-do each other over who can come up with the strongest plans for expansion of death penalty laws. They talk about crime in the streets, more law and order, and the need to build more prisons. The Organizing Committee to Build the African National Prison Organization has made the struggle against the death penalty one of the major focuses in its organizing. They recognize it as part of a dangerous, growing attempt by the U.S. ruling class and government to escalate genocide against black people and to mobilize the support of white people through reactionary movements. We, as North American (white) people, have to understand the death penalty and work in support of the fight against it.

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The current rise of the death penalty has to be understood historically. This nation was built on the wholesale murder and kidnapping of African people and their enslavement on land stolen from massacred Native peoples. Millions of Africans were killed by Europe and the U.S. during their capture and enslavement. For every slave who arrived in the Americas, two were killed on the way, and the subsequent "right" of slave masters to kill any slave at will was firmly established. Violence and terror were necessary to keep African people from taking their freedom so that they would instead produce wealth for their white slavemasters.

Under U.S. law, thousands of rebellious slaves were maimed or killed, making it clear to the enslaved Africans that any attempts for freedom would likely be met with death. Thus total control over Africans' lives was ensured. *This kind of political, social, and economic domination of a whole nation of people by the U.S. state, maintained through violence and terror, is called colonialism whether it takes place on the continent of Africa or against Africans forcibly contained within U.S. borders.*

After the Civil War, the prison system was expanded in the South to re-enslave hundreds of thousands of Africans. The slave system was simply transferred to different owners as huge prisons and chain gang camps leased out African labor to private industry. At the same time, the "legal" death penalty was used more and more often as a form of genocide and colonial terror. And vigilante groups -- often composed of white public officials -- lynched those Africans who stood out as leaders of their people.



The death penalty is used to terrorize  
black prisoners who rebel against the colonial conditions in prisons:

\*In July of 1978 black prisoners led a rebellion against intolerable conditions at the prison in Pontiac, Illinois. The state has put out a half a million dollars to begin prosecuting 60 or more prisoners and they are expected to ask for the death penalty for 10 to 20 prisoners.

\* Six black prisoners face the death penalty at Reidsville, Georgia, in retaliation against recent uprisings there in which one guard was killed.

African people still face terror and violence to this day: murders by white police in the black community, killings of prisoners, forced sterilization, and other acts of colonial terror. These attacks, coupled with more subtle repression through colonial health care and social services which lead to a record high infant mortality rate in the black community, add up to a life expectancy for black people in the U.S. of 7 years less than for white people.

And the "legal" death penalty, as an official state sanction of the killing of black people, sets the context for all these forms of terror and murder of African people. Since 1930, 54% of all people executed in the U.S. have been black, while black people make up only about 11% of the population. (Most of the other 46% executed have been other colonized people, i.e. Chicano/Mexicano, Puerto Rican, and Native peoples.)

During the 1960's, the strength of the Black Power movement clearly exposed the blatant colonial character of the U.S. state and its use of the death penalty to justify genocide. This forced the state to ease up for a time on its open use. So the Supreme Court found various "technicalities" to stop "capital punishment". But while officially curtailing the use of the "legal" death penalty, the FBI was unleashing its deadly COINTELPRO which murdered and jailed black leaders and engineered splits between organizations. This massive military assault on the Black Liberation movement crippled the African fight for freedom. But the basic colonial conditions remained unchanged.

The U.S., with 6% of the world's population, controls and consumes 60% of the world's wealth. All around the world, the U.S. empire is being defeated by nations -- Vietnam, Angola, Palestine, and many others -- rising up to regain control over their lives and resources. These national liberation struggles are throwing this entire system into turmoil as the U.S. ruling class loses its stolen sources of super-profits. As the crisis of this colonial system intensifies inside the U.S., African people are rising once again to demand their freedom and independence. The recent upsurge in prison rebellions all across the country (Pontiac, Statesville, Huntsville, Reidsville, San Quentin, Folsom, and Soledad) and the rapid growth of black organizations such as the African National Prison Organization are serious threats to the colonial domination of African people. The U.S. state is now resorting to blatant moves to protect its interests and maintain its control.

Proposition 7 was the name given to the genocidal death penalty law which was voted on by California voters in November, 1978. This law is especially written to empower the state to execute colonized people, especially leaders -- just as the slave-master's executions and lynchings did in the past.

- it expands the use of the death penalty from 3 to 15 different acts.
- it calls for the death penalty in any killing motivated by "race, nationality, religion, or country of origin." This can be used to condemn any black person they want to get rid of. For example, it can be used to execute African leaders of a demonstration or rebellion if anyone gets killed. No North American has been executed in the U.S. for killing an African.
- it allows a judge to keep calling new juries if the original jury in a trial will not impose the death sentence.
- if a jury rules against execution on any of the 15 counts, the mandatory sentence is life without possibility of parole.
- for other acts which carry life sentence, it changes the first possible parole date from 7 to 25 years.
- it calls for the death penalty for the killing of any police -- whether in uniform or not, whether identified or not -- or of virtually anyone in uniform -- or any agent of the state.

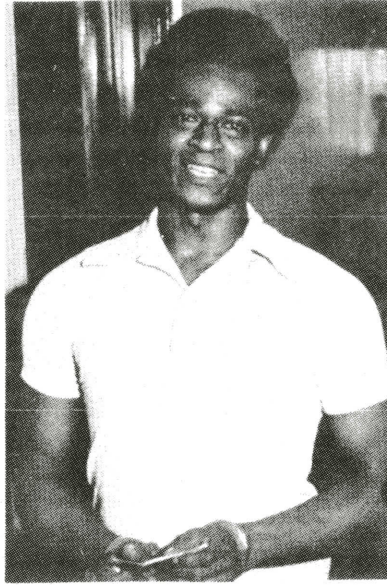
Although this law passed because people wanted to be protected, it is clear that the law is designed to protect only the ruling class and reinforce colonialism.

The powerful people who run this country and who benefit most from colonialism are building a reactionary campaign to mobilize masses of white people in support of their genocidal schemes. During this crisis, they manipulate people's fears of losing what little we have; they play with our genuine need for security and safety. All across the country they are initiating movements which serve their interests while appearing to be mass anti-government rebellions. Jarvis and Gann's Proposition 13 has unleashed a nation-wide "tax revolt" which drastically eliminates social services and jobs desperately needed by African people to survive. Briggs in California pushed through a new version of the death penalty law which greatly expands its use and focuses executions on colonized people; candidates for governor in New York, Illinois, and Massachusetts use sensationalist pro-death penalty propaganda to gain support.

North American people are being conditioned to accept increased brutality against African people both here and on the continent of Africa. TV and newspapers publicize white police evicting black children at gunpoint during the military assault on MOVE in Philadelphia. Theaters promote racist movies like "Wild Geese" which glorify white mercenary slaughter of Africans on the continent. These kinds of overt attacks are being shown without even the defenses and justifications that they needed ten years ago.

Repression against African people is moving ahead at full speed. Huge maximum security prisons are being planned or built in Lake Placid, New York; central California; and Menard, Illinois; to name a few -- all locations far from urban families and black bases of support. Governor Brown of California justifies new prison construction because "we can expect a mass migration into the prisons in the coming years". Prison sentences are being stiffened throughout the country by sweeping legislation -- including the "habitual criminal" statutes (called "class X legislation" in Illinois, other names elsewhere) which allow courts to lock up people for life on small charges. Police murders of Africans -- including many children -- on the streets is on the rise. A few examples are the recent murders of Arthur Miller in Brooklyn, N.Y., and Willie James Daniels in St. Petersburg, Florida, as well as the fact that 38 of the 40 people gunned down last year by the Los Angeles police were Africans.

Imani (Johnny) Harris faces the death penalty in Alabama. He was part of a group of black prisoners asking for minor improvements in prison conditions in Alabama; in order to terrorize the prisoners, guards entered the cell block covered with blood (it turned out to be chicken blood) and announced they had killed other black prisoners and had come to get those on Imani's block. Facing unofficial execution, the prisoners defended themselves and one guard was killed. Imani, who has a temporary stay of execution, waits in the same infamous Atmore prison where the defendants in the Scottsboro case were held throughout the 30's and 40's: some of them were killed in prison, a few escaped.



It is not a coincidence that the states which are leading in the expansion of the death penalty and prison construction are states in which there are large African populations demanding freedom -- New York, Massachusetts, California, Illinois, Florida, Alabama, etc. The beginning of a new wave of legal executions is close; the Nixon Supreme Court has restructured its requirements so that state legislatures can pass "acceptable" death penalty laws. At this point the state legislatures and the courts have agreed on the wording and the Supreme Court has already turned down the last appeals against the death penalty by many prisoners. The death penalty -- and the whole law and order campaign -- is not really about elimination of crime in the streets. Rather, it is an attempt to gain mass support for the genocidal terror attacks against colonized people in an effort to hold this insane order intact. At this point, executions won't be stopped by legal arguments alone but rather by a strong counter-movement against the death penalty and in support of African liberation.

In Germany during the depression years and before World War II, millions of Germans stood by and watched the growth of the German right wing. They were ultimately mobilized to carry out the wholesale genocide of the Jewish people.

**THE UNITED NATIONS DEFINITION OF GENOCIDE:**

- A. Killing members of the group;
- B. Causing serious bodily or mental harm to the group;
- C. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- D. Imposing measures intended to prevent births within the group;
- E. Forcibly transferring children of the group to another group.

U.S. colonialism confronts us with the same kind of responsibility to oppose genocide. The U.S. state has already murdered whole nations of Native people, sterilized 1/3 of all Puerto Rican women, attempted to destroy a whole people in Vietnam, and for four hundred years has carried out the genocidal destruction of Africa through the continued colonial domination of African people. Colonized people have always resisted these attacks and we must support this struggle to turn U.S. history around.

We have to fight this new attempt to expand the death penalty not because it is morally wrong to kill but because the death penalty is a part of a strategy to terrorize a whole people in order to maintain colonial domination. Politicians fight over who can come up with tougher laws; liberal opposition fails to confront the real issues (a pamphlet put out against California's death penalty initiative said: "... arbitrary, anachronistic laws need to be stricken from the books, not voted into law. We already have a carefully written death penalty law in California. Proposition 7 would only confuse the issue".)

**FREE GRAHAM AND ALLEN**

Ernest Graham and Eugene Allen are two black men who have consistently fought against the colonial prison system in California. When a guard was found dead at Duel Vocational Institute in Tracy, California in November, 1973, the state charged Graham and Allen because they were leaders among the black prisoners. They were falsely convicted by an all-white jury upon the testimony of white prisoners who obtained early parole. They now face the death penalty under California Penal Code 4500 which calls for automatic execution of any life-term prisoner who assaults a non-prisoner. Their case is on appeal before the California Supreme Court.

The Philadelphia police department's assault on the MOVE house was shown on national TV. 10 years ago this blatant act of terror would not have been tolerated. But now we are shown this attack as an example of how the state plans to deal with African people in the US. At the same time, totally racist movies like "Wild Geese," which glorifies white mercenary slaughter of Africans in the Congo, prepare us for stepped-up attacks against Africans everywhere. The mass media is working to condition North Americans to accept genocide as a solution to the current colonial crisis.



But we must confront the death penalty with a full understanding of its context: the colonial conditions facing African people, all the forms of death penalty they are faced with, and the role the "legal" death penalty plays in maintaining colonialism by force. We should work to defeat this tactic of colonial terror just as people should have attacked the concentration camps because of their use in the genocide of the Jewish people and not just because the rules they used to select people were "unfair".

The strongest and most effective way to fight the death penalty is to confront its real colonial character. In this context, the struggle against the death penalty is part of the whole Black Liberation movement. This is why the African People's Socialist Party has made the struggle against the death penalty one key part of the building of the African National Prison Organization, a national mass-based movement of African people concerned with their relationship to the prison system in this country.

The African People's Socialist Party is an all-black revolutionary nationalist party based in the U.S. that grew out of the Black Power movement of the 1960's.. It articulates the highest aspirations of African people for freedom and independence from colonial rule and terror.

We in ANPO-Solidarity Committee are a group of North American people with a working class stand who work to build material and political support for African people in their struggle for national liberation in the U.S. We see that North Americans all bear responsibility for the genocide that is carried out in our name. This is why we are initiating a national campaign against the death penalty.

We know that this struggle will take different forms in different places. Sometimes it is in support of particular prisoners facing the death penalty; sometimes it is efforts to recall a law or stop passage of a law that is aimed at killing African people; sometimes it is aimed at getting international support. But we want to carry out this struggle with the same overall anti-colonial perspective; and we are encouraging others to initiate work against the death penalty, to build this national campaign. Together we will win.

Dessie Woods is an African woman who successfully defended herself against a rape attack by an armed white man. The rape of black women by white men has always been a part of the colonial terror used in maintaining the domination over black people. For Dessie's brave resistance, she is now serving a 22 year prison sentence.

The "death penalty" comes in all forms: the rape and attempted murder that Dessie Woods fought back against is a danger faced by all African women in the US; inside Georgia prison, Dessie Woods is being drugged, beaten, placed in nude isolation along with other attempts to kill her because of the strong resistance she has shown.

The July 4th Mobilization to Free Dessie Woods was organized and led by the African People's Socialist Party. The movement to free Dessie Woods is a part of their growing strategy to organize African people to fight all forms of colonial terror and violence.



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If you are a black person interested in working with ANPO you can contact them at PO Box 11097, Louisville, KY 40201.

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Project of Regional Young Adult Project