

Trial of the Soledad Three: Pride & Prejudice in Salinas

by Paul Cowan

SALINAS, California—This city, John Steinbeck's birthplace and the setting for his "East of Eden," is the site of the hulking Soledad prison, where three black men are now awaiting a murder trial in which—like the Bobby Seale trial in New Haven—criminal charges seem to result from the fact that the defendants are black revolutionaries. The case is filled with details which seem certain to evoke even more prejudice among white people than Seale's trial or that of the Panther 21 in New York. For George Jackson, Fleeta Drumgo, and John Clutchette, the Soledad Brothers, are not only militants; all of them were already convicts in Soledad when they were accused of killing John Mills, a white prison guard who was exceptionally popular in town.

The murder took place several days after another white prison guard, O.G. Miller, fired four shots at some inmates allegedly skirmishing in the recreation yard, killing three blacks and injuring a white. (The grand jury later ruled that Miller's action was "justifiable homicide.") Jackson and Clutchette say they were watching television at the time Mills was beaten to death. Drumgo says he was in his cell, and there are dozens of witnesses to their claims. None of the defendants knows who killed Mills, though their lawyers are now investigating that aspect of the case.

For a week prison authorities ordered that all inmates in the



wing where Mills was killed be confined to their cells while they investigated the case. The pressure to produce the murderer must have intensified daily. Finally, Jackson, Drumgo, and Clutchette were selected as suspects. The three men, who had all been arrested on trivial charges, had—like Malcolm X and Eldridge Cleaver—become revolutionaries while they were in jail. They must have irritated authorities with their increasingly unyielding demeanor, and there is a certain kind of white mind that translates such invitations into threats of murder.

For the next three weeks the three men were held in solitary confinement—treated even worse than many convicted murderers, certainly not as suspects. They couldn't communicate with their families or with their lawyers, and were never informed of the charges against them. Finally, a note from Clutchette that said, simply, "Help! Life in danger!" was delivered to his parents. The convicts' families found lawyers who were able to intercede.

But before the lawyers could begin to research the case, eight inmates, named as crucial witnesses, were transferred out of Soledad and scattered throughout the California prison system. It took weeks for the courts to give defense attorney permission to enter Soledad and interview the witnesses who were still there. During that time, the prison administration ordered the renovation of the area where Mills was killed—so the defendants' lawyers have never really seen the place where the crime was supposed to have taken

place. Of course such tinkering with locale and witnesses could never have happened after a crime which was committed outside of prison.

If Jackson, Drumgo, and Clutchette had been born into the white middle-class, they wouldn't even have been in jail at the time the prison guard was murdered.

Clutchette, 24, whose parole date had been set before Mills's murder, had been in Soledad for three years because he'd innocently bought a stolen tv set.

He was arrested for burglary, tried, and sentenced before he could find the real thief. Drumgo, who has served three and one-half years for burglary, would probably have been paroled a year before Mills's murder except that he tacked pictures of Stokely Carmichael and Rap Brown onto his prison wall and thus gained a reputation as a militant.

Jackson's record must be typical of tens of thousands of ulacks in jail throughout America, the kind of invisible people who are sent through the assembly line of American justice in New York's night court every night. There must be tens of thousands of Voice readers who have been involved in the sorts of situations which are called crimes when they involve poor blacks like Jackson, but who have never spent a night in jail.

The son of a Pasadena post office employe, Jackson attend Catholic school, was a choir boy, and frequently served as an acolyte. As a teenager, some letters he's written from prison suggests, he subscribed to the conventional values he learned from his family and in school.

When Jackson was 15, still too young to drive legally, he had a slight accident in his father's car, knocking a few bricks out of the outside wall of a small grocery store near his home. His father

paid the damages, the store owner refrained from pressing charges, but he was still sent to reform school for driving without a license. Three years later, shortly after his release, he made a down payment on a motorbike which turned out to have been stolen. His mother had the receipt and produced it for the police, but Jackson was sent back to reform school, this time for theft.

A counselor there taught him to be a meat cutter, then found him a job and arranged probation. Soon Jackson earned enough to buy a second-hand car. One night a friend he'd invited for a ride ordered him to stop at a gas station, went inside, and stole \$70. Then he told Jackson to drive away. Shortly afterward the two men were arrested. Though the white filling station attendant was willing to testify in court that Jackson hadn't been involved in the theft, Pasadena's public defender, the only lawyer his family could afford, decided that Jackson's reform school record would persuade most judges that he should return to jail. The lawyer entered a guilty plea to reduce the sentence. In 1960, at 18, Jackson was given one year to life.

That was 10 years ago, and he has never been free. Instead, authorities at Soledad and San Quentin, where he's served his times, have come to regard him as a trouble-maker: once he refused to be segregated in the back row of a San Quentin television room (and was placed in solitary for insisting that he had the same rights as whites and chicanos), once he argued with a prison barber who was cutting his natural shorter than he wanted (his parole board cited that scrap when it refused to set a termination date for his sentence), once he argued with a teacher in a prison history class, and recently he has been ordering revolutionary literature to be sent

to his prison cell.

(The man who actually committed the crime for which Jackson was arrested came from a relatively wealthy family; he was sent to Chico, an honor farm for prisoners, and was released within two years of his conviction.)

Letters from Prison

During his decade in jail, Jackson has matured into a brilliant and eloquent writer. The prison letters he wrote between 1964 and 1970 will be published in France with an introduction by Jean Genet, and are in the possession of a New York literary agent who is looking for a publisher. Some of them will appear in Ramparts in August. They contain some of the very best analysis of American society I've read, some important insights into prison life, and a beautifully compassionate description of the way social and economic forces have molded his father's generation of blacks into Uncle Toms without robbing them of their decency. But the passages I found most disturbing were those that referred to the unjust system which had sent Jackson to jail or that described the parole board's handling of his case:

December, 1964 (to his father): "... You know I had at least \$125 on me when I was arrested in 1960. They took it, I assume to cover the \$70 that was missing as a result of the robbery, so I'm thinking I shouldn't owe them too much more, you know I'm fast awakening to the idea that I may not owe them anything, that they might even owe me. I have given four and one-half years of life, during which I have had to accept the unacceptable, for \$70 I didn't take—I protest. I protest."

February, 1965 (to his mother): "I should be out of here this year. I have complied with all of their demands: group

counseling, school, clean conduct record. . . ."

March, 1965 (to his mother, after parole has been denied): "I'm going to do exactly as you say concerning the show of good conduct here . . . I'll have to always defend my person, but I promise you that unless there is a direct threat to my existence I will never have another bit of trouble here."

February, 1966 (to his mother): "I'll be with you as soon as I can; I've got some clean time already and plan to do well for the rest of the year so that in December they will let me go. They have promised me this. . . ."

January, 1967 (to his mother): "I have at least another 4 to 18 months to do. . . . They gave me no consideration at the board, the same people who gave me their promise last year. I was not surprised. I was completely prepared for this."

December, 1967 (to his father): "I got my official notice from the Board Meeting. They denied me another year. I go back next December. It will be eight years by then."

June, 1969: "Dear Mother, final results: Denied, one year, back to board next June 1970. Geo."

March, 1970 (to his lawyer, Fay Stender, after he has been charged with murdering Mills): "What am I doing here, Fay? . . . I fell into this garbage can in a narcotic stupor and they closed the lid for good . . . I'm going to charge them for this, 28 years without gratification, I'm going to charge them like a maddened, wounded rogue elephant, ears flared, trunk raised, trumpet blaring. . . . I'll never forgive, I'll never forget, and if I'm guilty of anything at all, it's not leaning on them hard enough, war without terms."

Jackson's letters frequently show his extraordinary self-discipline. This is a man you

must remember, who has spent his entire adult life in jail, much of it in maximum security or solitary confinement, and for nothing. You don't even have to rely on sociological or political arguments to explain the crime that put him in prison; he didn't commit any crime. He drove without a license when he was 15. That's all. The torment he has been through (Kafkaesque is a pale way to put it) would make most of us suicidal or insane.

Self Respect

Jackson won't surrender any of his self to prison authorities whose pride, in many cases, rests on their ability to reduce black men to bootlickers. When they try to, exact revenge by placing him in maximum security—"jail within a jail," as the prisoners call it—he must inhabit cells whose average size is about nine feet by 16 feet and remain in them for 23½ hours a day, for several months at a stretch. To stay in shape he does 1000 finger-tip push-ups each day. He has trained himself to eat as sparingly as possible, without much regard for the flavor of his food, an experiment that paid off in 1967 when Ronald Reagan cut prisoners' food allowances in half in order to impress California voters with his frugality.

Jackson has worked even harder on his mind than on his body. He learns at least five new words each morning, and it is clear from the increasingly supple, dense style of his letters that he knows how to put them to accurate use. At night, after the guards switch off the lights in the cells, he often sits next to his door and reads by the light that seeps through the cracks. Several years ago he decided to sleep as little as possible, and by 1969 he had trained himself to get by with just three hours a night. He studies, writes, and reflects

constantly, trying to feel and reason his way past the brainwashing which, he constantly complains, he received from his family and his schools.

Until 1970 all of his letters were addressed to his mother, father, and, later, his younger brother Jon. He obviously loves his parents very deeply, treasures their letters and visits, rakes through each communication until he has examined every tiny detail. But he is constantly angry and frustrated by their inability to understand or accept his new radical ideas. In one letter he will rail at them, in another he will include a long, clear analysis of the way the United States has ruined their lives and beg them to understand, in a third he will praise them joyfully for accepting his new beliefs. His letters to Jon, by contrast are full of an older brother's tender pride and stern advice.

Political Maturity

Recently, Jackson's mother has adopted many of his political ideas—she and his sister Frances have been touring California campuses speaking about his case, and he has grown increasingly close to her. But his attitude toward his father seems very complex.

He discusses his father and his Depression generation at length in a letter he wrote to Mrs. Stender in April, 1970.

"I love this Brother, my father, and when I use the word 'love' in these comments I am not making an attempt at rhetoric. I am attempting to express a refulgent, unrestrained emanation from the deepest most durable region of my soul, an unshakeable thing that I have never questioned. But no one can come through the ordeal of being, when he did, without suffering the penalty of psychosis, it was the price of

survival. I would venture that there are no healthy brothers of his generation; none at all. . . .

How to Survive

"He has lived his entire life in a state of shock. Nothing can touch him now, his calm is complete, his immunity to pain is total. When I can fix his eyes, which is not often since when they aren't closed they are shaded, but when I can fix them, staring back at me is the expressionless mask of a zombie.

"But he must have loved me, of this I am certain. . . . He stayed with us, worked 16 hours a day, after which he would eat, bathe, and sleep—period. He has never owned more than two pairs of shoes in his life and in the time I was living with him never more than one suit, never took a drink, had never been to a nightclub, expressed no feelings about such things, and never . . . expected any notice of the fact that he was giving to us all of the life-force and activity that the monster-machine had left to him. The part that the machine seized, that death of the spirit visited upon him by a world he never influenced, was mourned by us, and most certainly by me, but none ever made a real effort to give him solace; how do you console a man who is unapproachable?

"He came to visit me when I was in San Que. He was in his 40s then too, an age in men when they have grown full. I decided to reach for my father, to force him with my revolutionary dialectic to question some of the mental barricades he'd thrown up to protect his body from a, to him, undefinable and omnipresent enemy. An enemy that would starve his body, expose it to the elements, chain his body, jail it, club it, rip it, hang it, electrify it, and poison gas it. I would have him understand that although he

had saved his body, he had done so at a terrible cost to his mind. . . .

"On the occasion I wish to relate my father had driven all night from L. A., alone; he had not slept more than a couple of hours in the last 48.

"We shook hands and the dialectic began, him listening, me scorning the diabolical dog—capitalism. Didn't it raise pigs and murder Vietnamese? Didn't it glut some and starve most of us? Didn't it build housing projects that resemble prisons and luxury hotels and apartments that resemble the Hanging Gardens on the same street? Didn't it build a hospital and then a bomb? Didn't it erect a school and then open a whore house? . . . Didn't it aggrandize men like Hunt and Hughes and dwarf you?

"He said, 'Yes, but what can we do? There's too many of the bastards.' His eyes shaded over and his mind went into a total regression, a relapse back through time, space, pain, neglect, a thousand 'dreams deferred,' broken promises, forgotten ambitions, back through the hundreds of 'renewed hopes shattered,' to a time when he was young roaming the Louisiana countryside for something to eat.

There are a lot of blacks living in his generation, the one of the Great Depression, when it was no longer possible to maintain the black self by serving. Even that had dried up; blacks were beaten and killed for jobs like porter, bell-boy, stoker, pearl-diver, and boot-black. My clenched fist goes up for them; I forgive them, I understand, and if they will stop their collaboration with the fascist enemy, stop it now, and support our revolution, with just a nod, we'll forget and forgive you for casting us naked into a grim and deleterious world."

Moved to San Francisco

On Monday the Soledad Brother's lawyers won a first, vital legal victory. They obtained a change of venue from Salinas to San Francisco. In effect, they also won the continuance they needed to prepare an adequate case since the trial, which was scheduled to begin on June 22, must now be delayed until a new judge is selected and new pre-trial motions are heard.

Of course, San Francisco is a more auspicious setting for the Soledad Brothers trial. But the city's cosmopolitan qualities make the Soledad Brothers case an even more important test of American justice than it would have been if it had remained in Salinas. Is it possible for America's most liberal city to produce a jury of people who can be exposed to this complicated case whose external details evoke such prejudice, and still remain unbiased? Who can separate the concept of black militant from that of convict, the concept of black militant convict from that of murderer?

THE SOLEDAD BROTHERS need money for their legal defense. Contributions may be sent to the Soledad Brothers Defense Fund, care of Dr. Linus Pauling, treasurer, 795 Morse Street, San Jose, California 95126.

-P. C.