

**“Those Who Say Don’t Know and Those Who Know Don’t Say”:  
The Nation of Islam and the Politics of Black Nationalism, 1930-1975**

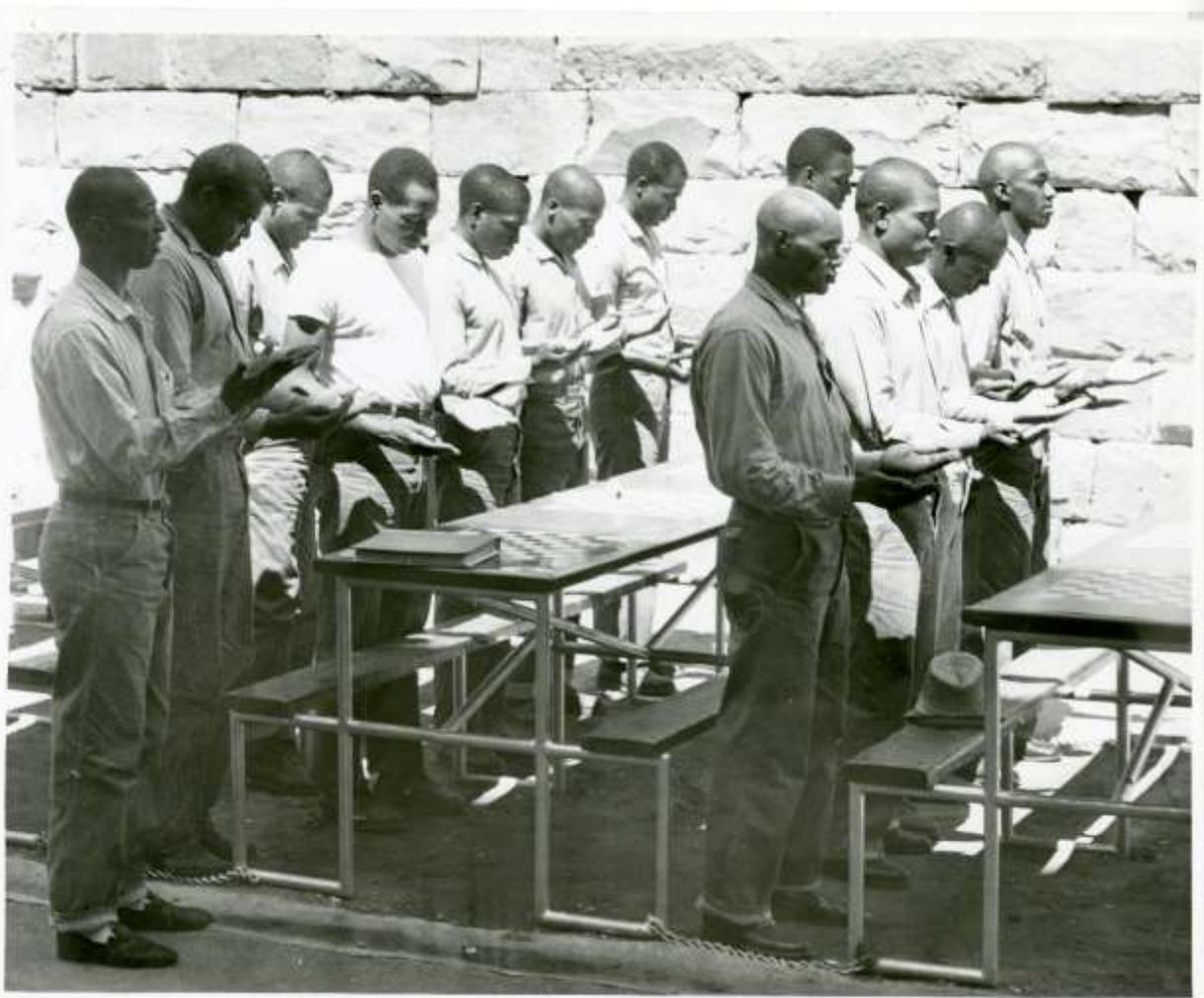
**by**

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Prisoners pray under surveillance at Folsom Prison, 1963

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For my mother, Lynette.

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<sup>1</sup> Robin Kelley, *Freedom Dreams: The Black Radical Imagination* (Boston: Beacon Press, 2002), 8.

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## LIST OF ABBREVIATIONS

AAA	Afro-American Association
ACA	American Correctional Association
AFL-CIO	American Federation of Labor and Congress of Industrial Organizations
AJC	American Jewish Congress
AME	American Methodist Episcopal
AMI	Ahmadiyya Movement in Islam
ASUC	Associated Students of the University of California
BOSSI	Bureau of Special Services and Investigation
BSU	Black Student Union
CBC	Congressional Black Caucus
CIA	Central Intelligence Agency
COINTELPRO	Counterintelligence Program
CORE	Congress of Racial Equality
FBI	Federal Bureau of Investigation
FEPC	Fair Employment Practices Committee
FOI	Fruit of Islam
FOR	Fellowship of Reconciliation
FSM	Free Speech Movement
GCC	General Civilization Class
ILD	International Labor Defense
KKK	Ku Klux Klan
LCFO	Lowndes County Freedom Organization
LDF	Legal Defense Fund
LEAA	Law Enforcement Assistance Act of 1965
MFDP	Mississippi Freedom Democratic Party
MGT	Muslim Girls Training
MMI	Muslim Mosque Incorporated
MOWM	March on Washington Movement
MSTA	Moorish Science Temple of America
NAACP	National Association for the Advanced of Colored People
NAG	Nonviolent Action Group
NAIRO	National Association of Intergroup Relations Officials
NALC	Negro American Labor Council
NAN	National Action Network
NOI	Nation of Islam
OAAU	Organization of Afro-American Unity
OLEA	Office of Law Enforcement Assistance
RACON	Racial Conditions
SCLC	Southern Christian Leadership Council

SNCC	Student Nonviolent Coordinating Committee
SRE	Students for Racial Equality
TASC	Toward an Active Student Community
TWWA	Third World Women's Alliance
UAW	United Auto Workers
UCRC	United Civil Rights Committee
UNIA	United Negro Improvement Association

## ABSTRACT

This dissertation demonstrates the centrality of the Nation of Islam (NOI) and black nationalist politics to the modern black freedom movement. The Nation of Islam's activism in prisons, courtrooms, and on college campuses - spaces both familiar and unfamiliar to narratives of black struggle - broadens our understanding of black politics during the postwar period. The NOI was not apolitical as some scholars have claimed. It was a religious black nationalist organization which pursued its political objectives with intentionality. While its politics and religion were sometimes in tension, they should not be seen in contradiction. Black nationalism's importance has often been discussed only insofar as it shaped the development of Black Power in the late 1960s. However, it was a crucial stream of black political thought during the postwar period and played a significant role in shaping the discourse, aims, and objectives of these freedom struggles.

Reconsidering the place and scope of black nationalism allows us to expand the boundaries of black liberation movements in several crucial ways. First, it reveals a more contoured freedom movement in which the dominant objectives and strategies were a contested terrain within black communities themselves. Integration, direct-action protest, and nonviolence, were merely one expression of black political struggle. Secondly, this dissertation changes who we see as participants in its labor and theorization. What we see as legitimate politics also informs who we see as legible activists. The activism of the NOI highlights the role of the black working class, especially in the North during a period which has often centered professionals, educators, and the middle-class. Finally, this history of the NOI seeks to expand our spatial lens.

Over the last decade, historians have urged that the movement be seen north and west of the Mason-Dixon Line. As a predominantly northern, urban phenomenon, the Nation of Islam fits within this impulse to examine the broader movement outside the South. But exploring the Nation of Islam's activism also illuminates new sites of struggle. Reconsidering and revaluing black nationalist politics during this period moves the movement's historical narrative beyond the mythic unity of a monolithic movement and towards a better understanding of our current struggles against police brutality, mass incarceration, and neoliberalism.

## Introduction

On the evening of April 27, 1962, patrolmen Frank Tomlinson and Stanley Kensic stopped Monroe X Jones and Fred X Jingles, who were unloading clothing out of the back of a Buick by the Nation of Islam's (NOI) mosque in South Los Angeles. The ensuing altercation with police, dubbed a "blazing gunfight" and a "riot" by the *Los Angeles Times*, ended with seven unarmed Muslims injured and one dead.<sup>1</sup> William X Rogers was left paralyzed and Korean War veteran and mosque secretary Ronald X Stokes was shot through the heart and killed at close range as he walked towards Officer Donald Weese with his palms raised toward the sky, repeating a Muslim prayer. Weese later told an all-white coroner's jury, Stokes "came towards me chanting . . . I thought he was going to choke me."<sup>2</sup> In August that same year, twelve Muslim men at Folsom Prison were holding a meeting in the prison yard when a sergeant began snapping photographs of the gathering. As he approached, one of the prisoners proclaimed: "They want to take our picture, so let's give them a good one." Another suggested that they "[f]ace the east and pray to Allah." The group lined up with their hands raised waist high, palms facing up, while one prisoner conducted the prayer.<sup>3</sup>

These confrontations between the Nation of Islam and the carceral state both began with surveillance and ended with protest in the form of prayer. They complicate the linear narrative of

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<sup>1</sup> "Muslims' Riot: Cultist Killed, Policeman Shot," *Los Angeles Times*, April 28, 1962. See Frederick Knight, "Justifiable Homicide, Police Brutality, or Governmental Repression? The 1962 Los Angeles Police Shooting of Seven Members of the Nation of Islam," *The Journal of Negro History* 79, no. 2 (Spring 1994): 182-196.

<sup>2</sup> Grace E. Simons, "I Killed Stokes, Says Officer," *California Eagle*, May 17, 1962.

<sup>3</sup> Robert A. Heinze to Stanley Mosk, Inter-departmental communication, January 8, 1963, Box 173, Folder 22, Subject Files, Muslims, Division of Criminal Law, Attorney General's Office, California State Archives.

“prayer to protest” which some scholars have used to describe Malcolm X’s departure from the NOI and into the broader civil rights struggle.<sup>1</sup> Such formulas date back to first academic studies of the Nation of Islam. In his pioneering book, *The Black Muslims in America* (1961), sociologist C. Eric Lincoln wrote that Muslims “engage in no sit-ins, test no segregation statutes, participate in no marches on Washington or anywhere else.”<sup>2</sup> Nigerian scholar E.U. Essien-Udom echoed these assessments, writing that in “its ideology the Nation of Islam is political . . . [in] practice, however, the Nation of Islam is apolitical.”<sup>3</sup> Yet, when Lincoln interviewed a young black man on the street in New York, the youth replied: “Man, I don’t care what those cats say *out loud* - that’s just a hype they’re putting down for The Man . . . they’re going to lay it on him from here to Little Rock!”<sup>4</sup> After hearing Malcolm X speak in 1963, a woman wrote that she “overheard a devil [white person] say ‘He’s so apolitical!’ But need I say what we both know, the devil just doesn’t know.”<sup>5</sup> This tension between the NOI’s apolitical public rhetoric and the militancy of its reputation was embodied in the enigmatic response given by Muslims when asked about their political engagement: “Those who say don’t know, and those who know don’t say.”<sup>6</sup>

*Those Who Know Don’t Say* is an exploration of what was said by those who didn’t know, and what was done by those who didn’t say. It is a political history of the Nation of Islam that demonstrates the centrality of black nationalism to the postwar black freedom movement.

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<sup>1</sup> “Prayer to Protest” is a chapter title in Manning Marable’s *Malcolm X: A Life of Reinvention* (New York: Viking, 2011) that centers around the differing responses of Elijah Muhammad and Malcolm X in response to the Stokes killing by Los Angeles police.

<sup>2</sup> C. Eric Lincoln, *The Black Muslims in America* (Boston: Beacon Press, 1961), 3-4.

<sup>3</sup> E.U. Essien-Udom, *Black Nationalism: A Search for Identity in America* (Chicago: University of Chicago Press, 1962), 250.

<sup>4</sup> Conversely, in Malcolm X’s autobiography, he recalled that black communities ridiculed the Nation of Islam’s lack of political engagement, saying: “Those Muslims *talk* tough, but they never *do* anything, unless somebody bothers Muslims.” See Malcolm X and Alex Haley, *The Autobiography of Malcolm X* (New York: Ballantine Books, 1992; first published in 1965), 291.

<sup>5</sup> Illegible name to Malcolm X, no date, c. 1963, Box 4, Folder 7, Malcolm X Collection (MXC), Schomburg Center for Research in Black Culture, New York Public Library.

<sup>6</sup> Lincoln, 3, 4, and 91.

The NOI was not simply apolitical as these public narratives and academic studies have suggested. It was a religious black nationalist organization which pursued its political objectives with intentionality. And while its politics and religion were sometimes in tension, they should not be seen as irreconcilable. As Edward Curtis argues, “the religion of the NOI was [often] powerful precisely because it was simultaneously a form of political activism and religious expression.”<sup>7</sup>

The Nation of Islam was the most identifiable and influential black nationalist organization since the Universal Negro Improvement Association (UNIA) of the 1920s. Reconsidering the place and scope of black nationalism allows us to expand the boundaries of black liberation movements in several crucial ways. First, it reveals a more contoured freedom movement in which the dominant objectives and strategies were a contested terrain within black communities themselves. Integration, nonviolence, and direct-action protest were merely one register of black political struggle. Secondly, it changes who we see as participants in its theorizing and labor. What we see as legitimate politics also informs who we see as legible activists. The activism of the NOI highlights the role of the black working class, especially in the North during a period which has often centered professionals, educators, and the middle-class. For example, rank-and-file members were referred to as “laborers” and the Nation specifically organized Muslim Girl’s Training and General Civilization Class (MGT-GCC) on Thursdays around the traditional night off for domestic workers. As Detroit auto-worker and activist James Boggs noted simply, the NOI had “support of the masses of Negroes.”<sup>8</sup> Finally, a political history of the NOI expands our spatial lens. Over the last decade, historians have urged recognition of the

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<sup>7</sup> Edward E. Curtis, IV, *Black Muslim Religion in the Nation of Islam, 1960-1975* (Chapel Hill: University of North Carolina Press, 2006), 6.

<sup>8</sup> Stephen Ward, *In Love and Struggle: The Revolutionary Lives of James and Grace Lee Boggs* (Chapel Hill: University of North Carolina, 2016), 272-273.

movement's presence be seen north and west of the Mason-Dixon Line. While the Nation of Islam fits within this impulse to see a broader movement outside the South as a predominantly northern, urban phenomenon, exploring its activism also illuminates new sites of struggle, such as prison yards and college campuses – where we either have not looked or have not associated with the Nation. Reconsidering and revaluing black nationalist politics during this period moves narratives of the black freedom movement beyond a monolithic and mythic unity and towards a better understanding of our current struggles against police brutality, mass incarceration, and neoliberalism.

Although the NOI is often portrayed as distinct from, or divisive within, black freedom movements, the Nation was one of the primary catalysts for black united front politics during the period before Black Power. The NOI's model for black unity was internationalist. Central to both the Nation's religious and political beliefs, was the notion that believers were not part of a domestic minority, but rather a global majority. As one recent convert reflected, as "Moslems, we do not feel that we are a minority of any kind. We know, instead that we are a part of the vast Moslem world."<sup>9</sup> The NOI's political model for a black united front was the rising Third World anticolonialism of the nonaligned movement. When Egypt hosted the first Afro-Asian Peoples' Solidarity Conference in 1957, Elijah Muhammad sent a telegram of support to President Nasser noting the importance to your "long lost brothers of African-Asian descent here in the West."<sup>10</sup> NOI members even hung portraits of Nasser in their homes. In 1959, Malcolm X called for a

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<sup>9</sup> Abdul Basit Naeem, "What's New in New York City? The Rapidly Growing Temple of Islam," *Moslem World and the U.S.A.* (August/September 1956): 23. This motivation was echoed in interviews conducted by C. Eric Lincoln. For example, Lincoln's handwritten notes on conversations with Malcolm X read: "There are over 600 million Muslims in Africa and Asia alone, and we Muslims in America who follow the Honorable Elijah Muhammad are a part of those 600 million." See C. Eric Lincoln handwritten notes, Box 175, Folder 21, C. Eric Lincoln Collection (CELC), Robert W. Woodruff Library, Archives Research Center, Atlanta University Center.

<sup>10</sup> "Mister Muhammad's Message to African-Asian Conference!" *Pittsburgh Courier*, January 18, 1958.

“Bandung conference in Harlem.”<sup>11</sup> Yet, as the group attempted to forge broad political coalitions across religious, class, and political differences, these efforts were often rebuffed or denounced by integrationist organizations such as the NAACP.

Thus, despite being portrayed in the media as a “hate group” or “black supremacists,” the NOI is best understood during these years as an anti-racist, anticolonial, and anti-essentialist organization. What many have viewed as the racial provincialism of black nationalism, was actually a pliable anticolonial identity - “Asiatic” - which shifted at different historical moments to include solidarity with Japan, Ghana, Kenya, Egypt, Palestine, First Nations, Cuba, Mexico, Algeria, Vietnam, and even Northern Ireland. What distinguished it most from other anticolonial movements of this period was in fact its fierce anticommunism and commitment to capitalism. Asiatic identity was capacious enough to transcend racial particularism in prisons. According to New York State Police records, at least 10 percent of members of the Muslim Brotherhood in the state’s prisons had Spanish surnames (40 out of 300). This corroborates Johanna Fernandez’s argument that Denise Oliver’s leadership as a black woman in the predominantly Puerto Rican Young Lords Party in New York, points to a “kind of racial and ethnic crossover that may have been more common in the movements of the 1960s than we currently acknowledge.”<sup>12</sup> Such examples trouble notions of black nationalist organizations as homogeneous and narrow, instead suggesting the possibility for a more expansive multiracial activism.

While black nationalism’s importance has often been discussed only insofar as it shaped the development of Black Power in the late 1960s, the NOI’s presence in prisons, courtrooms,

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<sup>11</sup> Edward Curtis, “Islamism and Its African American Muslims Critics: Black Muslims in the Era of the Arab Cold War,” *American Quarterly* 59, no. 3 (2007): 687.

<sup>12</sup> Johanna Fernandez, “Denise Oliver and the Young Lords Party: Stretching the Political Boundaries of Struggle,” in *Want to Start a Revolution? Radical Women in the Black Freedom Struggle*, eds., Dayo Gore, Jeanne Theoharis, and Komozi Woodard (New York: New York University Press, 2009), 272.

and on college campuses at the height of the civil rights movement demonstrates the role black nationalism played in shaping the aims, discourse, and objectives of the civil rights movement.<sup>13</sup> Sundiata Cha-Jua and Clarence Lang have asserted that “black nationalism was a submerged tendency in the 1950s and early 1960s with few proponents and institutional bases outside Elijah Muhammad’s Nation of Islam.” Nor did it “shape movement agendas or mobilize large numbers of people between 1954 and 1965.” They posit that “*the thing becoming* should not be confused with *the thing itself* (emphasis in original).”<sup>14</sup> This assessment stands at odds with civil rights activists during this period. As Charlie Russell wrote in the *Liberator*, “the Muslims were like a breath of fresh air on the Civil Rights scene; there was intriguing boldness about them – they dared express publicly what many Negroes uttered in private.”<sup>15</sup> Even activists such as Marvin Rich of the Congress of Racial Equality (CORE) who thought that the group had been “overplayed by the press” argued that *the nationalism which the Black Muslims represent is a powerful force*” (emphasis in original).<sup>16</sup> Conclusions which read black nationalism’s significance backwards from the advent of Black Power in 1966, ignore the NOI’s ability to politicize and activate large numbers during the heart of the civil rights era. More importantly, those in the Nation did not see themselves as participating in “a thing becoming,” but rather in building a movement which addressed their daily material circumstances. This is borne out by the reaction of many Muslims to the emergence of Black Power; they argued that Elijah Muhammad had been teaching his own version of Black Power for years.

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<sup>13</sup> For example, Jeffrey Ogbar’s *Black Power* is concerned largely with the post-1960 period and the NOI’s impact on the emergence of Black Power and the rise of the Black Panther Party. See Ogbar, *Black Power: Radical Politics and African American Identity* (Baltimore: Johns Hopkins University Press, 2005).

<sup>14</sup> Sundiata Cha-Jua and Clarence Lang, “‘The ‘Long Movement’ as Vampire: Temporal and Spatial Fallacies in Recent Black Freedom Studies,” *The Journal of African American History* 92, no. 2 (Spring 2007): 279-280.

<sup>15</sup> Charlie L. Russell, “Black Muslims in Crisis,” *Liberator*, November 1963, 12.

<sup>16</sup> Thomas Sugrue, *Sweet Land of Liberty: The Forgotten Struggle for Civil Rights in the North* (New York: Random House, 2008), 311.

Anthropologist Mary Douglas notes that “all margins are dangerous. If they are pulled this way or that the shape of fundamental experience is altered. Any structure of ideas is vulnerable at its margins.”<sup>17</sup> The political work of the Nation of Islam, which has often been at the margins of histories of the civil rights movement, challenges our ideas about the space, scope, and form of postwar black freedom struggles. Rather than argue that the Nation of Islam should be considered a part of the civil rights movement, I hope to carve out new physical and conceptual spaces in which black political organizing flourished during these years. As Ruth Wilson Gilmore notes, “edges are also interfaces. For example, even while borders highlight the distinction between places, they also connect places into relationships with each other and with non-contiguous places.”<sup>18</sup> Similarly, the activism of the Nation of Islam is not only crucial to understanding the politics of black nationalism; it also expands our knowledge of the organizations and activists which have often populated histories of the civil rights movement. In other words, the movement can best be understood by exploring the oppositional politics which have defined its normativity.

This study also contributes to the growing literature on mass incarceration and the carceral state, where the absence of engagement with the Nation of Islam remains conspicuous given the group’s prominent role in the prisoners’ rights movement. Several scholars have noted the NOI’s impact as the first organized prison litigation movement and its transformative role in politicizing prisoners.<sup>19</sup> Others have focused more specifically on legal cases which emerged in

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<sup>17</sup> Mary Douglas, *Purity and Danger: An Analysis of Concepts of Pollution and Taboo* (New York: Routledge, 1966), 122.

<sup>18</sup> Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley: University of California Press, 2007), 11.

<sup>19</sup> Dan Berger, *Captive Nation: Black Prison Organizing in the Civil Rights Era* (Chapel Hill: University of North Carolina Press, 2014), Marie Gottschalk, *The Prison and the Gallows: The Politics of Mass Incarceration in America* (Cambridge: Cambridge University Press, 2006), and Zoe Colley, “‘All America is a Prison,’ The Nation of Islam and the Politicization of African American Prisoners, 1955-1965,” *Journal of American Studies*, 48, no. 2 (2014): 393-415.

California, Illinois, and New York respectively.<sup>20</sup> Finally, several legal historians have located the significance of policy changes resulting from Muslim prison litigation.<sup>21</sup> But just as most federal-level policy histories do not account for the ways in which prisoners resisted suppression by the state, many prisoner-focused studies do not adequately explain the interrelationship between the prisoners' rights movement and the rise of the carceral state. Rather than see the bolstering of prison discipline in the tectonic shifts of electoral realignment and other federal policy measures, I focus on the daily interplay between prisoners and prison officials which acted as ground zero for the extension of the carceral state.

That the heart of this prison litigation movement and state repression of Muslim political activity took place in the 1960s, a decade often cited as the last to witness an overall decline in national levels of incarceration, also points out a fundamental oversight in histories of mass incarceration which begin with the rise of law-and-order politics and rightwing backlash in the 1970s. Rather than take the decline in incarceration during the 1960s at face value, we must account for the ways in which state prisons during the 1960s honed the repressive tactics which would be brought to bear during and after the 1971 Attica prison uprising and other Black Power-era prison rebellions.<sup>22</sup> A closer look at the shifting demographics of state prisons such as New York during the 1960s, reveals the emergence of a central feature of mass incarceration at

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<sup>20</sup> Eric Cummins, *The Rise and Fall of California's Radical Prison Movement* (Stanford: Stanford University Press, 1994), Toussaint Losier, “. . . For Strictly Religious Reasons’: *Cooper v. Pate* and the Origins of the Prisoners’ Rights Movement,” *Souls: A Critical Journal of Black Politics, Culture, and Society* 15, no. 1-2 (2013): 19-38, and Malachi Crawford, *Black Muslims and the Law: Civil Liberties from Elijah Muhammad to Muhammad Ali* (Lanham, MD: Lexington Books, 2015).

<sup>21</sup> Crawford, *Black Muslims and the Law* and Sarah Gordon, *The Spirit of the Law: Religious Voices and the Constitution in Modern America* (Cambridge, MA: Belknap Press), 2010.

<sup>22</sup> This point is best illustrated by Alan Eladio Gómez, “Resisting Living Death at Marion Federal Penitentiary, 1972,” *Radical History Review*, 96 (Fall 2006): 60. For other works which point towards the relationship between social movements inside and outside of prisons, see Donald Tibbs, *From Black Power to Prison Power: The Making of Jones v. North Carolina Prisoners’ Labor Union* (New York: Palgrave Macmillan, 2012), Robert Chase, “Civil Rights on the Cell Block: Race, Reform, and Violence in Texas Prisons and the Nation” (Ph.D. dissertation, University of Maryland, 2009), Berger, *Captive Nation* and Zoe Colley, *Ain’t Scared of Your Jail: Arrest, Imprisonment, and the Civil Rights Movement* (Gainesville: University of Florida Press, 2013).

precisely this moment: the alarmingly disproportionate incarceration of black and brown people. For example, in 1964, new admissions in New York prisons were roughly equal (although already deeply disproportionate) between blacks and whites at 1,906 and 2,297 respectively. In 1970, however, the number of black admissions rose to 2,651 despite a precipitous drop in white incarceration to 879. While the overall portrait of incarceration displays a decline from 4,152 new admissions to 3,440, this drop belies the incredible rise of African American and Latino prisoners admitted against a stark drop of white prisoners by almost 300%.<sup>23</sup> The racialization of incarceration in New York belies the benign narrative about 1960s incarceration.<sup>24</sup>

Finally, this study bridges the too-often-isolated historiographies of the black freedom movement and carceral studies by positioning the Nation of Islam's activism against the carceral state within the heart of the civil rights-era protest. Historians have largely narrated the prisoners' rights movement as a linear outgrowth of the civil rights movement. For example, David Oshinsky argues that for Freedom Riders who labored on chain gangs and were exposed to the harsh penal regimes of places like Mississippi State Penitentiary (often called Parchman Farm), their "suffering was not in vain. It focused attention on Parchman as a civil rights problem and made it part of the larger black struggle."<sup>25</sup> Robert Chase argues that "[w]hen forty-five freedom riders, including James Farmer, Stokely Carmichael (Kwame Ture), and John Lewis, spent thirty-nine days incarcerated at Mississippi's Parchman Prison Farm, the link between civil rights and prisoners' rights was forged."<sup>26</sup> This conventional wisdom is best encapsulated by Malcolm Feeley and Edwin Rubin, who write that "the basic relationship

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<sup>23</sup> Patrick Langan, "Race of Prisoners Admitted to State and Federal Institutions, 1926-1986," U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, May 1991.

<sup>24</sup> Berger, 55.

<sup>25</sup> David Oshinsky, *Worse Than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* (New York: Free Press, 1996), 238.

<sup>26</sup> Robert Chase, "We Are Not Slaves: Rethinking the Rise of the Carceral States through the Lens of the Prisoners' Rights Movement," *Journal of American History* 102, no. 1 (June 2015): 78.

between the civil rights movement and prison reform is causal.”<sup>27</sup> Yet, as Marie Gottschalk suggests, the opposite was often just as true. She writes that the “Nation of Islam emerged partly as a reaction against the civil rights movement. In the process, it provided an avenue for the civil rights movement, which initially paid little attention to penal issues, to embrace prison activism . . . Once the Nation of Islam made the courts a central battleground for prison issues, the legal profession and other prison reform groups streamed in, thus ushering the civil rights movement through the gates of the prison.”<sup>28</sup> Legal scholar Margo Schlanger adds that the “civil rights movement as a whole both depended on and spurred the project of litigation as an engine of social change, and prison litigation was a small piece of this larger project.”<sup>29</sup> In this sense, the Nation of Islam provided a crucial link between the concurrent, rather than supplanting, political projects of prison organizing inside and the civil rights movement beyond its walls.

Despite focusing on the political activities of the Nation of Islam, this project maintains the importance of the religious life and beliefs of those in the movement, as well as the inextricability of those two spheres.<sup>30</sup> One of the underappreciated strengths of Manning Marable’s biography *Malcolm X: A Life of Reinvention*, was the seriousness with which he treated the Nation of Islam as a religious group with aspirations for orthodoxy and a relationship to the Muslim Ummah, or world community of Islam. In contrast to studies which have

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<sup>27</sup> Malcolm Feeley and Edwin Rubin, *Judicial Policy Making and the Modern State: How the Courts Reformed America’s Prisons* (Cambridge: Cambridge University Press, 1998), 159.

<sup>28</sup> Gottschalk, 176.

<sup>29</sup> Margo Schlanger, “Beyond the Hero Judge: Institutional Reform Litigation as Litigation,” *Michigan Law Review*, 97, no. 6 (May 1999): 2,016.

<sup>30</sup> For religious studies of the Nation of Islam, see Edward E. Curtis, IV., *Black Muslim Religion in the Nation of Islam, 1960-1975* (Chapel Hill: University of North Carolina Press, 2006) and *Islam in Black America* (New York: State University of New York Press, 2002), Dawn-Marie Gibson, *A History of the Nation of Islam: Race, Islam, and the Quest for Freedom* (Santa Barbara, CA: Praeger, 2012), Richard Brent Turner, *Islam in the African-American Experience* (Bloomington: Indiana University Press, 1997), Yvonne Haddad and Jane Smith, *Mission to America: Five Islamic Sectarian Communities in North America* (Gainesville: University Press of Florida, 1993), Martha Lee, *A Nation of Islam: An American Millenarian Movement* (Lewiston: Edwin Mellen Press, 1988), and Melani McAlister “One Black Allah: The Middle East in the Cultural Politics of African American Liberation, 1955-1970,” *American Quarterly* 51, no. 3 (September 1999): 622-656.

emphasized the NOI's heterodox – or even heretical beliefs<sup>31</sup> – Marable suggests that as early as 1960, the Nation of Islam underwent a process of “Islamization” by which it slowly shed the particularities of Yacub's history and other traditions which fell outside the bounds of Sunni Islam. Following trips by Malcolm X and Elijah Muhammad and his sons to majority-Muslim countries such as Saudi Arabia, Egypt, and the Sudan in 1959-1960, Muhammad declared that all temples would be renamed mosques, sent his son Akbar to study in Cairo at Al-Azhar University, instituted Arabic as the “native” language in Muslim schools, and encouraged ministers to draw upon the Qur'an in their sermons.<sup>32</sup> In fact, this process began even earlier, as the Nation of Islam entered into a relationship with the small, Brooklyn-based journal *Moslem World and the U.S.A.* in the mid-1950s, amidst the important backdrop of the nonaligned movement's conferences in Bandung, Indonesia (1955) and Cairo, Egypt (1957).

My use of the term Muslim to refer to those in the Nation of Islam – as opposed to the more common “Black Muslim” moniker – also privileges believers' self-identification, one which positioned the Nation firmly within a global Islamic context. As Noble Drew Ali of the Moorish Science Temple, an influential precursor to the NOI, argued in 1913: “the name means everything.” By calling members of the “Asiatic” nation “Negro, black, colored, or Ethiopian,” Ali wrote, “the European stripped the Moor of his power, his authority, his God, and every other worth-while possession.”<sup>33</sup> The Nation of Islam built upon this insight, replacing “slave names” with an X to symbolize the unknown name of their ancestors. The group's insistence on using

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<sup>31</sup> For example, Louis DeCaro refers to the group as a “cult.” Louis A DeCaro, Jr., *Malcolm and the Cross: The Nation of Islam, Malcolm X, and Christianity* (New York: New York University Press, 1998) and *On The Side of My People: A Religious Life of Malcolm X* (New York: New York University Press, 1996).

<sup>32</sup> Manning Marable, 169. Also see “Race Doctrines,” handwritten notes, no date, Box 136, Folder 8, CELC.

<sup>33</sup> David Turley, *American Religion: Religion in the New Nation* (New York: Taylor and Francis, 1998), 390. Also see Richard Brent Turner, *Islam in the African-American Experience*, 2nd edition (Bloomington, IN: Indiana University Press, 2003), 71-108.

“so-called Negro” or “Black” instead of the more common term “Negro” had a profound impact on the growing sense of racial pride which exploded in the Black Power Movement.

The term “Black Muslims” was invented by C. Eric Lincoln and took hold following the incredible response to his book in 1961.<sup>34</sup> The NOI worked to dislodge this name, which signaled distinctiveness from orthodox Islam. Not only did the term “Black Muslim” not exist before Lincoln’s coinage, but the phrase made little sense within the context of NOI theology. As Hulon Shah, minister of the Atlanta mosque explained to a reporter: “All Black people are Muslims.”<sup>35</sup> The Nation of Islam preached that 85% of Asiatic people are “deaf, dumb, and blind” (or mentally dead) and struggle against the 10% who exploit them. The remaining 5% are “poor righteous teachers,” those who have been spiritually and mentally awakened through Islam.<sup>36</sup> The term “Black Muslims” was redundant because, as Shah pointed out, all black people were already Muslims. Ultimately, the phrase did more than emphasize the NOI’s separation from the world community of Islam. It racialized Islamic religious beliefs so that complaints of *religious* persecution by Muslim prisoners and those outside were always inextricably linked to *racial* persecution. For example, a note from the New York state prison inspector stapled to the file of a prisoner named Demir Asam read: “This man was reported from Sing Sing as a Moslem but it must be assumed that he is of the *legitimate religion as he is white* and had a name that might be assumed to be from the Far East (emphasis added).”<sup>37</sup> So just as Hulon Shah pointed toward an understanding of all black people as Muslim, the state used the term “Black Muslims”

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<sup>34</sup> As Les Matthews wrote in *Amsterdam News*, the “name Black Muslims was pinned on the group by Dr. Eric Lincoln of Clark U in Atlanta.” Matthews, “Mr. 1-2-5 Street,” *Amsterdam News*, June 2, 1962.

<sup>35</sup> When the interviewer pressed if he was a “card-carrying Muslim, Shah replied, “we don’t carry cards.” WSB-TV Newsfilm clip, March 6, 1967, accessed May 22, 2016, [http://dbsmaint.galib.uga.edu/cgi/wsbn?query=id%3A51064&\\_cc=1](http://dbsmaint.galib.uga.edu/cgi/wsbn?query=id%3A51064&_cc=1).

<sup>36</sup> This also the basis for the 5 Percent Nation or “Five Percenters.” See Michael Muhammad Knight, *The Five Percenters: Islam, Hip Hop, and the Gods of New York* (Oxford: Oneworld, 2007).

<sup>37</sup> Dick Woodward to Lieutenant, Box 24, Items 990-999, Non-Criminal Investigation Case Files (NCICF), New York State, Division of State Police, New York State Archives.

to distance the group from a religion it saw as definitively non-black. Malcolm X later bemoaned the years he spent trying to rid the Nation of the label: “Every newspaper and magazine writer and microphone I got close to: “*No! We are black people here in America. Our religion is Islam. We are properly called ‘Muslims! (emphasis in original).’*”<sup>38</sup>

Malcolm is a crucial figure in any political history of the Nation of Islam. From his release from prison in 1952 until his departure from the NOI in March 1964, the NOI underwent unprecedented growth. Although membership had dipped below one thousand in 1945, it exploded after the war, with some accounts placing it at 250,000 by 1959.<sup>39</sup> Malcolm had helped to establish Temple 11 in Boston in 1953 (mosques were numbered according to the chronology of their establishment), government agencies less than a decade later estimated nearly eighty mosques across the country, in towns as remote as Henderson, Kentucky and Racine, Wisconsin.<sup>40</sup> In 1959, Malcom wrote to the editor of the *Pittsburgh Courier*, the largest black newspaper in the country, to place an advertisement for a “little magazine” he called “The Messenger.”<sup>41</sup> The paper was renamed *Muhammad Speaks* and moved to Chicago the following year. By the 1970s, it had overtaken the *Courier* as the most widely read black newspaper in the country, with a circulation between 650,000 and 950,000.<sup>42</sup> In 1961, Malcolm was named the organization’s national spokesman and became regularly referred to in the media as the “second in command” or “number two” despite his attempts to deny this position.<sup>43</sup> During the first half

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<sup>38</sup> Malcolm X and Haley, *The Autobiography of Malcolm X*, 284.

<sup>39</sup> Essien-Udom, 70.

<sup>40</sup> “Nation of Islam, Locations of Some of the temples, Mosques, and Affiliated Groups Throughout the United States,” October 11, 1962, Box 9, Folder 326, Alfred Balk Papers (ABP), The Newberry Library, Chicago, Illinois.

<sup>41</sup> Malcolm X to P.L. Prattis, November 3, 1959, Series B, Box 144-9, Folder 9, P.L. Prattis Papers, Moorland-Spingarn Research Center, Howard University, Washington, D.C.

<sup>42</sup> Askia Muhammad, “*Muhammad Speaks: A Trailblazer in the Newspaper Industry*,” *The Final Call*, March 10, 2000; Edward E. Curtis IV, *Encyclopedia of Muslim-American History*, volume 1 (New York: Facts on File, 2010), 402.

<sup>43</sup> Malcolm went to great lengths to deny this positionality directly beneath Elijah Muhammad, often with the rebuttal: “*All Muslims are number two – after Mr. Muhammad*” (emphasis in original). See Louis Lomax, *When the*

of the 1960s, Elijah Muhammad could be heard in over one hundred cities on his weekly radio show, and scholars estimated the Nation's membership at between 50,000 and 250,000.<sup>44</sup>

Malcolm X was as responsible as anyone for this tremendous growth.

But this is not Malcolm's story alone. The Nation of Islam's political history predates his conversion in state prison in 1948 and continues long after his assassination in 1965. Instead, Malcolm acts as a crucial nexus through which the Nation of Islam's politics refracted throughout the postwar period. For example, Thomas X Bratcher, a prisoner at Attica, wrote to Malcolm in 1961 asking him to be an expert witness in the case of *SaMarion v. McGinnis* in Buffalo, New York on behalf of over twenty Muslim prisoners being persecuted for their religious and political beliefs. He positioned himself and other prisoners on the front lines of "a real war" and reminded Malcolm that "the fighting man cannot win a war without the moral support of the home front."<sup>45</sup> Likewise, on college campuses across the country, Malcolm acted as the central interlocutor between students and the Nation of Islam. After attending a NOI rally at Philadelphia Arena at which Elijah Muhammad was the keynote speaker, University of Pennsylvania student Charles Richter invited Malcolm on behalf of the student NAACP chapter through a letter to Clifford X of Philadelphia's Mosque 12.<sup>46</sup> And in cities such as Los Angeles and Rochester, where Malcolm came to help build black united fronts against police brutality, Ministers Robert X Williams, John X Shabazz, and the "laborers" at both mosques worked at the grassroots to sustain these fronts.

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*World Is Given*, 209, quoted in Louis A. DeCaro, Jr., *On the Side of My People: A Religious Life of Malcolm X* (New York: New York University Press, 1996), 182.

<sup>44</sup> "Black Muslims or the Nation of Islam," Research Report by the U.S. Information Agency, November 28, 1962, R-165-62 and Essien-Udom, 71.

<sup>45</sup> Thomas X Bratcher to Malcolm X, no date, Box 4, Folder 9, MXC.

<sup>46</sup> Charles Richter to Clifford X, October 13, 1962, Box 3, Folder 17, MXC.

Some scholars have argued that Malcolm X was in constant tension with the Nation of Islam's leadership, positioning him as the sole figure responsible for ushering the Nation of Islam into political engagement.<sup>47</sup> As Manning Marable concludes regarding Harlem, the "Nation found it difficult to make headway, largely because its appeal was *apolitical* (emphasis in original); Elijah Muhammad's resistance to involvement in political issues affecting blacks, and his opposition to NOI members registering to vote and becoming civically engaged, would have struck most Harlemites as self-defeating."<sup>48</sup> Such narratives emphasize Malcolm's exceptionalism, sever his relationship to the NOI, and obscure understandings of the Nation's political vision. An organization cannot be distilled through its leadership struggles alone. Like the NAACP, the Nation of Islam was a centralized national organization which relied heavily on its branch leadership. Local mosques took on political strategies and struggles which reflected the characteristics of the community in which they were embedded. There are instances in which local leadership in both the NAACP and the NOI were hindered by decisions from the national office. Myopically focusing on the diverging political visions of Malcolm X and Elijah Muhammad misses the grassroots organizing which provided the foundation of the Nation's political program. Moreover, the question was never whether or not to be political, but rather, *how* to be political.

Finally, Malcolm was not exceptional for being "outside" the NOI, but rather because he took its internationalist visions of Islam and anticolonial black nationalism to their furthest conclusions. In other words, rather than continuing to distance the Nation of Islam's national spokesperson and distance him from the organization he spoke for, we are better served by seeing Malcolm's conclusions as a coalescence of the black internationalist, socialist, and

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<sup>47</sup> Peniel Joseph, *Waiting 'Til the Midnight Hour* (New York: Henry Holt and Co., 2006) and Marable, *Malcolm X*.

<sup>48</sup> Marable, *Malcolm X*, 109.

nonaligned traditions which impacted the NOI during the postwar period. Perhaps most importantly, for the majority of Malcolm X's public life, he was seen as the public face and voice of the Nation of Islam. For college students inviting him to campus to prisoners writing him from inside, all saw Malcolm as the group's foremost representative. The split was never as decisive as filtered through Malcolm's autobiography or the passage of time, and we make a crucial mistake when reading history through this lens.

The mere framework of power struggle between Elijah Muhammad and Malcolm X reinforces a patriarchal narrative of the NOI, and black struggles more broadly. As Erica Edwards points out, focusing on charismatic male leadership has "seductively troped [it] as the motor of black history." As scholars such as Ula Taylor, Dawn-Marie Gibson, Jamillah Ashira Karim, Bayyinah Sharief Jeffries, and Cynthia S'thembile West have demonstrated, the Nation of Islam was built with the physical and intellectual labors of black women.<sup>49</sup> Beyond the exceptional contributions of women such as Clara Muhammad, who ran the organization while her husband Elijah was imprisoned for draft resistance, rank-and-file women maintained businesses, ran households, taught in Muslim schools, and contributed as writers and editors to *Muhammad Speaks*. But this is not to say that patriarchy was not a bedrock of the Nation and other black nationalist movements. Its social, political, and religious life rested on the patriarchal premises of separate spheres and traditional gender roles. These gendered spheres also rigidly divided domestic spaces from public and political ones. Muslim Girls Training and General Civilization Class (MGT-GCC) met on Thursday evenings and discussed topics such as prayer,

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<sup>49</sup> See Ula Taylor, *Making a New Woman: Women and the Nation of Islam, 1930-1975* (in progress), Dawn-Marie Gibson and Jamillah Ashira Karim, *Women of the Nation: Between Black Protest and Sunni Islam* (New York: New York University Press, 2014), Bayyinah Sharief Jeffries, *A Nation Can Rise No Higher Than its Women: African American Muslim Women in the Movement for Black Self Determination, 1950-1975* (Lanham, MD: Lexington Books, 2014), and Cynthia S'thembile West, "Revisiting Female Activism in the 1960s: The Newark Branch Nation of Islam," *Black Scholar* 26, nos. 3-4 (Fall 1996/Winter 1997): 41-48.

sewing, art, spelling, penmanship, beauty, refinement, hygiene, and cooking. Meanwhile, the Fruit of Islam (FOI) met on Monday evenings to take part in hiking, games, exercise and drills, military courtesy, drawing, woodcraft, self-defense, and educational trips to museums and zoos.<sup>50</sup>

Thus, a political history of the NOI is predominantly a story about black men and the politics of black masculinity, a gender construct in which both women and men in the Nation were invested. As Levinia X Adine explained, Islam “teaches women how to raise their children, how to take care of their husbands, how to sew and cook, and several domestic things which are necessary for a family. Islam helps men a great deal because it teaches them how to treat their women.” Men in the Nation also were taught to protect and respect wives and sisters. Donald X Clarke recalled that the “most important thing for me is my moral values, the treatment of our women . . . Islam gives me a sense of respect toward them. I love them more. I respect them more.” Another man echoed that “Islam makes you appreciate black women.” The respect and protection offered by black men in the Nation was appealing given the extreme sexual and economic vulnerability of black women during this period. Elaine X explained that she had returned to the Nation because of her sexual experiences with men outside the NOI. “In the Nation you are not afraid of the Brothers,” she said. “They can take you to places without molesting you and *this is why I came back to the Nation*” (emphasis in original).<sup>51</sup> Farah Jasmine Griffin has termed called this the “promise of protection.” By granting black women a privilege

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<sup>50</sup> Essien-Udom, 156-158.

<sup>51</sup> Ibid., 86-89.

of white femininity and restoring a masculinity to black men denied by white supremacy, the “woman gets protection; the man acquires a possession.”<sup>52</sup>

The Nation’s gender politics can be also recognizing the ways in which it acted as a counterdiscourse which rejected dominant gender stereotypes about blackness. As Barbara Bair has argued, the UNIA reinforced the old gender hierarchies of separate spheres while challenging negative tropes of black women as hypersexualized Jezebels, domineering matriarchs, or docile mummies.<sup>53</sup> Matthew Countryman adds that in the Nation of Islam, the “strength, sobriety, and responsibility of Muslim men countered stereotypical images of black men as criminal, shiftless, and sexually irresponsible and, by extension, black women as unfeminine and domineering.”<sup>54</sup> Just as black nationalists simultaneously challenged dominant racial ideas about white empire while reinscribing its reliance on manhood, the NOI countered racist stereotypes about black women and men while adopting a politics of respectability which emphasized gendered spheres. The NOI offered what Ula Taylor has called a “responsible, disciplined, dignified and defiant womanhood.”<sup>55</sup>

Within the political life of the Nation of Islam, women’s activism was largely conscripted to publishing and writing. For instance, despite the hundreds of men who converted to the Nation of Islam in New York prisons, fewer than ten women could be found in the records of state police, most of whom were already Muslim upon incarceration. There seemed to have been no

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<sup>52</sup> See Farah Jasmine Griffin, “‘Ironies of the Saint’: Malcolm X, Black Women, and the Price of Protection,” in *Sisters in the Struggle: African American Women in the Civil Rights-Black Power Movement*, eds., Bettye Collier-Thomas and V.P. Franklin (New York: New York University Press, 2001), 214-229.

<sup>53</sup> Barbara Bair, “True Women, Real Men: Gender, Ideology and Social Roles in the Garvey Movement,” in *Gendered Domains: Rethinking Public and Private in Women’s History*, eds., Dorothy Helly and Susan Reverby (Ithaca, NY: Cornell University Press, 1992), 160. For more on the Jezebel/Mammy dichotomy, see Deborah Gray White, *Ar’n’t I a Woman?: Female Slaves in the Plantation South* (New York: W.W. Norton and Company, 1999).

<sup>54</sup> Matthew Countryman, *Up South: Civil Rights and Black Power in Philadelphia* (Philadelphia: University of Pennsylvania Press, 2005), 259.

<sup>55</sup> Quoted in *ibid.*, 259.

concerted effort by the Nation of Islam to convert, politicize, or litigate in women's prisons. When women did aspire to leadership positions in the Nation, such as Malcolm X's half-sister Ella Collins, who attempted to take over leadership of the Boston Mosque, they were often passed over in favor of male ministers (in this case Louis X Walcott, later Farrakhan). However, there are spaces in which women in the NOI enjoyed a much more militant space than was afforded to many black women of the immediate postwar era. For example, during a 1935 courtroom fracas in Chicago, a Muslim woman shouted at a police officer: "take off your glasses, and I will whip you." Other women in the courtroom sang "Who's Afraid of the Big Bad Wolf."<sup>56</sup> In 1959, Thelma X wrote a letter to her white employer:

I am a Muslim mother and editor of my own magazine with an understanding of the true meaning of Integration and I know how a mother feels inside about her own children whom she loves dearly . . . I have no worry I have the solution and and [sic] the mothers who are responsible. Negro mothers will know the same in a very short while. Allah is God and he is black, and he will fight and save our children at any cost to your entire race . . . If your next maid is a Negro woman or a gentile woman she will by then have received a book written by me (a maid) and this will enable her to see you and see other Jewish women for what you really [sic] are.<sup>57</sup>

The letter was signed, "Thelma, the maid." Thelma's letter offers a brash critique of the relationship of black domestic workers to their white women employers.<sup>58</sup> Scholars have pointed out that critiques of the NOI's gendered spheres often disregard the historical context of postwar America in which traditional gender roles prevailed, and they have too frequently ignored the voices of women within the movement in these portrayals.<sup>59</sup> Thelma X's letter is one example of

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<sup>56</sup> Essien-Udom, 65-66.

<sup>57</sup> Thelma X to unknown, April 3, 1959, Box 278, Folder 27, CELC.

<sup>58</sup> For more on the relationship between the predominantly white women's movement and that of black domestic laborers, see Angela Davis, *Women, Race, and Class* (New York: Random House, 1981). For more on the labor organizing of black domestic workers, see Tera Hunter, *To 'Joy My Freedom: Southern Black Women's Lives and Labors after the Civil War* (Cambridge: Harvard University Press, 1998) and Premilla Nadasen, *Household Workers Unite: The Untold Story of African American Women Who Built a Movement* (Boston: Beacon Press, 2015).

<sup>59</sup> Gibson and Karim, 2.

the political space the Nation of Islam provided for a black working-class woman in the late 1950s, one which could be found little place else. Yet, these political opportunities were few and far between within the gendered code of the Nation.

Although the Nation of Islam does not maintain a public archive, this project draws upon public and personal manuscript collections, historic newspapers, interviews, government surveillance, interviews, organizational records, and legal records. It is also imperative that historians of the carceral state challenge the white supremacy of state-produced archives. For this reason, I use prisoners' courtroom testimonies as oral histories which testify to the brutality and repression of the state. One of the central obstacles to prison organizing was a physical one – the obstruction and isolation from public view. Prisoners saw the courts as political pulpits, a breach in the walls which allowed them to take their claims before the world outside. They testified about inhumane conditions and unjust discipline, and demanded basic human rights such as food and medical care. As Danielle McGuire points out in her work on the role of the struggle against sexual violence in the civil rights movement, “testimony must be seen as a form of direct action and radical protest.”<sup>60</sup> Testimony has been a central tool to black liberation struggles, and utilizing prisoners' courtroom testimony is one way to transgress the silencing walls that prisoners fought so hard to permeate through prison litigation.

Not long after the Nation of Islam's reconstitution in Chicago under Elijah Muhammad's leadership in the 1930s, members took their most comprehensive political stand by refusing to register with the selective service during World War II, instead claiming to be “registered with Allah” and allying themselves with Japan and the rest of the “Asiatic” world. Chapter 1 explores the ramifications of the NOI's draft resistance and its importance in understanding the group's

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<sup>60</sup> Danielle McGuire, *At the Dark End of the Street: Black Women, Rape, and Resistance - A New History of the Civil Rights Movement from Rosa Parks to the Rise of Black Power* (New York: Alfred Knopf, 2010), 228.

“Asiatic” identity as an anti-essentialist and anticolonial framework which positioned Muslims in the Nation as part of a global majority of people of color. The NOI’s introduction to prisons during the War coincided with the end of a decade-long campaign by the NAACP to address racial segregation in state and federal institutions. Following his incarceration from 1943-1946, Elijah Muhammad identified prisons as a fertile recruiting ground and the Nation of Islam emerged as one of the most important forces in prisoners’ organizing. By 1950, Malcolm X and other Muslims at Norfolk Prison Colony in Massachusetts had begun the first documented resistance to state repression of Islam through solitary confinement and other modes of prison discipline. In the decade since the Nation of Islam’s first introduction to prisons for draft resistance in 1942, the organization emerged at the vanguard of black prison organizing.

Throughout the 1950s, the Nation of Islam solidified its relationship to anticolonial struggles and the Muslim world. Drawing inspiration from a nonaligned movement which validated the NOI’s prediction of an end to white world supremacy, the Nation strengthened its ties to an Afro-Asian bloc which promised to challenge the bipolarism of the Cold War and its relationship to global Islam through a small journal, *Moslem World and the U.S.A.* and its publisher, Abdul Basit Naeem. These efforts coincided with the NOI’s emergence in mainstream public and political life in the United States through the CBS documentary “The Hate That Hate Produced,” and the sociological study, *The Black Muslims in America*. These portrayals differed from one another, but both fundamentally contradicting the NOI’s self-identification as an anticolonial black nationalist and orthodox Muslim group. The documentary articulated the NOI as a hate group, an example of the reverse racism bred by white supremacy. C. Eric Lincoln’s book, and more importantly, the term he coined – “The Black Muslims” – codified an understanding of the NOI as outside the bounds of traditional Islam. These combined to

marginalize the Nation from both the political struggles and religious communities with which it saw itself in dialogue. Chapter 2 charts the Nation of Islam's attempts at self-determination within the narrow confines of Cold War and racial liberal logics, and explores the legacies of the "Black Muslim" framework to understandings of its political vision.

As the Nation navigated the turbulent waters of growing public notoriety and government surveillance, incarcerated Muslims initiated the first organized prison litigation movement and other direct-action protests which challenged the growing suppression of Islam and black political activism by prison officials. The dialogue between state methods of control and prisoners' radicalism – what I term the "dialectics of discipline" – signaled the politicization of prisoners as well as the sharpening the logic and tools of an expanding carceral state. Both impulses laid much of the groundwork for the nascent prisoners' rights movement which would emerge in late 1960s. Chapter 3, which focuses on the specific mechanisms of state surveillance and knowledge production alongside Muslim prisoners' organizing, challenges the origin story of the prisoners' rights movement as a direct outgrowth of the southern civil rights struggle. Instead, prisoners in the north claimed constitutional rights and employed direct-action nonviolent strategies which mirrored, ran concurrent to, and even anticipated, those in the south.

As Muslim prisoners forged the origins of the prisoners' rights movement, the civil rights movement entered a decisive new phase through the Greensboro Sit-ins of early 1960. As one of the foremost critics of the civil rights movement and racial integration at the moment that students entered the struggle in record numbers due to the sit-ins, Malcolm X was invited to dozens of college and university campuses during the early 1960s to lecture and debate the merits of black nationalism and racial separatism. While these visits have often been studied in isolation, Chapter 4 demonstrates how they cumulatively helped to develop an emergent student

radicalism and to open a third path of racial *separation* within a polarized national discourse between integration and segregation. Yet two unintended consequences augmented the impact of these university invitations. The first was the draconian responses by many college administrations to Malcolm's presence on campus. Ensuing debates and protests by students broadened the discourse to include issues of academic freedom and free speech at the precise moment that students were beginning to challenge the *in loco parentis* structure of college life which positioned administrators and faculty as surrogate parents. The censorship, and the student activism which challenge it, positioned the NOI as an unlikely catalyst in the budding student free speech movement and drew in even more students to these conversations about the future of the black freedom struggle. A significant portion of these invitations also came from student NAACP chapters, many of whom had been established out of the insurgent student activism of the sit-in movement. The second consequence, of these invitations in particular, was the outcry from predominantly white donors and patrons of the NAACP, who saw this sponsorship as a stamp of approval for the Nation's program of racial separatism. This forced the Association to take a more decisive stand against black nationalist movements and the organization denounced them through formal resolutions at their 1961 and 1962 national conventions. These resolutions had their most devastating effect on the local level, where the NOI was working with community chapters to build black united fronts against police brutality.

When Ronald X Stokes was killed by Donald Weese in the spring of 1962, civil rights groups in Los Angeles had been fighting against police violence for over a decade. Chief William Parker had shielded his department from outside scrutiny by maintaining autonomy from government officials and resisting all calls for civilian oversight. The LAPD was seen nationally as the epitome of postwar modernized policing, using community relations training

programs and token diversity hires to mask the ways in which new surveillance technologies and racial crime statistics buoyed the overpolicing and violence against communities of color. As national civil rights organizations joined the struggle against Los Angeles police in 1961, Malcolm X had joined a self-consciously black united front coalition in Harlem called the Emergency Committee for Unity on Economic and Social Problems, which had law enforcement reform among its top priorities. After the raid by police in Los Angeles, Malcolm came to the city and put these black united front principles into action, calling upon black leaders to come together around a shared concern over police brutality.

Chapter 5 explores the NOI's effort to build a broad-based coalition of all-black political organizing around policing in the early 1960s, particularly following the Stokes murder. In the year between the shooting and the trial, the Nation of Islam worked to maintain this front despite attempts by city officials to divide black leadership over issues of class, religion, and politics. The trial itself, which coincided with the 100<sup>th</sup> anniversary of the Emancipation Proclamation, the desegregation campaign in Birmingham, Alabama, and another mosque invasion in Rochester, New York, became a part of a national conversation on the civil rights movement. As it had in other police brutality cases in which its members were being tried, the Nation of Islam used courtroom political theater to put the state on trial. Yet, despite efforts in Los Angeles and Rochester to form a common front with other community organizations, the NAACP issued a strict non-engagement policy, citing the convention resolutions of the previous two years. These black united front efforts were supplanted by integrationist coalitions which excluded black nationalists and often submerged the issue of police brutality.

In 1966, the black freedom movement entered another stage of struggle with the calls for Black Power echoing from Greenwood, Mississippi to Watts, Newark, and Harlem. Despite the

centrality of many tenets of the Nation of Islam's platform – self-determination, anticolonialism and anti-imperialism, racial pride, community control, the development of black businesses – histories of the Black Power movement have tended to disregard the Nation's contributions after Malcolm X's assassination the year before. However, the NOI consolidated and expanded in the turbulent years after the split with Malcolm and the emergence of Black Power. Chapter 6 gestures towards the many ways in which the ideas and intellectual labor of the NOI contributed to, and was expanded upon, during the late 1960s: draft resistance and its critiques of the Vietnam War, South African apartheid, and other forms of colonialism and imperialism; the development of anti-Zionism as an example of settler-colonialism and a litmus test for radical internationalist movements; debates about birth control as genocide and the role of the government in population control efforts in darker nations; the shift toward black political organizing and voting registration drives; and its continued role in prison organizing and the development of a vehicle for prisoners' voices to be heard. While the Nation of Islam often did not share the political visions of revolutionary nationalist groups during this period such as the Black Panther Party (BPP), Revolutionary Action Movement (RAM), Dodge Revolutionary Union Movement (DRUM), the Young Lords, and so on, most of these groups nevertheless built upon the Nation's insights and analysis despite taking them to radically different conclusions. Its absence from the literature of the Black Power movement is thus more indicative of the political preferences of historians than any actual decline in influence or presence.

On February 16, 1965, Malcolm X flew to Rochester, New York, where just two years earlier he had rushed to build a coalition of local organizations in the wake of the mosque invasion by police. Now, just two days before, Malcolm's home had been firebombed, likely by members of the NOI, with his four daughters and pregnant wife, Betty Shabazz, still inside. In

Rochester, he addressed students at the Colgate Divinity School before giving a speech at the Corn Hill Methodist Church in the evening on the theme: “Not Just an American Problem, but a World Problem.” In this speech, he reflected upon the Nation of Islam, recalling that the “movement itself attracted the most militant, the most dissatisfied, the most uncompromising elements of the Black community. And also the youngest elements of the Black community. And as this movement grew, it attracted such a militant, uncompromising, and dissatisfied element.” Although seemingly incongruous with the attacks he had waged on Elijah Muhammad in the press over the year since his split with the organization, these comments were in line with those made earlier that week at the London School of Economics in which he described the NOI as “one of the main ingredients in the civil rights struggle.”<sup>61</sup> Just five days before he was assassinated at the Audubon Ballroom on February 21, he urged those in Rochester that night: “No matter what you think of the philosophy of the Black Muslim movement, when you analyze the part that it played in the struggle of Black people during the past twelve years you have to put it in its proper context and see it in its proper perspective.”<sup>62</sup> This is an attempt to answer to that call.

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<sup>61</sup> Marable, 414.

<sup>62</sup> Malcolm X, “Not Just an American Problem, but a World Problem,” in *Malcolm X: The Last Speeches*, ed., Bruce Perry (New York: Pathfinder Press, 1989), 172-173.

## Chapter 1

### “Registered with Allah” Draft Resistance and the Politics of Black Nationhood

[The] Asiatic race is made up of all dark-skinned people, including the Japanese and the Asiatic black man. Therefore, members of the Asiatic race must stick together. The Japanese will win the war because the white man cannot successfully oppose the Asiatics.<sup>1</sup>

Elijah Muhammad, 1942

In April 1942, Joseph Nipper, a window washer for the Department of Agriculture, stood before a judge in Washington, D.C. and explained why he had not registered with the selective service. I was taught to “be on the side of our nation Islam, which is composed of the dark peoples of the earth, consisting of the black, brown, red and yellow people,” he told the court. Nipper was joined by John Miller and Harry Craighead, both of whom testified to joining the “Islam Nation” in 1940. Miller had refused to fill out a questionnaire and returned a conscientious objector form instead. “I would rather go to jail than serve with the armed forces of the United States,” he said. “By signing and completing the questionnaire I would be pledging myself to the American people.”<sup>2</sup> Several weeks later, convinced that the NOI was receiving military equipment from Japanese spies, two FBI agents visited the rooming house where the Nation of Islam’s leader, Elijah Muhammad, was staying in Washington, D.C and arrested him,

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<sup>1</sup> Quoted in Karl Evanzz, *The Messenger: The Rise and Fall of Elijah Muhammad* (New York: Pantheon Books, 1999), 140.

<sup>2</sup> “Members of D.C. Moslem Sect Charged With Draft Violation,” *Washington Post*, April 2, 1942.

holding him on a \$5,000 bond. When Muhammad had been held for over a month, over thirty Muslims wearing “red buttons showing a ‘mystical’ white crescent . . . [and] turbans of varying colors worn by the women and crescent rings on the hands of the men” surrounded the jail for fourteen hours. There, they encamped the city jail and demanded that they too be put in prison for draft evasion.<sup>1</sup> By 1945, as membership dipped below one thousand, nearly two hundred members of the Nation of Islam had served time in federal prison for draft evasion, constituting the largest majority of black conscientious objectors (COs) during the war.<sup>2</sup>

The Nation of Islam’s decision to resist the draft and side with Japan during World War II was the most comprehensive and public political action in its early history, and one which had lasting ramifications on the future of the movement. Its draft resistance is also crucial to understanding both the Nation’s black nationalist political identity and its “Asiatic” ethno-racial identity. The NOI outlined an alternative vision of citizenship and nationhood complete with a flag (the crescent and star), a paramilitary unit (the Fruit of Islam), and loose demands for a sovereign state (often in the Black Belt region in the South). Given this framework, military service under the flag of the United States was treason to its own nation: the Nation of Islam. This is what Muslims meant when they claimed to be “registered with Allah.” Secondly, the

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<sup>1</sup> Evanzz, *The Messenger*, 135-137; “FBI Holds Moslem Chief on Draft Evasion Charge,” *Afro-American*, May 16, 1942; “‘Islamites’ Camp Outside Jail that Holds Their Draft-Dodging Leaders,” *Cleveland Call and Post*, June 13, 1942; and “Islamites Camp Outside Prison,” *Atlanta Daily World*, June 9, 1942.

<sup>2</sup> Statistics on black draft resistance vary by source. According to a study by pacifists at the end of the war, 6,086 total conscientious objectors went to prison for refusal to register with the selective service. The majority of these were Jehovah’s Witnesses, who made up 4,441 of that total. However, 3 percent of imprisoned COs were black and described by researchers as “Moslems.” See Sarah Gordon, *The Spirit of the Law: Religious Voices and the Constitution in Modern America* (Cambridge, MA: Harvard University Press, 2010), 109. In 1943, with over six thousand men convicted with violating the Selective Service Act, the *Pittsburgh Courier* noted that fewer than two percent of those were African Americans. Of the 73 total cases of black draft resistance, 54 were Muslims in the Nation of Islam. “Negroes Represent Less Than 2 Per Cent of Draft Dodgers Jailed,” *Pittsburgh Courier*, September 11, 1943. The U.S. government estimated a slightly higher number in 1943, finding that 167 black men had been convicted of draft violations. *Selective Service Conscientious Objector*, vol. 1 (Washington, D.C.: Government Printing Office, 1950), 261, 264-5, in *If We Must Die: African American Voices on War and Peace*, ed., Karin L. Stanford (Lanham: Rowman & Littlefield, 2008), 146.

Nation's identification as an "Asiatic" people was central to the refusal to register with the selective service. Its solidarity with Japan was not simply a rejection of fighting on behalf of white America, but also part a self-identification as an Asiatic people – one which had both symbolic meaning and tangible origins. The FBI, not recognizing the reasons for this racial solidarity, believed Muhammad to be of partly Asian ancestry, reporting that "although he is a Georgia negroe [sic], he looks like a Japanese, having slant eyes."<sup>3</sup> Most importantly, this Asiatic identity was anti-essentialist and fluid. Before the development of the nonaligned movement and a "Third World" identity in the postwar period, the Nation of Islam imagined itself in global solidarity with the darker people of the world emerging from under European colonial rule.

There were also unintended consequences to the Nation of Islam's draft resistance, many of which left their imprint on the organization's future political projects inside and outside prisons. First, Elijah Muhammad and other ministers actively disseminated the group's particular brand of Islam throughout their sentences, establishing prisons as both a fertile recruiting ground for future male converts and a site of one of the Nation of Islam's most profound contributions to the black freedom struggle. Their incarceration was also a product of, and contributed to, escalating government surveillance. The Nation's identification with Japan earned it a place amongst the targeted groups of the FBI's new RACON (short for "racial conditions") program, designed by a young J. Edgar Hoover to investigate "Foreign-Inspired Agitation among the American Negroes" during the war.<sup>4</sup> By the summer of 1942, the NOI was being targeted with other black nationalist groups such as the Peace Movement of Ethiopia and Brotherhood of

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<sup>3</sup> Evanzz, *The Messenger*, 137. Grace Lee Boggs was similarly misidentified as being of "Chinese and African descent" due to her work within the black community in Detroit. See Grace Lee Boggs with Scott Kurashige, *The Next American Revolution: Sustainable Activism for the Twenty-First Century* (Berkeley: University of California Press, 2012), 179 (n. 3).

<sup>4</sup> Robert A. Hill, ed., *The FBI's RACON: Racial Conditions in America During World War II* (Boston: Northeastern University Press, 1995), 4.

Liberty for Black People in America, and agents in Chicago were simply “waiting on the go-ahead from Washington.” Upon his arrest, Muhammad was informed that his public identification with America’s wartime enemy was the reason for his incarceration. “That’s all we are putting you in jail for, to keep you out of the public,” a government official reportedly told him.<sup>5</sup>

While Muhammad’s incarceration marked the NOI’s most fragile years as an organization, one it only survived due to the efforts of his wife Clara Muhammad and other women who kept it afloat throughout the war, his martyrdom also elevated his status within the movement. As his biographer Claude Clegg argues, the “FBI had, in fact, enhanced his power rather than diminished it . . . after 1942 and especially following his release from prison, he had unquestionably become the premier martyr of the Muslims.”<sup>6</sup> Because of the tenuousness of the organization during these years, one of the lessons that Elijah Muhammad took from his incarceration was the necessity of emphasizing religious sincerity over political programs as a means to reduce government interference and infiltration. And it was precisely this religious interpretation which would remain crucial to the Nation’s continued presence in prisons after the war. Yet, conclusions such as Clegg’s, that “courtroom brawls, protest rallies at police stations, and extremely vocal draft resistance were largely things of the past,” are part of the historical erasure of the NOI’s politics in the postwar period that take the Nation’s apolitical public stance at face value rather than see them as the larger lesson imbued by Muhammad’s incarceration.

World War II was a watershed moment in the history of the civil rights movement. The same antifascism which spawned the Double V campaign also convinced American

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<sup>5</sup> Claude Andrew Clegg III, *An Original Man: The Life and Times of Elijah Muhammad* (New York: St. Martin’s Press, 1997), 89-90.

<sup>6</sup> *Ibid.*, 97.

policymakers that “racial discrimination could harm their diplomatic overtures to non-white nations.”<sup>7</sup> The NAACP’s membership grew eightfold during the war and the Congress of Racial Equality (CORE) began its nonviolent direct-action protests. The all-black March on Washington Movement, led by labor organizer A. Philip Randolph, secured Executive Order 8802 from President Roosevelt prohibiting discrimination in the defense industry and established the first Fair Employment Practices Committee (FEPC). By 1946, there were twelve black state legislators and Harlem Communist Benjamin Davis was elected to New York’s City Council. As Manning Marable points out, with the notable exception of *Brown v. Board* in 1954, more significant civil rights judicial rulings actually occurred in the decade prior, including *Smith v. Allwright* (1944) and *Shelley v. Kraemer* (1948), which outlawed all-white primaries and restrictive housing covenants respectively.<sup>8</sup>

The War also marked a pivotal shift in racial formation in the United States. As Michael Denning notes, war with Japan “began thirty-five years of war in Asia—in the Philippines, Korea, Indonesia, Vietnam, and Cambodia; the 1942 evacuation and internment of Japanese Americans was a watershed in Asian American political consciousness; 1942 marked the beginning of the Bracero program, which organized the importation of Mexican contract labor for agribusiness; and 1942 marked the beginning of the largest migration of black Americans out of the South to the war-industry cities of the North and the West.”<sup>9</sup> Yet, as scholars have persuasively shown, the brief flowering of civil rights and human rights discourse was soon replaced by the rise of

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<sup>7</sup> Kevin Kruse and Stephen Tuck, eds., *Fog of War: The Second World War and the Civil Rights Movement* (New York: Oxford University Press, 2012), 3. This point is best made in Mary L. Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy* (Princeton: Princeton University Press, 2011).

<sup>8</sup> Manning Marable, *Race, Reform, and Rebellion: The Second Reconstruction and Beyond in Black America, 1945-2006* (Jackson: University Press of Mississippi, 2007), 14-16.

<sup>9</sup> Michael Denning, *The Cultural Front: The Laboring of American Culture in the Twentieth Century* (London: Verso, 1996), 451. Among the Japanese interned was Satokata Takahashi, who, instead of being released from incarceration in Springfield, Missouri in January 1942 as scheduled, was detained and taken along with 100,000 Japanese Americans to camps following Roosevelt’s Executive Order 9066.

Cold War anti-communism which submerged the oppressed status of domestic minorities and colonized subjects as the United States consolidated its global political and economic power.<sup>10</sup>

The years surrounding World War II also played a decisive role in connecting prisoners to this nascent civil rights movement. Following the international spotlight shined upon on the criminal justice system by the Scottsboro Boys case, nine black teenagers accused of raping two white women on a train in what became an international symbol of American racism and miscarriage of justice, the NAACP began investigating claims of racial segregation, labor discrimination, and inhumane conditions by prisoners in the North in the 1930s. Led by its young attorney, Thurgood Marshall, the NAACP's investigations resolved the issues of racial segregation at these institutions through case-by-case negotiations with prison administrators. But during the War, the combination of incarcerated COs in federal prisons and a politicized wartime atmosphere drew particular attention to the plight of black prisoners in federal institutions.<sup>11</sup> While segregation in state and federal prisons continued to be illegal, unspoken and unwritten assumptions about the natural order of racial segregation and its necessity to prison security maintained its prevalence at most institutions.<sup>12</sup> Many prisoners brought into the system for violation of the 1940 Selective Service Act were articulate, politically-minded, and

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<sup>10</sup> See Carol Anderson, *Eyes off the Prize: The United Nations and the African American Struggle for Human Rights, 1944-1955* (Cambridge: Cambridge University Press, 2003), 140; Brenda Gayle Plummer, *Rising Wind: Black Americans and U.S. Foreign Affairs, 1935-1960* (Chapel Hill: University of North Carolina Press, 1996); Risa Goluboff, *The Lost Promise of Civil Rights* (Cambridge, MA: Harvard University Press, 2007); and Penny M. Von Eschen, *Race Against Empire: Black Americans and Anticolonialism, 1937-1957* (Ithaca: Cornell University Press, 2001).

<sup>11</sup> By the end of the War, violators of the Selective Service Act represented almost a quarter of all federal prisoners. Over a six year period, the BOP classified over 1,200 total prisoners as COs. See *Federal Prisons: A Report of the Work of the Federal Bureau of Prisons* (Leavenworth, KS: U.S. Department of Justice, 1947), 8, 12-14.

<sup>12</sup> James Bennett wrote the Committee against Race Discrimination in the War Effort: "you ask whether or not there is any Federal law or regulation segregating Negro prisoners from other prisoners in federal institutions. There is no such law." Desmond King, *Separate and Unequal: Black Americans and the U.S. Federal Government* (Oxford: Clarendon Press, 1995), 142-3.

morally principled.<sup>13</sup> For example, conscientious objectors such as Bayard Rustin, Wallace Nelson, and James Peck came to prison ready and willing to challenge segregation. There, they encountered Muslims in the Nation of Islam who had similarly refused to fight on the side of the United States, but had a substantially different political analysis. Whether or not Muslim prisoners were among those working with conscientious objectors for prison desegregation, the hundreds of Muslims convicted for draft resistance nevertheless composed a significant part of this politicized atmosphere in federal prisons during the War.

Although Muslims in federal penitentiaries during World War II were generally seen as cooperative, and in some cases, model prisoners, a young Malcolm X and other Muslims held at Norfolk Prison Colony in Massachusetts launched the first challenge to the carceral state in 1950. By demanding prison cells facing east, refusing typhoid inoculations, and protesting the use of solitary confinement as punishment for religious and political beliefs, these prisoners fought against a persecution which had plagued Elijah Muhammad and others incarcerated during the war years. While Malcolm's conversion narrative has often stood in as representational for the larger story of incarcerated Muslims, focusing on his individual transformation has hidden a broader movement towards Islam in prison. It has also severed Malcolm from a rich, multi-denominational network of Muslim spiritual leaders and jazz musicians who reached into, and beyond, prison walls. This chapter traces the decade-long struggle from the Nation of Islam's introduction to prisons in 1942 for draft resistance through the rise of its first coordinated challenge to the state during the rise of the Cold War.

## **Asiatics in the Wilderness of America**

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<sup>13</sup> Ibid., 144. The most dramatic example of this was a 135-day hunger and work strike at Danbury Prison in Connecticut waged by eighteen COs in 1943 over Jim Crow segregation in the dining hall.

When a mysterious silk peddler named W.D. Fard (pronounced Fa-rod) arrived in Detroit during the heart of the Great Depression, he found a booming black community which had migrated from the South in successive waves over the previous two decades. The same forces which brought about the emergence of a thriving black press in cities such as Chicago and Pittsburgh, was also responsible for the growth of black Detroit. Prompted by material and social forces, including the opening of wartime industrial labor during the First World War, this migration was in no small part due to the advertising efforts by black newspapers themselves. *Chicago Defender* founder Robert S. Abbott even launched a “Great Northern Drive” urging southern blacks northward, a campaign which prompted biographer Roi Ottley to hyperbolize that “single-handed, Abbott had set the great migration of the Mississippi Valley in motion.”<sup>14</sup>

Detroit’s black population, which was a modest 5,741 in 1910, had grown to 120,066 by Fard’s arrival in 1930, when he began telling black Detroiters that they “were not Americans but Asiatics.”<sup>15</sup> Over the next four years, between five and eight thousand African Americans in Detroit and Chicago joined the Nation of Islam.<sup>16</sup> In interviews for the first study of the NOI in 1938, University of Michigan sociologist Erdmann Beynon reported that with “less than half-a-dozen exceptions all were recent migrants from the rural South, the majority having come to Detroit from small communities in Virginia, South Carolina, Georgia, Alabama, and Mississippi.”<sup>17</sup> Amongst these southern migrants was Elijah Poole (later Muhammad), who

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<sup>14</sup> Langston Hughes, *Langston Hughes and the Chicago Defender: Essays on Race, Politics, and Culture, 1942-1962*, edited by Christopher C. De Santis (Urbana, IL: University of Illinois Press, 1995), 13. Lee Finkle noted that even “if the *Defender* did not create the great migration, it nevertheless did all it could to encourage it . . . publishing news of job opportunities, train schedules, and available living quarters.”

<sup>15</sup> Richard Brent Turner, *Islam in the African-American Experience*, 2nd edition (Bloomington, IN: Indiana University Press, 2003), 151 and Edward E. Curtis, *Islam in Black America: Identity, Liberation, and Difference in African-American Islamic Thought* (Albany, NY: State University of New York Press, 2002), 67-72.

<sup>16</sup> Herbert Berg, *Elijah Muhammad and Islam* (New York: New York University Press, 2009), 26.

<sup>17</sup> Erdmann Doane Beynon, “The Voodoo Cult Among Negro Migrants in Detroit,” *American Journal of Sociology* 43, no. 6 (May 1938): 897.

moved from Georgia with his wife Clara in 1923, where he joined Detroit's booming auto industry. There, he attended a lecture by Fard at the former UNIA Hall. Like many ex-Garveyites, he was drawn to the combination of Islam, freemasonry, numerology, and racial pride, all of which flowed through the many strains of syncretic religious movements in the urban north. In 1930, Chicago alone had at least three hundred storefront churches.<sup>18</sup> Father Divine in Harlem, "Sweet Daddy" Grace in Massachusetts and Washington, D.C., Noble Drew Ali in Newark, and Mufti Muhammad Sadiq in Chicago, all emerged as important religious leaders during this migration.

As Richard Brent Turner explains, the Great Migration "set the stage for the cultural exchanges between different groups of people and for black economic exploitation in the North, both of which help explain the dramatic changes in name and identity that occurred among the black Muslims."<sup>19</sup> Both W.D. Fard and Elijah Muhammad drew upon these interactions as they outlined the racial constellation of the "Asiatic black man" – Fard through his proximity to large Asian populations in West Coast cities such as Portland, Seattle, and Los Angeles, and Muhammad through his rural southern experiences in the black church and the diverse immigrant space of the Detroit auto factory. Although Fard likely borrowed this identity from Noble Drew Ali, whose followers described themselves as "Asiatic" (Fard was a member of the Moorish Science Temple in 1929 under the name David Ford-el), the racial and national identity of the early Nation of Islam was also forged through concrete engagement with immigrant communities of color that helped create this alternative racial imaginary.

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<sup>18</sup> Stephen D. Glazier, ed. *Encyclopedia of African and African-American Religions* (New York: Routledge, 2001), 325-326.

<sup>19</sup> Turner, 153.

According to FBI and census reports, Fard arrived in the United States from New Zealand in 1913 and then likely settled in Portland, Oregon by 1914, when he entered into a common-law marriage with a woman named Pearl Allen.<sup>20</sup> Partly because Fard seems to have been passing as white, it is difficult to be sure about his level of contact with Asian communities in Portland.<sup>21</sup> However, the Japanese and black communities of Portland at the time were both small and maintained a high degree of social contact with one another. By 1920, African-American and Japanese populations in the city both hovered around fifteen hundred; most living on Portland's east side. Greater Multnomah County was home to half of the state's Japanese population.<sup>22</sup> Shortly after his marriage to Allen and the birth of a son, Fard allegedly moved to Seattle for a brief period. In Seattle, Fard would have found a much more dominant Asian community which greatly outnumbered African Americans. Although still a relative minority compared to the white population, Japanese, Chinese, and Filipino immigrants and their descendants more than tripled the number of African Americans in the city. Of these groups, the Japanese community dominated both in terms of population and economic prosperity, due in part to their earlier arrival in the Pacific Northwest. Seattle's Japanese population of nearly eight thousand in 1920 was the second largest in North America, only to Los Angeles, which was where Fard moved next.<sup>23</sup>

In Los Angeles, Fard opened Walley's Restaurant at 347 South Flower Street. By 1920, he had married a twenty-five year old white woman named Hazel Barton. Still passing as white,

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<sup>20</sup> His birthplace has been posited in sites as distant as New Zealand, Hawaii, and Pakistan. See Berg, 24-25; and Edward E. Curtis IV, *Encyclopedia of Muslim-American History*, volume 1 (New York: Facts on File, 2010), 183. Turner, 165.

<sup>21</sup> Fard is listed as white on his marriage certificate in 1914 and later on the Los Angeles census of 1920.

<sup>22</sup> William Toll, "Permanent Settlement: Japanese Families in Portland in 1920," *The Western Historical Quarterly* 28, no. 1 (Spring 1997): 23-4, 35; Wallace Muhammad Fard FBI File, Memo, Chicago Office, May 2, 1965, 3.

<sup>23</sup> Quintard Taylor, *Forging of a Black Community: Seattle's Central District, From 1870 Through the Civil Rights Era* (Seattle: University of Washington Press, 1994), 130.

Fard and Barton were living in the South Bunker Hill neighborhood as borders at an apartment house. Less than a mile from Walley's Restaurant, South Bunker Hill was in transition during this period, shifting from the fashionable home to Los Angeles elite during the late 19th century to a "physical and traffic barrier" which became "Los Angeles's most crowded and urban neighborhood."<sup>24</sup> More importantly, it was just blocks from the Little Tokyo neighborhood that operated as the center of Japanese-American and African-American contact during the interwar years.<sup>25</sup>

Fard's interaction with Asian communities in west coast cities such as Portland, Seattle, and Los Angeles may have made him particularly receptive to the movement he found upon moving to Chicago in the late 1920s. The Moorish Science Temple of America (MSTA) had moved from its birthplace in Newark, New Jersey in 1925.<sup>26</sup> It believed Islam to be the natural religion of "Asiatics," which included African Americans and other people of color. Followers were thought to be descendents of the biblical Moabites.<sup>27</sup> Although the MSTA clearly had a profound influence on Fard's "Asiatic" creation story, there were several crucial differences between the MSTA and what Fard would create in Detroit. While both groups believed they descended from an Asiatic race, the Nation of Islam created its own theology instead of drawing solely from the biblical reference to the Moabites. More importantly, the MSTA claimed American citizenship and preferred to be called Moorish Americans, whereas Fard's Lost-Founds believed in a separate nation and a global citizenship which linked them to people of

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<sup>24</sup> Mike Davis, *Dead Cities and Other Tales* (New York: The New Press, 2002), 132 and "Evolution of Bunker Hill," *Los Angeles Downtown News*, July 13, 1998.

<sup>25</sup> See Scott Kurashige, *Shifting Grounds of Race: Black and Japanese Americans in the Making of Multiethnic Los Angeles* (Princeton, N.J.: Princeton University Press, 2008).

<sup>26</sup> Peter Lamborn Wilson, *Sacred Drift: Essays on the Margins of Islam* (San Francisco: City Light Books, 1993), 29.

<sup>27</sup> Ernest Allen, Jr., "Identity and Destiny: The Formative Views of the Moorish Science Temple and the Nation of Islam," in *Muslims on the Americanization Path?* eds. Yvonne Haddad and John Esposito (New York: Oxford University Press, 2000), 215.

color around the world.<sup>28</sup> The MSTA declared that “all members must obey the laws of the government, because by being a Moorish American, you are a part and partial [sic] of the government.” And, although Moorish Americans claimed to be Asiatics, a member told the FBI during World War II that they “did not necessarily favor the Japanese in winning the war.”<sup>29</sup> Members of the Nation of Islam conversely pledged as “citizens of the Holy City of Mecca . . . [whose] allegiance was to the Moslem flag” and sympathized with the Japanese during the war.<sup>30</sup> While the “Asiatic” identity of the Moorish Science Temple would prove foundational to Fard and the Nation of Islam, the differing conceptions of citizenship and nationhood were crucial departures which eventually positioned global anticolonialism at the center of NOI. This, combined with its sense of solidarity with Japan, would comprise the core of its draft resistance during World War II.

When Fard left the MSTA and headed for Detroit in 1930, the reception of his syncretic vision of Islam was surely shaped by an already significant Muslim presence in the city. In 1916, Ford Motors reported having over five-hundred Arab employees in its factories. By 1920, over a thousand Turkish Muslims had formed a chapter of the Red Crescent in Detroit. Edward Curtis speculates that the “factory became the place where Muhammad first gained exposure to Muslims and perhaps Islam.”<sup>31</sup> Muhammad was employed at the American Nut Company in 1923, American Copper and Brass Company from 1923-1925, and the Chevrolet Axle Company for a brief period thereafter. Coming from the rural community of Sandersville, Georgia, however, his identification with “Asiatic” identity likely had a dramatically different meaning

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<sup>28</sup> Ibid., 205.

<sup>29</sup> Moorish Science Temple of America FBI File, Summary Report, March 21, 1944, 5.

<sup>30</sup> Allen, 234-235.

<sup>31</sup> Curtis, *Islam in Black America: Identity, Liberation, and Difference in African-American Islamic Thought* (Albany, NY: State University of New York Press, 2002), 70.

from that of Fard. Muhammad grew up under the influence of the popular teachings of Christian dispensationalism popular in black churches at the turn of the century. In particular, the premillennialism of Theophilus Gould Steward of the AME church predicted that America would be site of great unrest; the Apocalypse would be signaled by the return of Jews to Israel and the rise of world leaders from Asia and Africa. For Muhammad, the rise of nationalist Japan and the emergence of Egypt and Ethiopia from European colonialism were proof of this apocalyptic prophecy.<sup>32</sup>

During the early years of the Nation of Islam, membership much more closely resembled Muhammad's trajectory of northward migration than Fard's experience of multiethnic communities in the west. Many of these southern migrants were drawn to eclectic storefront churches and urban religious movements in the northern Black Belt. One convert, Henry 3X, noted that the "North differs from the South in that in the North there are many various organizations whereas in the South the only dominant organization attracts the Negro is the church."<sup>33</sup> Out of twenty-eight Muslims interviewed in 1951, nineteen reported having previously been members of these other movements. Many of these featured motifs of the Middle East and Africa, including the Masonic movement, Israelite Movement, God's Government on the Earth (dedicated to Liberian emigration), Repatriation Movement to Liberia, and the Black Jews. One member, Brother Horace, recalled joining the NAACP but decided that though their purpose is "bettering the conditions of the dark people . . . they will never do [it]." He then joined the Peace Movement of Ethiopia with the hope of migrating to Liberia but became skeptical following their continual delays. Another member, Willie X, had belonged to God's Government on Earth and was a Jehovah's Witness prior to joining the NOI; Jacob X was

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<sup>32</sup> Ibid., 66-70.

<sup>33</sup> Hatim Sahib, "The Nation of Islam" (M.A. Thesis, University of Chicago, 1951), 104.

a member of the Night Pythians, the Elks, and Masons; Brother Lucius was a Mason and Seventh Day Adventist.<sup>34</sup>

However, it was likely the influence of Satokata Takahashi (also known as Naka Nakane) which helped to develop the NOI's sympathies with Japan during the War. Takahashi entered the United States from Victoria, British Columbia around the time Fard was in Seattle. In 1921, he lived with his brother, a Japanese school principal, in Tacoma, Washington. There, he worked as life insurance agent and met a black clergyman who invited him to preach in Detroit. By 1933, he had incorporated a group called Society for the Development of Our Own in Lansing as a program of social, cultural, and commercial uplift among African Americans.<sup>35</sup> That year, the FBI identified the NOI as an organization with "pro-Japanese sentiment" and Fard and Takahashi were arrested. In June 1934, Fard mysteriously disappeared and membership fractured over his successor. Although details over the split in leadership are murky, Beynon suggested that Elijah Muhammad's former assistant minister August Muhammad and his youngest brother Kallatt challenged him for leadership and maintained a relationship with Takahashi. Elijah, proclaiming that Muslims were citizens of Mecca and must remove their children from public schools and pledge allegiance to the Muslim flag, moved his small splinter group to Chicago to reestablish the temple.<sup>36</sup>

Before leaving Detroit, Muhammad managed to produce a small newspaper, *The Final Call to Islam*. The newspaper lasted only four issues, from August 11 - September 1, 1934. However, a reading of these early issues reveals the extent to which "Asiatic" identity dominated the early rhetoric of the Nation of Islam. Asia was described not only as a birthplace, but as a

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<sup>34</sup> Ibid., 105.

<sup>35</sup> Reginald Kearney, *African American Views of the Japanese: Solidarity or Sedition?* (Albany, NY: State University of New York Press, 1998), 80.

<sup>36</sup> Beynon, 903.

source of protection. Elijah Muhammad explained the degradation of the sect in the white press: “They give it such names as ‘Cult’ and ‘Voodoo.’ They say it is a Sacrificial Religion, and that it kills its followers. This is done to keep you from being protected by the nations (Asia).” He followed this emphatically: “BUT NOW WE HAVE A CONSOLIDATED ASIA BEHIND US AND WE FEAR NOTHING!”<sup>37</sup> An editorial by a recent convert, written in the third person, recounted this protection from the Asian world as a central reason behind his conversion: “In the course of the conversation the Moslem told him that all Asia and especially Japan was behind Moslems . . . What interested him was that at last the black man in America could get powerful backing. He thereafter became a constant visitor of the Temple of Islam.”<sup>38</sup> Connection to Asia as a homeland was not merely an alternative creation story for members of the NOI, but an appeal to a larger global constituency in the upcoming war of Armageddon. Japan, as a growing imperial power, was central to this racial imagination.

Africa was not simply missing from the paper, but was refuted as an origin of black people in America. A section described as the “Jesus Prophecies of Fard Muhammad” argued:

[We were] never told by our enemies who made slaves of us that the Moslems (Asiatics) in the East beyond Europe were our brothers . . . No, they taught us we were from the jungles of Africa, and that all of our people lived there. The Bushman lives in this part of Africa, which is called the Jungles of East Asia by all Moslems. This teaching of Africa to us was to make us think we were all savages when brought here and that they did us a favor by pumping their wicked civilization in us. Again, the teaching of Africa was given so that when we desired to go see our land - Africa would be the place we would want to go to. They knew that if and when we got there we would not like to live there (Jungles of Africa - to be accurate Jungles of Asia) and would desire to return.”<sup>39</sup>

The distinction between Asia and Africa here may seem unclear, but for Fard and Elijah Muhammad “Africa” was “East Asia.” The Asiatic tribe of Shabazz to which members of the

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<sup>37</sup> Elijah Mohammed, “A Warning to the Black Man of America,” *The Final Call to Islam*, August 11, 1934, 2.

<sup>38</sup> “Editorial,” *The Final Call to Islam*, September 1, 1934, 3.

<sup>39</sup> “Jesus Prophecies of Fard Muhammad,” *The Final Call to Islam*, August 18, 1934, 2-3.

NOI belonged had come from the Nile Valley and Mecca. Herbert Berg explains that Muhammad saw “Africa as a mere extension of Asia; Blacks were Asiatics, not Africans. Moreover, he considered Africa uncivilized and, except for the Christians and Muslims, full of naked jungle dwellers.”<sup>40</sup> Ula Taylor importantly notes that this narrative “failed to critique colonialist descriptions of black Africans as ‘uncivilized.’”<sup>41</sup> Instead, the NOI constructed an alternative discourse of race which implicitly, and sometimes explicitly, buttressed the dominant notions of Africa as savage, backward, and uncivilized. As the NOI grew throughout the late 1930s it continued to position Asiatic identity at the core of its ideology and reinforce tropes of primitivist Africa, a discourse which would shift following the African independence movements of the late 1950s and early 1960s.

However, the “Asiatic” identity of the NOI is best understood using a concept of identity formation borrowed from Lisa Duggan. Duggan conceives of identity as a process of “contested narration, a process in which contrasting ‘stories’ of self and others - stories of difference - are told, appropriated, and retold as stories of location in the social world of structure inequalities.” Collective identities “forge connections among individuals and provide links between past and present, becoming the basis for cultural representation and political action.”<sup>42</sup> In this sense, the “Asiatic black man” was born out of a competition between hegemonic narratives of African primitivism and an ongoing identification with African Americans and the East, specifically Japan, as an alternative “civilization.” The Nation of Islam’s notion of citizenship, complete with its own semiotics, also contested the ubiquitous rhetoric of “Americanism” which dominated the

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<sup>40</sup> Berg, 128.

<sup>41</sup> Ula Taylor, “Elijah Muhammad’s Nation of Islam: Separatism, Regendering, and a Secular Approach to Black Power after Malcolm X (1965-1975),” in *Freedom North: Black Freedom Struggles Outside the South, 1940-1980*, ed. Komozi Woodard and Jeanne Theoharis (New York: Palgrave Macmillan, 2003), 179.

<sup>42</sup> Lisa Duggan, “The Trials of Alice Mitchell: Sensationalism, Sexology, and the Lesbian Subject in Turn-of-the-Century America,” *Signs* 18, no. 4 (Summer 1993): 793.

1930s. Michael Denning notes that the market crash of 1929 sparked a “crisis of Americanism” which spawned slogans from groups as disparate as the Communist Party, USA (“Communism is twentieth-century *Americanism*”) and the Ku Klux Klan (“Pure Americanism”) surrounding appeals to true American citizenship. Rather than compete for an authentic American identity, the NOI appealed to an alternative vision of nationhood in which members pledged allegiance to a different flag, refused military service, and loosely subscribed to demands for a separate sovereign state.<sup>43</sup> Out of this “contested narration,” the Nation of Islam constructed an “Asiatic” identity which was an uneasy balance of western Orientalism and black anticolonialism.

Many black intellectuals and leaders had been making similar connections to the East since the turn of the century. With the Japanese defeat of Russia in 1905, black Americans began to take notice of the rising empire. Booker T. Washington wrote that there was no race “living outside of America whose fortunes the Negro people of this country have followed with greater interest or admiration.”<sup>44</sup> Marcus Garvey added that “the next war will be between Negroes and the whites unless our demands for justice are recognized . . . With Japan to fight with us, we can win such a war.”<sup>45</sup> There was also a rise in literature during the 1910s and 1920s which prophesied the end of global white supremacy at the hands of the east. Part of this growing Orientalist discourse was Willem van Loon’s *The Story of Mankind* (1921), a children’s book which held up Asia as “the ancient teacher, and Europe, the young and eager pupil.”<sup>46</sup> Fard recommended *The Story of Mankind* to his followers. To further illustrate the “proofs about

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<sup>43</sup> Denning, 129-31.

<sup>44</sup> Allen, 231.

<sup>45</sup> Nathaniel Deutsch. “‘The Asiatic Black Man’: An African American Orientalism?” *Journal of Asian American Studies* 4, no. 3 (October 2001): 195.

<sup>46</sup> Allen, 231 and Hendrik Wellem Van Loon, *Story of Mankind* (New York: Boni and Liveright, 1921), 47.

themselves,” he also suggested James Henry Breasted’s *The Conquest of Civilization* (1926), which posited that the “earliest home of civilization was thus unquestionably the Near East.”<sup>47</sup>

As Nathaniel Deutsch and others have pointed out, the Nation of Islam’s “Asiatic” black identity relied upon and reinforced Orientalist tropes. Alongside Edward Said’s concept of Orientalism, which is concerned primarily with the more explicit imperial aspects of primitivizing the “Orient,” there is a strain of romantic Orientalism which sees the East in mythical and spiritual contrast to the materialistic Occident. The NOI gestured to, and drew upon, both. It saw Asia as a mystical place of genealogical beginnings but also as an imperial strength which could act as a powerful ally in the inevitable struggle between whites and people of color. Deutsch concludes that “the ideology of the Asiatic Black Man may be seen as an internal narrative within the African American community whose goal was to create an alternative national consciousness to the one promoted by racist mainstream society.”<sup>48</sup> As one convert, Horace X, described his first visit to the temple: “At that time I was so happy to know that I was not that ‘dirty Nigger’ but I am ‘Asiatic.’”<sup>49</sup> However, as Duggan reminds us, “stories of identity are never static, monolithic, or politically innocent.”<sup>50</sup> In this sense, it would take the African liberation movements of the 1950s, the Bandung Conference of 1955, and trips to Africa and the Middle East by Malcolm X and Elijah Muhammad, for the Nation of Islam to begin to incorporate African into its global anticolonial vision.

## **The NAACP and Prisoners’ Rights**

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<sup>47</sup> James Henry Breasted, *Conquest of Civilization* (New York: Harper and Brothers, 1926), ix.

<sup>48</sup> Deutsch, 200.

<sup>49</sup> Sahib, 200.

<sup>50</sup> Duggan, 793.

The factionalism following Fard's disappearance in 1934 had left Muhammad with a decimated membership. In Detroit, one hundred and eighty followers pledged their fealty while a mere thirteen in Chicago offered support. As Muhammad struggled to rebuild the Nation, establishing temples in Milwaukee and Washington, D.C., the nation's oldest civil rights organization, the NAACP, was inundated with letters from former and current prisoners describing racism, segregation, job discrimination, and brutality in state and federal penitentiaries. A prisoner in Boca Raton, Florida smuggled a letter to Walter White claiming he was being held in a sweat box the size of a telephone booth. Although he feared death for testifying, he offered to take the stand against the state of Florida if necessary.<sup>51</sup> Even after being paroled, another former prisoner wrote that he was willing to testify if "it will help my people."<sup>52</sup> These cases were not relegated to the South. In 1934, a letter sent from the "colored prisoners of Attica Prison" complained of unfair labor conditions and job assignments, segregated lines in the dining halls, and unequal levels of sanitation. The letter argued that Attica was worse for black prisoners than southern prison labor camps.<sup>53</sup> As these letters poured in, the NAACP was in the midst of a fierce battle with the International Labor Defense (ILD), the legal arm of the American Communist Party, over representation of the Scottsboro Boys.<sup>54</sup> Its reluctance to initially take the case, which it feared might damage its reputation, meant that, in the words of

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<sup>51</sup> Forrest Hills to Walter White, November 18, 1940, Prison Conditions, 1940-1944, Part 18: Special Subjects, 1940-1955, Series A: Legal Department Files, Papers of the NAACP, Library of Congress.

<sup>52</sup> Emanuel Goggins (illegible) to Walter White, July 18, 1943, *ibid.*

<sup>53</sup> Lillian Williams, "Attica Prisoners Seek Aid from NAACP," *Afro-Americans in New York Life and History*, 1, no. 2 (1977): 188-189.

<sup>54</sup> Dan Carter, *Scottsboro: A Tragedy of the American South*, rev. ed. (Baton Rouge: Louisiana State Press, 2007); Wilson Record, *Race and Radicalism: The NAACP and the Communist Party in Conflict* (Ithaca, NY: Cornell University Press, 1964); and James Miller, *Remembering Scottsboro: The Legacy of an Infamous Trial* (Princeton: Princeton University Press, 2009).

one historian, the ILD had “handily won both [in] the struggle for legal representation *and* the battle for the control of their cultural and political representation.”<sup>55</sup>

Perhaps fearing a similar public relations disaster, the NAACP sent its new young legal counsel, Thurgood Marshall, to investigate reports from the New York City Reformatory in New Hampton.<sup>56</sup> Marshall visited for a full day in 1936 and found that the “question of the evils of segregation has been pushed aside in the interest of institutional methods.” He noted that it would be impossible to teach these prisoners to respect and abide by the law when they were exposed to such “open violation of the law by the City of New York in practicing segregation in a public institution.” But despite this condemnation, Marshall downplayed the extent to which Jim Crow was a pervasive feature of prison life for prisoners: “The only evidence of segregation appeared to be in the outside gangs at work, on the recreation field, in the dining hall, and in the auditorium at the moving pictures and plays. Of course, the outside gangs being segregated, the sleeping quarters of those gangs are in turn separate.” In other words, almost every aspect of daily life at New Hampton was governed by segregation, yet Marshall’s report made it sound piece-meal and haphazard rather than systematic. Even more remarkably, he concluded that “there is no discrimination, although there is segregation.”<sup>57</sup> Nearly two decades before successfully arguing that segregation was *inherently* unequal in the pioneering case of *Brown v. Board*, Marshall’s conclusions at New Hampton echoed the “separate but equal” premise of *Plessy v. Ferguson* which provided the legal foundation of Jim Crow.<sup>58</sup>

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<sup>55</sup> Miller, 4.

<sup>56</sup> Carita Roane to Walter White, October 9, 1936, Prisons: N.Y. City Reformatory, 1936-1939, Part 8: Discrimination in the Criminal Justice System, 1910-1955, Series A: Legal Department and Central Office Records, 1910-1939, Papers of the NAACP.

<sup>57</sup> Thurgood Marshall, “Report of investigation of alleged segregation and discrimination in the New York City Reformatory,” New Hampton, New York, October 28, 1936, 2-4, *ibid*.

<sup>58</sup> What is even more perplexing in Marshall’s assessment is that he had recently argued that case of *Murray v. Maryland* the year before in which a black student, Donald Gaines Murray, was denied access to University of Maryland law school on the basis of race. Marshall, who was rejected to the same law school on racial grounds,

With Marshall's report in hand, the NAACP met with the state Commissioner of Correction, Austin H. MacCormick. A former assistant director for the Federal Bureau of Prisons, MacCormick felt personally opposed to racial segregation but said that he "had become some accustomed to seeing segregation he had not paid any particular attention to [it] . . . until the Association had brought it to his attention."<sup>59</sup> He would desegregate the reformatory with haste, and both sides agreed to refrain from publicizing the matter. On Thanksgiving Day in 1936, desegregation at New Hampton was scheduled to dramatically unfold with prisoners eating side by side in the mess hall for the first time.<sup>60</sup> MacCormick thanked Walter White and the NAACP, noting that without their intervention segregation at New Hampton "would probably have continued indefinitely."<sup>61</sup> Although white prisoners initially went on a two-day hunger strike in protest, the desegregation campaign was seen as a swift and painless victory by both sides. A prisoner commissioned by the superintendent to write a report on the effort noted that "[p]sychology has triumphed over physical prosecution . . . the reformatory is a reformatory and not a prison."<sup>62</sup> Prison officials, who had framed their argument against segregation in terms of prison security, now saw the success of desegregation in similar terms: "The ground gained because of this victory has improved our discipline to a marked degree; therefore, we know the institution has profited by this experience."<sup>63</sup> Ultimately, the case was publicized throughout the black press (despite their agreement to keep the campaign mum). The NAACP used it to bolster

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argued that the school violated the principle of "separate but equal" because no black law school was near the same academic pedigree of the University.

<sup>59</sup> Memorandum re: Discrimination at New Hampton, New York, November 5, 1936, Prisons: N.Y. City Reformatory, 1936-1939, Part 8: Discrimination in the Criminal Justice System, 1910-1955, Series A: Legal Department and Central Office Records, 1910-1939, Papers of the NAACP.

<sup>60</sup> Marshall Ross to Percy Harris, November 10, 1936, Prisons: N.Y. City Reformatory, 1936-1939, *ibid.*

<sup>61</sup> Austin MacCormick to Walter White, November 6, 1936, *ibid.*

<sup>62</sup> "A solicited opinion by the Superintendent from a prisoner regarding the colored-white situation at New Hampton," July 1937, 3, *ibid.*

<sup>63</sup> "The Elimination of the colored-white segregation at the New York City Reformatory," July 27, 1937, 5, *ibid.*

fundraising while the Corrections Department took the positive publicity as an opportunity to insulate itself from further scrutiny.<sup>64</sup> Three years later, the prison invited Walter White and his staff to attend a 25<sup>th</sup> anniversary celebration at New Hampton.<sup>65</sup> MacCormick vowed to take this initiative to all state prisons.

But the apparent ease of desegregation found at New Hampton proved illusory elsewhere. Just a year after the victory at the reformatory, attorney Charles Hamilton Houston wrote of similar conditions at Rikers Island and suggested that he and Walter White visit the jail.<sup>66</sup> There, incarcerated African Americans labored exclusively on coal piles and suffered from beatings and brutality. They reported being fed only leftover food and housing and the recreation yard were both segregated. Yet Thurgood Marshall's report after his February 1937 visit again focused exclusively on racial segregation despite a scope of grievances which included workplace discrimination and violence. He meticulously documented the presence of whites and blacks working, sleeping, and eating alongside one another while eschewing the possibility of unequal treatment. For example, Marshall answered the claim of discrimination in the mess hall by that writing that there was "no possibility of discrimination because all prisoners receive the exact same food." When broaching the charge of labor discrimination offered in letters from prisoners, he was convinced by the warden's argument that there are two gangs – one white and one black - who alternate working on the coal piles every three months. "The last few times," he recorded, "these gangs have all been colored." While conceding that this was indeed racial segregation, Marshall again insisted that it is "not discrimination because white gangs are actually on the

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<sup>64</sup> The *Pittsburgh Courier* heralded the "[p]rompt and effective wiping out of segregation." See "Segregation is Abolished in New York Reformation," *Pittsburgh Courier*, December 19, 1936.

<sup>65</sup> Frederick Sacher to Walter White, March 9, 1939, Prisons: N.Y. City Reformatory, 1936-1939, Part 8: Discrimination in the Criminal Justice System, 1910-1955, Series A: Legal Department and Central Office Records, 1910-1939, Papers of the NAACP.

<sup>66</sup> See Charles Hamilton Houston to Marshall Ross, January 15, 1937, Prisons: Rickers [sic] Island, 1937-1938, *ibid.*

outside grading lawns and digging, which work is just as hard as shovelling [sic] on the coal pile.”<sup>67</sup> Although the complaints that Marshall recorded often centered around labor discrimination, prison discipline, and inhumane living conditions, he ultimately recommended that racial desegregation be pursued in light of the success at New Hampton the year before. In a dismissal of the deeply-sanctioned racism he had found at the prison, Marshall assured a concerned writer that he found “after a day’s investigation that there was no discrimination or segregation.”<sup>68</sup> While these investigations by the NAACP importantly linked prisoners’ struggles to a still-nascent civil rights movement, Marshall’s conclusions revealed the stark boundaries of the organization’s willingness to challenge prisoners’ claims beyond racial segregation. Furthermore, the attorney’s insistence that segregation did not constitute discrimination would be significantly rethought and retooled in the decades that followed.

### **“Registered with Allah”**

As the United States prepared to enter World War II, black leaders cautiously toed the line between patriotism and skepticism. W.E.B Du Bois’ call during World War I to “close our ranks shoulder to shoulder with our white fellow citizens” had ended with the disappointment of receding wartime gains in employment and white antagonism toward black men in uniform.<sup>69</sup> However, despite Du Bois’ own lifelong regret at penning this controversial editorial, the strategy of seeking fuller citizenship through military service maintained a widespread appeal to many black Americans. Kevin Gaines notes that although black participation in foreign wars

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<sup>67</sup> Thurgood Marshall, Memorandum, “Re: Visit and investigation of Riker’s Island,” February 5, 1937, 1-2, *ibid.* This occurred elsewhere in Marshall’s letters. See Thurgood Marshall to Charles Breitel, June 9, 1945, *ibid.*

<sup>68</sup> Thurgood Marshall to Louis Wright, August 19, 1938. Also see Louis T. Wright to Marshall, August 3, 1938, *ibid.*

<sup>69</sup> W.E.B. Du Bois, “Close Ranks,” *The Crisis*, July 1918.

“would be intensely debated among blacks in light of the denial of equal protection at home, the race’s military service throughout U.S. history would remain a sacred tenet for many, if not all.”<sup>70</sup> Amidst a wave of rhetoric promoting full citizenship through this dual-pronged campaign, black enlistment rose from a mere 5,000 on the eve of Pearl Harbor to 900,000 by 1945.<sup>71</sup> By 1943, only 167 black men had been convicted of draft violations.<sup>72</sup>

When Elijah Muhammad and other Muslim draft resisters arrived at Milan Federal Penitentiary in Michigan, they found a relatively small prison of 444 prisoners described as a place to hold those it deemed “improvable.” Like other federal prisons at the time, Milan was racially segregated. And despite – or perhaps because of – their incarceration for resisting the war effort, prisoners were mandated to produce items which served the military, namely double-decker beds for the Navy, Coast Guard, and Marines. Upon admission, without a hint of irony, the psychologist diagnosed Muhammad with schizophrenia, describing him as a “paranoid type” who suffered from “a marked persecutory trend both against himself and his race.” This type of diagnosis often accompanied black resistance inside and outside prisons, and served to pathologize political activism.<sup>73</sup> As would become common practice for the next several decades, Muslims at Milan were refused access to the Qur’an, given no space for worship such as was permitted to other religions, and were served pork regularly.<sup>74</sup> Nevertheless, Muhammad quickly

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<sup>70</sup> Kevin Gaines, *Uplifting the Race: Black Leadership, Politics, and Culture in the Twentieth Century* (Chapel Hill: University of North Carolina Press, 1996), 27.

<sup>71</sup> Stanford, ed., 145-147.

<sup>72</sup> *Ibid.*, 145.

<sup>73</sup> See Jonathan Metzl, *The Protest Psychosis: How Schizophrenia Became a Black Disease* (Boston: Beacon Press, 2009). Indeed, once released from prison, Malcolm X was given a psychological examination for the draft where he was described as having “asocial personality with paranoid trends (pre-psychotic paranoid schizophrenia).” See Malcolm X FBI File, Summary Report, Detroit Office, April 16, 1954, 2-3, 5 and Summary Report, New York Office, May 23, 1955, 1,4, and 5.

<sup>74</sup> When Muhammad had requested a copy of the Qur’an while awaiting trial, he was denied access and told “that is what we put [you] in prison for.” See Clegg, 91.

set about hosting Muslim meetings with his son Emmanuel and others three times a week, on Wednesday and Friday evenings and Sunday afternoons.<sup>75</sup>

While incarcerated Muslims tried to carve out a religious space in federal prisons, other longtime activist COs in these institutions began campaigns to end racial segregation. Both James Peck and Bayard Rustin were involved in hunger strikes at Lewisburg and Danbury Prisons during 1944-1945, while James McGregor (also known as James 3X Shabazz) was imprisoned at these institutions for draft resistance.<sup>76</sup> Likewise, at Milan, the NAACP reported that “two Chicago Negroes, both of whom are religious conscientious objectors to the war” were holding a silent protest against racial segregation and had been joined by several white prisoners.<sup>77</sup> Among them was Methodist minister, CORE member, and Freedom of Reconciliation (FOR) staffer, Roger Axford, who taught Elijah Muhammad in a prison English course along with the black Quaker pacifist Wallace Nelson.<sup>78</sup> While it is unclear if the NOI participated in these challenges, the group nevertheless was a part of this politicized wartime milieu in federal prisons.

Meanwhile, Thurgood Marshall and the NAACP had called for an end to racial segregation in federal prisons the year prior.<sup>79</sup> Director James Bennett assured him that it was merely for “administrative reasons that we usually house the Negroes separately, and consequently they usually eat in separate sections of the mess hall.” Much like the arguments

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<sup>75</sup> Ibid., 94-97.

<sup>76</sup> Shabazz would later become the minister of the Newark Mosque and was again imprisoned for draft resistance during the Korean War. See James 3X Shabazz FBI File, Summary Report, Baltimore Office, February 1, 1955.

<sup>77</sup> CORE Press release, July 21, 1945, Bureau of Prisons, 1942-1946, Part 18, Special Subjects, 1940-1955, Series A: Legal Department Files, Papers of the NAACP. In 1945, CORE announced that racial segregation at federal prisons like Milan had finally been abolished. See *Race Relations: A Monthly Summary of Events and Trends*, Volume 3, 1945-1946 (Nashville: Social Science Institute, Fisk University, 1969), 263.

<sup>78</sup> Letter from Naida Axford, July 25, 1944, Bureau of Prisons, 1942-1946, Part 18, Special Subjects, 1940-1955, Series A: Legal Department Files, Papers of the NAACP, and Evanzz, *The Messenger*, 152.

<sup>79</sup> Thurgood Marshall to Francis Biddle, July 31, 1942, Part 15: Segregation and Discrimination, Complaints and Responses, 1940-1955, Series A: Legal Department Files, Library of Congress, Papers of the NAACP.

used by northern whites to maintain so-called *de facto* segregation, Bennett insisted that “[we] do not feel that we should make issues where none exist, by forcing, for instance, white inmates to live in the same open dormitory with colored inmates. Nor do we feel that the prison is the place to set up standards and policies which do not exist in the community.”<sup>80</sup> The existence of racial segregation in federal prisons was thereby upheld on the grounds of prison order, the commonsense logic of curtailed prisoner rights, and the perpetuation of a racial caste system outside prisons which was mirrored inside its walls.

Bennett did urge that federal prisons be desegregated two years after Marshall’s call, but again left prison conditions and labor rights unaddressed.<sup>81</sup> Moreover, federal prisons, then as now, only represented a fraction of those incarcerated. In 1944, there were 18,139 federal prisoners compared to 114,317 held in state institutions.<sup>82</sup> However, the NAACP’s advocacy did have some lasting effects on prison officials. Indeed, as historian Robert Chase notes, by the end of his career, Austin MacCormick had in fact made good on his promise to address racial segregation and visited every state prison in the country while working to reform systems throughout the South.<sup>83</sup> But in the case of both MacCormick and Bennett, recalcitrant administrators have often been credited for reforms that in fact were the result of black prisoners’ activism, often in cooperation with the NAACP. For both Bennett and MacCormick, segregation and discrimination in prisons was an unfortunate reality that would have remained unchallenged

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<sup>80</sup> James Bennett to Thurgood Marshall, August 22, 1942 and September 7, 1942, *ibid.*

<sup>81</sup> Marie Gottschalk, *The Prison and the Gallows: The Politics of Mass Incarceration in America* (Cambridge: Cambridge University Press, 2006), 172.

<sup>82</sup> Prison Policy Initiative, <https://www.ncjrs.gov/pdffiles1/digitization/111098ncjrs.pdf>. As of 2013, this relationship remained roughly proportional, with 215,866 incarcerated in federal prisons and 1,358,875 in state confinement. E. Ann Carson, “Prisoners in 2013,” compiled by the U.S. Department of Justice, <http://www.bjs.gov/content/pub/pdf/p13.pdf>.

<sup>83</sup> See Robert Chase, “Civil Rights on the Cellblock: Race, Reform, and Violence in Texas Prisons and the Nation, 1945-1990,” Ph.D. diss., University of Maryland, 2009), 62, cited in Heather Ann Thompson, “From Researching the Past to Reimagining the Future,” *The Punitive Turn: New Approaches to Race and Incarceration*, edited by Deborah McDowell, Claudrena Harold, and Juan Battle (Charlottesville: University of Virginia Press, 2013), 55.

were it not for dissent from inside prisons combined with the advocacy of the NAACP. Yet historians such as Desmond King have credited Bennett as the primary engine of federal prison desegregation. This top-down reading of the director as “humane man genuinely committed to desegregating these institutions” obscures the important role that prison activists and the NAACP played in forcing prisons to abandon racial segregation as a federal policy. Bennett’s policies reflected political expediency, not a deep-seated commitment to social change.<sup>84</sup>

And although the NAACP submitted a three-year report on what Walter White called the “shocking” segregation of federal prisons in 1945, the organization’s ability or willingness to commit resources for investigating state prison claims also waned.<sup>85</sup> In one case, Marshall regretfully informed a Brooklyn NAACP member that the organization’s rules mandated that the local branches handle such matters.<sup>86</sup> In the midst of World War II, claims of discrimination resurfaced from New York prisons, but Marshall informed that the NAACP “had no opportunity to make an investigation of these complaints” and relied on the director of prisons to self-report segregation.<sup>87</sup> Not surprisingly, asking prison officials to report on their own discriminatory practices reaped no rewards. For example, the superintendent at Brushby Mountain Penitentiary in Tennessee responded un reassuringly to the charge that convicts were brutally treated by writing that there “has not been a single convict treated at no time [sic], rules and regulations strictly forbid it.”<sup>88</sup>

Just two years after entering federal prisons, incarcerated Muslims began reporting the first cases of religious and racial persecution. Attorney Sandolphra Robinson, who represented

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<sup>84</sup> King, 143.

<sup>85</sup> “Urge End of Bias in U.S. Prisons,” *Chicago Defender*, November 17, 1945.

<sup>86</sup> Thurgood Marshall to Margaret Sullinger, June 9, 1943, Prison Conditions, 1940-1944, Part 18, Special Subjects, 1940-1955, Series A: Legal Department Files, Papers of the NAACP.

<sup>87</sup> Thurgood Marshall to Charles Breitel, January 31, 1946, Prison Conditions, 1945-1947, *ibid.*

<sup>88</sup> R.B. Wood to Dr. W.O. Baird, April 2, 1947, *ibid.*

several Muslims at Lorton Reformatory near Washington, D.C., wrote the Superintendent of Penal Institutions in 1944 that “officials believe that these people or some of them use this religion solely for the purpose of avoiding military service.” Not only did Lorton eventually become the battleground for two of the first legal cases brought forth by the Nation of Islam over a decade later in *Sewell v. Pegelow* and *Fulwood v. Clemmer*, but the complaints brought forth by Robinson’s plaintiffs mirrored those of the first major legal victory of the prisoners’ rights movement in 1964, *Cooper v. Pate*. He reported that Muslims were unable to discuss the tenets of Islam or wear religious paraphernalia in the same manner of other major religions. Members were “constantly watched and spied upon and repeatedly interrogated” to the point that they feared for their safety. Robinson even outlined the first cases of solitary confinement experienced by Muslim prisoners, reporting that they were “placed in the ‘Stockade’ for very long periods of time for the slightest and most insignificant infraction of the rules.”<sup>89</sup>

Although the NAACP continued to win piece-meal concessions from the prison system when a letter or complaint could persuade (for example, the organization successfully demanded that the question of “color” be removed from job applications at Elmira Reformatory in New York), fighting for prisoners’ rights, especially in northern state prisons, had almost fully receded from its agenda by the War’s end.<sup>90</sup> As Mary Ellen Curtin argues, this was in part a question of allocating funds. Because of an “inadequate budget and its operations under extreme political duress . . . the NAACP had to make difficult choices concerning how best to use its resources [in the case of black prisoners].”<sup>91</sup> Another reason may have been the narrowness of the NAACP’s

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<sup>89</sup> Sandolphra Robinson to Howard Gill, July 24, 1944, Box 46, Folder 11, Howard Belding Gill Papers, John J. Burns Library, Boston College.

<sup>90</sup> For letters regarding Elmira, see Prison Conditions, 1945-1947, Part 18: Special Subjects, 1940-1955, Series A: Legal Department Files, Papers of the NAACP.

<sup>91</sup> Mary Ellen Curtin, “‘Please Hear Our Cries’: The Hidden History of Black Prisoners in America,” in *The Punitive Turn: New Approaches to Race and Incarceration*, eds. Deborah McDowell, Claudrena Harold, and Juan Battle (Charlottesville: University of Virginia Press, 2013), 35.

focus on racial segregation. As indicated in Marshall's memos, the organization felt that segregation, rather than issues of labor and prison discipline, was the chief battle to be waged in state and federal prisons. The NAACP's politics of respectability also made prison reform unpalatable to its middle-class base. For some of the same reasons that Claudette Colvin was not the candidate to represent the Montgomery Bus Boycott that Rosa Parks was, certain prisoners were deemed unfit to be the face of NAACP cases. As Curtin notes, in cases of police brutality and southern prison runaways, the Association decided that as an advocacy group rather than a legal aid society, they would only look into cases where the subject was undeniably innocent.<sup>92</sup>

The suffering of black prisoners was often discredited due to assumptions about criminality and class. Marshall wrote in a confidential memo that one prisoner "has a criminal record about one-half a mile long and the record is all for convictions for using different confidence games. For that reason, no action whatsoever should be taken concerning this or other letters from him."<sup>93</sup> A decade later, Marshall would dismiss the Nation of Islam by calling them a "bunch of thugs organized from prisons and jails."<sup>94</sup> Ultimately, the NAACP's privileging of racial segregation over issues of labor discrimination, solitary confinement, and living conditions left many of the complaints of prisoners unchallenged. More tragically, the NAACP's victory in *Brown* had opened judicial intervention into all state institutions, but the organization did not recommit itself to issues of incarceration until the 1960s. As late as 1965, when the NOI approached the NAACP for legal counsel in an attempt to be a recognized religious group in California prisons, Associate Counsel Maria Marcus wrote Executive Director Roy Wilkins that the organization "should not be involved in a suit which does not vindicate the goals and aims of

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<sup>92</sup> *Ibid.*, 39.

<sup>93</sup> Thurgood Marshall, Memorandum, "Confidential (Not to be released)," February 20, 1946, Prison Conditions, 1940-1944, Part 18, Special Subjects, 1940-1955, Series A: Legal Department Files, Papers of the NAACP.

<sup>94</sup> "Calls Moslem Leaders 'Thugs,'" *Chicago Defender*, October 31, 1959.

the NAACP and its members, and is unrelated to our program.”<sup>95</sup> Conversely, the Nation of Islam was willing to openly acknowledge past criminality and rehabilitate prisoners. As Malcolm X told a Los Angeles crowd: “To have once been a criminal is no disgrace. To remain a criminal is the disgrace.”<sup>96</sup> It was during Malcolm’s incarceration in the immediate postwar period that the next major challenge from incarcerated Muslims would come.

## The “Other Malcolm”

Malcolm X’s experience has often stood in for the larger story of the Nation of Islam’s presence in prisons. As one historian writes, scholars “dutifully acknowledge the group’s strong appeal to prisoners, often doing so via a discussion of Malcolm X’s conversion, but they rarely deviate from this standard narrative to consider the wider significance of this phenomenon.”<sup>97</sup> Malcolm’s story of individual transformation through letters and visits with his siblings, and reading the dictionary page by page, does not alone explain the larger religious and political context in which he converted to Islam. In fact, one of the crucial contributions the Nation of Islam made to prison culture was the shift away from the social system of cliques outlined by penologist Donald Clemmer in his foundational book, *The Prison Community* (1940), which emphasized the equality of all inmates, doing one’s own time, and the idea that no inmate could speak on behalf of another, to a communal solidarity which stressed shared oppression.<sup>98</sup>

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<sup>95</sup> Maria Marcus to Roy Wilkins, November 16, 1965, Part 24: Special Subjects, 1956-1965, Series A: Africa-Films, General Office File, Black Muslims, 1961-1965, Papers of the NAACP.

<sup>96</sup> *Malcolm X: Make it Plain*. Blackside, Inc./Roja Production and American Experience. PBS Video, 1994. See transcript at <http://www.pbs.org/wgbh/amex/malcolm/x/filmmore/pt.html>.

<sup>97</sup> Zoe Colley, ““All America is a Prison”: The Nation of Islam and the Politicization of African American Prisoners, 1955-1965,” *Journal of American Studies* 48, no. 2 (May 2014): 3.

<sup>98</sup> See Donald Clemmer, *The Prison Community* (Boston: Christopher Publishing House, 1940) and James Jacobs, “The Prisoners’ Rights Movement and Its Impacts, 1960-1980,” *Crime and Justice* 2 (1980): 435. Dan Berger makes this point as well: “NOI study groups and prayer circles facilitated an antiracist collectivity – in the form of consciousness and group action – in an institution governed by divisive individualism.” See *Captive Nation: Black Prison Organizing in the Civil Rights Era* (Chapel Hill: University of North Carolina Press, 2014), 58.

The key to understanding Malcolm's conversion to Islam in prison in broader terms lies in the "other Malcolm" of his autobiography: Malcolm "Shorty" Jarvis. His saxophone-playing sidekick (Jarvis was actually a trumpeter) and co-defendant is entirely missing from Malcolm's prison years in the *Autobiography*. Instead, Shorty reemerges after Malcolm was released and was an acting minister in the Nation of Islam: "Shorty, when I found him, acted uncertain. The wire had told him I was in town, and on some 'religious kick' . . . I quickly let Shorty know how serious I was with Islam, but then, talking the old street talk, I quickly put him at ease, and we had a great reunion."<sup>99</sup> However, when Malcolm X made waves in prison during the early part of 1950 by refusing typhoid inoculations, demanding an eastward facing cell, and refusing to eat pork, he was part of a Muslim contingent at the prison which included Malcolm Jarvis and two brothers, G. Osborne and Leroy Thaxton. While we can only speculate as to Malcolm X's motivations for omitting own Shorty's conversion to Islam, a conversion which may have predated his own, from the autobiography, a closer look at the experiences of Muslims at Norfolk Prison reveals the existence of a nascent Islamic community of competing beliefs and a conversion process rooted in the communal experience of incarceration rather than in the introspective, individual process that Malcolm described in his autobiography.

Shorty is not the only thing missing from Malcolm's narrative about life in prison. As Shorty recedes in his autobiography, so does the jazz that animated Malcolm's early life in Roxbury and Harlem. Malcolm's new life of piety which eschewed the drugs, alcohol, and hustling of his "Detroit Red" persona left no room for the musical backdrop to his lindy-hopping, zoot-suit wearing days. But Jarvis' story is crucial to unlocking a network of Islam and jazz which traveled between the Norfolk Prison Colony and Boston. Jarvis, who studied jazz

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<sup>99</sup> Malcolm X and Alex Haley, *The Autobiography of Malcolm X* (New York: Ballantine Books, 1992), 246-247

composition in prison with an appetite which rivaled Malcolm's for reading and debating, was visited in Norfolk by a host of jazz musicians, many of whom were Muslim.<sup>100</sup> The list, including fellow trumpeters Bob Chestnut and Eugene Caine, brothers Ray and Bazeley "Bey" Perry, bandleaders Herbie Lee and Jimmie Martin, guitarist Irving Ashby, pianists Paul Broadnax, "Sabby" Lewis, and Hi Diggs, and saxophonist Ghulam Sadiq, was a virtual "who's who" of the Boston jazz scene.<sup>101</sup> Jarvis was visited by swing legends Lucky Millinder and Lionel Hampton, and in 1947, Duke Ellington. Malcolm was also visited by black celebrities such as dancer Sleepy Williams (who was married to his cousin) and Lionel Hampton's trombonist Alvin "Al" Hayse."<sup>102</sup> In 1952, he wrote his brother Philbert that he did not press religion on Hayse because his "impressions of Islam [had] been formed from his observations of the various Muslims (so called) in show business who say one thing and do another." But he still planned to "introduce him to some real Muslims (be it the will of Allah). Hamp [Lionel Hampton], too?"<sup>103</sup>

But before Malcolm X's attempts to convert jazz musicians to Islam in the early 1950s, the list of Malcolm Jarvis' visitors in prison suggest that the two may have been first introduced to Islam through Shorty's visitors from Boston. *Ebony* magazine's 1953 article entitled, "Moslem Musicians: Mohammeden Religion Has Great Appeal for Many Talented Progressive Jazz Men" formally announced a movement towards Islam in jazz which was over a decade

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<sup>100</sup> Malcolm X was transferred to Norfolk Prison Colony in March 1948.

<sup>101</sup> Record of Visits and Correspondence, Malcolm Jarvis prison file (#7465), Massachusetts Archives. For a detailed history on Boston jazz during this period, see Richard Vacca, *The Boston Jazz Chronicles: Faces, Places, and Nightlife, 1937-1962* (Belmont, MA: Troy Street Publishing, 2012).

<sup>102</sup> Transfer Summary, March 27, 1950, Malcolm Little prison file (#22843), Massachusetts Department of Corrections; Malcolm X to Philbert Shah, August 9, 1949 and January 15, 1952, Box 3, Folder 1, Malcolm X Collection (MXC), Schomburg Center for Research in Black Culture, New York Public Library.

<sup>103</sup> Malcolm X to Philbert, January 15, 1952, *ibid*.

old.<sup>104</sup> Jarvis' visitors comprised a small-but-influential contingent of African-American Muslims in Boston during the 1940s. Some who visited, such as the Perry brothers, were credited with introducing other musicians to Islam. Pianist Jaki Byard (later Jamil Bashir) recalled that it was Ray Perry who facilitated his conversion to Islam.<sup>105</sup> Meanwhile, Ray's brother's nickname "Bey" Perry (sometimes spelled "Bay") may have been a legacy of the Moorish Science Temple, whose members often took the surnames Bey or El.<sup>106</sup> Bey's bands often included two other visitors, Ghulam Sadiq on saxophone and Jimmy Martin on piano. Ray's group also featured Eddie Gregory, who converted to Islam in 1947 and took the name Sahib Shihab.<sup>107</sup> Martins' best-known group, the Beboppers, included both Byard and another saxophonist who converted to Islam, Gigi Gryce (later Basheer Qusim).

But perhaps the most influential figure in introducing both men to Islam was not a musician. Malcolm X later recorded in his autobiography that "when I was in prison, a member of the orthodox Muslim movement in Boston, named Abdul Hameed, had visited me and had later sent me prayers in Arabic."<sup>108</sup> According to Jarvis, the men had actually met Hameed, a member of the Ahmadiyya Movement in Islam (AMI), years earlier outside of prison. He remembered Hameed as a "distinguished-looking man; well built and weighing about 220 pounds, he wore a black fez with a long black tassel and a neatly trimmed beard. He looked Asian in some ways, and walking around Roxbury in that attire (like Malcolm's zoot suit) he

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<sup>104</sup> "Moslem Musicians: Mohammedan Religion Has Great Appeal for Many Talented Progressive Jazz Men," *Ebony* (April 1953), 104-111.

<sup>105</sup> Tom Piazza, *Setting the Tempo: Fifty Years of Great Jazz Liner Notes* (New York: Anchor Books, 1996), 149.

<sup>106</sup> This was also common in the early years of the Nation of Islam. See *Encyclopedia of Black Studies*, Molefi Asanta and Ama Mazama, eds., (Thousand Oaks, CA: Sage Publications, 2005), 342 and *Muslims on the Americanization Path?* Yvonne Yazbeck Haddad and John L. Esposito, eds., (New York: Oxford University Press, 2000), 190-191.

<sup>107</sup> Ray Perry's first band in 1929 also had a Middle Eastern name: the Arabian Knights. See Vacca, 63-64.

<sup>108</sup> Malcolm X and Haley, 377-378. For more on Hameed, see Louis DeCaro, Jr., *On The Side of My People: A Religious Life of Malcolm X* (New York: New York University Press, 1996), 49.

attracted a lot of attention.” Despite Malcolm’s initial resistance to religious teachings, Jarvis remembered that Hameed spent hours with them at his home in Boston, and “presented us our first mention of Islam.” In 1947, Hameed visited Norfolk and brought the two men prayer books written in Arabic.<sup>109</sup> During the period between 1949 and 1950, he visited Jarvis at least a dozen times. After Hameed’s first visit to Norfolk in the summer of 1949, Jarvis wrote him with excitement about his two son’s visit to “Jew Ma” (referring to Jumu’ah, or Friday prayer). “Your prayers for Brother Malcolm Little, and I were certainly answered this week,” he added. “Little has taught me a few of the prayers, those I couldn’t quite get at first I’m still working on.” At the top of the letter, Jarvis included a poem by “Red Little” (Malcolm X) that made the connections between jazz and Islam explicit:

Music is not created – It is always here – surrounding us – like the infinite particles that constitute life, it cannot be seen but can only be felt – like Allah – like life. No tis not created, but like the ever dying soul, permeats [sic] the air with its presence [sic] – ever waiting for its Master – The Lordly Musician – The Wielder of the souls – to come and give it an earthly body – making it into a song. Music with out the Musician is like life with out *Allah* – both in desperate need of a home – a body – the completed song and it[s] creator.<sup>110</sup>

In another letter to a Boston friend that same summer, Jarvis outlined many of the beliefs of the Nation of Islam: “Believe me when I say that as wild as I was, I had to come to prison to learn about what the story was. Yes! ALL praise belongs to *ALLAH*.” He argued that Christianity was not the faith of the black man and that those who are Christians “are the living mentally dead.” Instead, the “Muslim Brother hood [sic] is definitely for the Black man, and teaches all truth, which shall make us all free.” Jarvis added that he is often in contact with Bey Perry, and urged his friend to ask about the “things I have spoken.”<sup>111</sup>

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<sup>109</sup> Malcolm Jarvis with Paul Nichols, *The Other Malcolm – ‘Shorty’ Jarvis* (Jefferson, NC: McFarland and Co., 1998), 55 and 125. Jarvis recalls that they first heard about the Nation of Islam in 1946 while at Charlestown Prison.

<sup>110</sup> Malcolm Jarvis to Abdul Hameed, July 31, 1949, Malcolm Jarvis prison file (#7465).

<sup>111</sup> Malcolm Jarvis to Wilbur Luacaw, July 21, 1949, *ibid*.

Jarvis and Malcolm were soon joined at Norfolk by G. Osborne Thaxton.<sup>112</sup> The three men were all part of the prison's Great Books Discussion group, although it was Malcolm who excelled in the course.<sup>113</sup> All had entered prison as listed Protestants and none listed a Qur'an among their possessions (Jarvis and Thaxton both had multiple bibles listed on their prison inventory). Thaxton had been also been charged with breaking and entering and larceny and the fact that he was a repeat offender but was given a shorter sentence of 5-7 years likely confirmed to Malcolm and Shorty that they were given heavier sentences for their association with white women.<sup>114</sup> In March 1950, the three men refused typhoid inoculations on religious grounds, stating that "[i]f we are ill, Allah will take care of us."<sup>115</sup> Edward Grennan of Norfolk recommended that the men be transferred to Charlestown State prison where the water was treated.<sup>116</sup> Soon after their transfer, the men joined Osborne's brother Leroy in demanding cells facing East and refusing to eat pork. The warden at Charlestown was befuddled and noted that he had "absolutely no idea who or what converted the quartet" but suggested that they had made their intentions known prior to their transfer.<sup>117</sup> The four men claimed to be the first Muslims at the prison and their protests were the earliest documented history of what would grow into a mass movement for religious and civil rights in prisons by the Nation of Islam.

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<sup>112</sup> Malcolm Jarvis recalled several other prisoners who may have converted as well: Charles O'Neil, Leroy Ferguson, and G. Osborne's brother, Leroy. See Jarvis, 97.

<sup>113</sup> Out of 17 total classes, Jarvis attended seven, Thaxton only two, and Malcolm X fifteen. See prison files of Malcolm Jarvis, G. Osborne Thaxton, and Malcolm Little.

<sup>114</sup> This is a theme throughout both men's prison files. Jarvis told prison officials that he was expecting two years in prison but "believes [longer sentence] to have been because of the association with white girls." See Malcolm Jarvis prison file, Preliminary Record, March 6, 1946, 2. Their suspicions are also borne out in notes by prison administrators, such as the summary of Jarvis' criminal record, which noted: "The women codefendants are white girls while subject and Little are Negroes." See Transfer Summary, June 6, 1946.

<sup>115</sup> "Moslem Convicts Granted Cells Facing East," *Boston Globe*, April 20, 1950.

<sup>116</sup> Edward Grennan to Elliott McDowell, March 21, 1950, G. Osborne Thaxton prison file (#8770), Massachusetts Archive.

<sup>117</sup> "Local Criminals, in Prison, Claim Moslem Faith Now," *Springfield Union*, April 21, 1950.

It is difficult to chart the chronology of Malcolm X's exposure to Islam and determine exactly the influence of these early Muslim musicians and Ahmadis on his eventual conversion. We know that one of his first letters from Norfolk Prison after his transfer in late March 1948 was to his brother Philbert, chastising him for trying to convert him to the Nation of Islam. "Under no circumstances don't ever preach to me," he wrote. "I mean the way you closed your letter. That sounds phony. All people who talk like that sound phony to me because I know that is all it is: just talk."<sup>118</sup> By November, he had undergone a remarkable transformation and began his letters with a variation of Bismillah ("In the Name of Allah") and the standard Muslim greeting, "As Salaam Alaikum."<sup>119</sup> Although Ray Perry had visited often in 1947, it was after this letter in late 1948 that these Muslim jazz musicians and Hameed visited. Thus, Malcolm's conversion to Islam was no so much a disavowal of jazz as part-and-parcel of a world of petty crime and hustling, but rather one which revered both as reclamations of black culture and spirituality. This echoes in Malcolm's poem when he writes that "Music with out the Musician is like life with out *Allah*." Or, as he ended one letter to his brother. "I'm jivin'. I'll parte [sic] before I become foolish. As Salaam Alaikum."<sup>120</sup>

## Conclusion

While imprisoned at Milan, Elijah Muhammad amassed enough resources to purchase a 140-acre farm in White Cloud, Michigan. His biographer writes that both the self-sufficiency of farming at the prison and the use of radio to transmit knowledge from outside had a profound effect on Muhammad during his incarceration. In addition to broadcasting his own radio show

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<sup>118</sup> Malcolm X to Philbert Shah, undated, Box 3, Folder 1, MXC.

<sup>119</sup> Malcolm X to Philbert Shah, November 28, 1948, *ibid*.

<sup>120</sup> Malcolm X to Philbert Shah, February 4, 1949, *ibid*.

across the nation and purchasing farmland, Muhammad established a bakery, grocery and the first Shabazz restaurant in Chicago. By 1952, the Nation was valued at an estimated \$75,000 and the organization raised nearly \$25,000 per year primarily through membership tithing and sales receipts (roughly \$600,000 in net worth and \$200,000 annually in today's dollars).<sup>121</sup> That same year, Malcolm X was paroled to live with his brother in Detroit and began working at the Gar Wood Factory in Wayne, Michigan. In 1953, he was visited by an FBI agent who asked why he had neglected to register for the draft. Although he feigned ignorance, responding that he thought former convicts were exempted from the draft, Malcolm filled out a questionnaire in which he responded to the statement "I am a citizen of 'blank' with 'Asia.'"<sup>122</sup> Indeed, as the Korean War emerged in 1950, the NOI quickly allied with North Korea, stating that "when the Asiatic man (Negro) enters the United States Army, he is sent to Korea where he is required to fight against his own brother."<sup>123</sup> According to another FBI report, the NOI taught that the Korean war is a "futile effort by the United States to prevent the coming Asiatic conquest of the world."<sup>124</sup>

During that same period, Malcolm passed around a clipping concerning China and eleven Americans imprisoned there. He told the meeting that China had advised the "white devils" to get out of China, and they were being "pushed out of all the Asiatic countries." He also told the apocryphal story of a black Korean War veteran who told him that his "biggest surprise was that the North Korean soldiers were more black in color than he." However, beyond this now-standard identification with Asia, Malcolm also began to draw parallels to decolonization movements in Africa, particularly the Mau Mau in Kenya. He equated this movement with the situation in French Indochina, predating the United States' heavy involvement in Vietnam.

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<sup>121</sup> Clegg, 98-99.

<sup>122</sup> DeCaro, 97.

<sup>123</sup> Nation of Islam FBI File, Summary Report, Chicago Office, June 26, 1955, 42.

<sup>124</sup> Malcolm X FBI File, Summary Report, Detroit Office, March 16, 1954, 7.

There, he told members, the “French devils” were being run out of the country by “Asiatic races.” The Mau Mau were a Kikuyu anticolonial group which started its military confrontation with the British army in 1952 in the fight for Kenyan independence. Malcolm told the temple that the Mau Mau were “pushing the ‘English devil’ out of Africa.” He even narrated the American state through an African analogue. The FBI reported that Malcolm “compared President Eisenhower to Pharaoh of Egypt in the biblical days and compared Elijah Mohammed [sic] of Chicago, Illinois, as to Moses. He stated that Elijah Mohammed is going to lead the ‘black race’ out of slavery in the United States as Moses did the ‘Jews’ in Egypt.”<sup>125</sup> On the eve of the Asian-African Conference in Bandung, Indonesia which gathered together twenty-nine countries around notions of nonalignment and anticolonialism, Malcolm had begun incorporating Africa into the Nation’s racial identification. He did this not by renouncing the “Asiatic black man,” but rather by suggesting the similar colonial experiences of Asia and Africa and joining them in a coalitional identity which would coalesce the following year at Bandung.

The Nation of Islam continued to grow dramatically throughout the 1950s, in large part due to Malcolm’s exhaustive efforts. Although membership figures are elusive and fluctuate largely, the NOI had four temples in 1945: Detroit, Chicago, Milwaukee, and Washington, D.C. By 1955, there were fifteen, and by 1960 there were fifty.<sup>126</sup> The NOI also began a relationship with black newspapers during this period, including the *Pittsburgh Courier*. Elijah Muhammad’s weekly editorial, “Mr. Muhammad Speaks,” premiered in June 1956.<sup>127</sup> The Nation of Islam’s all-male paramilitary group, the Fruit of Islam (FOI) also distributed pamphlets entitled the “Muslim Daily News,” along with other papers carrying Muhammad’s writings. In the summer

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<sup>125</sup> Malcolm X FBI File, Memo, Philadelphia Office, April 30, 1954, 5-8.

<sup>126</sup> Berg, 40. Clegg estimates that during the late 1950s Chicago and Washington, D.C. had the largest memberships, between 400-600 and that New York was the fastest growing at around 350. See Clegg, 114.

<sup>127</sup> “Mr. Muhammad Speaks,” *Pittsburgh Courier*, June 9, 1956.

of 1957, the *Amsterdam News* began carrying a series by Muhammad, “The Islam World,” and the *Los Angeles Herald-Dispatch* featured a recurring editorial by Malcolm X entitled “God’s Angry Men.” The FOI also sold the *Chicago Crusader* and Westchester, New York *Observer*.<sup>128</sup>

From its origins as a small eclectic religious movement in Detroit during the Great Depression through the tumultuous war years in which most of the organization’s leadership was imprisoned in federal penitentiaries, the Nation of Islam managed to consolidate wealth, establish black businesses, and expand beyond its base in the urban North to the South and West, most importantly by establishing temples in Atlanta and Los Angeles during the mid-1950s. Muhammad’s incarceration had served several key lessons in his vast postwar project of nation building. Prisons became active recruiting grounds for new members and the NOI moved into the vacuum left by other civil rights advocacy groups and emerged at the vanguard of an emerging prisoners’ rights movement. Secondly, the farming, radio and other commercial projects Muhammad witnessed at Milan influenced his vision of economic self-determination and led him to purchase farmland and establish grocery stores, bakeries, restaurants and eventually the group’s most successful venture, *Muhammad Speaks*.<sup>129</sup> Perhaps most importantly, the near-devastation of the Nation of Islam during World War II due to FBI surveillance and the imprisonment of high-ranking members, made Muhammad profoundly aware of the cost of conspicuous political engagement. Part of the Nation of Islam’s growth during the 1950s relied on its omnipresence in black communities and invisibility to white America. This would all change in the summer of 1959 with the documentary “The Hate That Hate Produced.”

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<sup>128</sup> Curtis, *Encyclopedia of Muslim-American History*, 402 and Askia Muhammad, “*Muhammad Speaks: A Trailblazer in the Newspaper Industry*,” *The Final Call*, March 10, 2000.

<sup>129</sup> Berg, 39.

## Chapter 2

### The Making of the “Black Muslims”

You never heard me today refer to myself as a Black Muslim. This is just what the press says. We call ourselves Muslim. Just a moment. We call ourselves Muslim – we don’t call ourselves Black Muslims. This is what the newspapers call us. This is what Dr. Eric Lincoln calls us. We are Muslims. Black, brown, red, and yellow.<sup>130</sup>

Malcolm X, 1963

On July 3, 1959, Malcolm X departed Idlewild International Airport for a two week journey to the Middle East and Africa as an emissary for Elijah Muhammad. The *Amsterdam News* called Muhammad the “internationally recognized spiritual head of the fastest growing group of Moslems in the Western Hemisphere.”<sup>131</sup> Malcolm was an invited guest of Egyptian president Gamal Abdel Nasser, and was escorted by Deputy Premier Anwar el Sadat and attaché to the United Nations Ahmad Zaki El-Borai in Egypt, Ahmed Mohamed Nour in the Sudan, and Sheikh Harkon in Saudi Arabia. Writing from the Kandarah Palace Hotel in Saudi Arabia, Malcolm described “Africa [as] the New World – the world with the brightest future – a future in which the so-called American Negroes are destined to play a key role.” From the Grand Hotel in Khartoum, Sudan, he added: “Like the Asians, all Africans consider America’s treatment of Negro Americans the best yardstick by which to measure the sincerity of America’s offers on this continent.”<sup>132</sup>

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<sup>130</sup> Malcolm X, “Twenty Million Black People in a Political, Economic, and Mental Prison,” January 23, 1963, in *Malcolm X: The Last Speeches*, ed. Bruce Perry (New York: Pathfinder Press, 1989), 51.

<sup>131</sup> “Malcolm X Off to Tour Middle East,” *Amsterdam News*, July 11, 1959.

<sup>132</sup> Malcolm X, “Arabs Send Warm Greetings to ‘Our Brothers’ of Color in U.S.A.,” *Pittsburgh Courier*, August 15, 1959.

Malcolm X's 1959 sojourn has been overshadowed by his travels to Mecca in 1964, during which he reported praying alongside Muslims "whose eyes were the bluest of blue, whose hair was the blondest of blond, and whose skin was the whitest of white."<sup>1</sup> However, Malcolm's first travels to Egypt, Saudi Arabia, Israel, Nigeria, Ghana, Syria and the Sudan point toward a deep, and growing, mutual interest between the Nation of Islam and emerging nations in Africa and Asia. A rising wave of independence movements validated the Nation of Islam's eschatology about the end of white world supremacy. First, the NOI was encouraged by the emergence of the nonaligned movement, in which independent African and Asian nations resisted neocolonialism and refused to align with the major power blocs of the Soviet Union and the United States, instead emphasizing cooperation and Afro-Asian solidarity.<sup>2</sup> These early years of the nonaligned movement were marked by gatherings in Bogor (1949 and 1954) and Bandung, Indonesia (1955), and the Afro-Asian People's Solidarity Conference (1957) in Cairo, Egypt. The significance of these conferences is best summarized through a terse newspaper article following Bandung, quoted by author Richard Wright: "The West is excluded. Emphasis is on the colored nations of the world . . . Colonialism is out. Hands off is the word. Asia is free. This is perhaps the greatest historic event of our century."<sup>3</sup>

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<sup>1</sup> Malcolm X and Alex Haley, *The Autobiography of Malcolm X* (New York: Ballantine Books, 1992), 391. Passages such as this have been cited as evidence that Malcolm was moving away from black nationalism towards a sort of colorblind radical humanism. The 1964 trip is the subject of an entire chapter, while the 1959 trip receives only a passing mention. However, while in Saudi Arabia in 1964, he wrote in his diary that "Our success in America will involve two circles. Black Nationalism and Islam. It will take Black Nationalism to make our people conscious of doing for self and then Islam will provide the spiritual guidance. Black Nationalism will link us to Africa and Islam will link us spiritually to Africa, Arabia and Asia." Travel diaries, April 23, 1964, Box 5, Folder 13, Malcolm X Collection (MXC), Schomburg Center for Research in Black Culture, New York Public Library.

<sup>2</sup> The term "non-alignment" was first used in 1953 at the United Nations.

<sup>3</sup> Richard Wright, *Color Curtain: A Report on the Bandung Conference* (Cleveland: World Publication Company, 1956), 86.

At an African Freedom Day celebration in front of the Hotel Theresa in Harlem before his trip to Africa and the Middle East, Malcolm X called for a “Bandung conference in Harlem.”<sup>4</sup> Following Manhattan Borough President Hulan Jack and Charles T.O. King, the ambassador of Liberia to the United Nations, Malcolm argued that it has “been since the Bandung Conference that all dark people of the earth have been striding toward freedom.” It was at this conference, he argued, that all dark people recognized a common enemy: “Call him Belgian, call him Frenchman, call him Englishman, colonialist, imperialist, or European . . . but they have one thing in common: ALL ARE WHITE MEN!”<sup>5</sup> Most scholars have thus pronounced Malcolm the sole architect of this internationalist vision. Biographer Louis DeCaro concluded that “it was Malcolm’s own dream to build such bridges into Africa and Asia; Muhammad merely benefited from Malcolm’s zealous advances into the Islamic world.” Edward Curtis suggested that when faced with the choice between “abandoning parts of his particularist vision or risking his Islamic legitimacy among non-movement Muslims, [Muhammad] chose the latter, entrenching himself even more deeply in his own prophetic authority.”<sup>6</sup> Yet Malcolm’s trip demonstrated the Nation of Islam’s organizational commitment to being regarded as a part of the world community of Islam, known as the Ummah.<sup>7</sup> Following Elijah Muhammad’s ensuing trip in 1960, he announced that Muslim “temples” would be renamed “mosques.” At the Saviour’s Day Convention in 1960, an annual event which drew tens of thousands of members into Chicago to celebrate W.D. Fard’s birth, Muhammad claimed that “the Negroes of Asia and Africa are

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<sup>4</sup> “Malcolm X Calls for Bandung Conference,” *Los Angeles Herald-Dispatch*, April 23, 1959.

<sup>5</sup> Malcolm X FBI File, Summary Report, New York Office, November 17, 1959, 48-49.

<sup>6</sup> Louis DeCaro, Jr., *On The Side of My People: A Religious Life of Malcolm X* (New York: New York University Press, 1996), 138; and Edward Curtis, IV, *Islam in Black America* (New York: State University of New York Press, 2002), 64. Also see Manning Marable, *Malcolm X: A Life of Reinvention* (New York: Viking, 2011), 120-121.

<sup>7</sup> The word “Ummah” is Arabic, meaning “community” or “nation,” and is often used to refer to a community of believers or the unity of Muslims worldwide.

willing to die for freedom for the so-called American Negro.”<sup>8</sup> His son Akbar Muhammad was sent to study in Cairo at Al-Azhar University and ministers were encouraged to draw upon the Qur’an in their sermons. Arabic, which became known as the NOI’s “native” language, was increasingly taught in Muslim schools.<sup>9</sup> Just months after returning with their father, Akbar and Wallace Muhammad surprised a crowd of five thousand at an African-Asian Bazaar in New York.<sup>10</sup> Akbar showed slides and movies of the “Muslem [sic] world of Africa and Asia” and lectured on “the role Islam is playing on the seething African continent.”<sup>11</sup>

During the years leading up these changes, the NOI fostered its relationship to orthodox Islam through a Palestinian named Jamil Diab in Chicago, and a small Brooklyn journal founded by a Pakistani immigrant named Abdul Basit Naeem.<sup>12</sup> *Moslem World and the U.S.A* was only sporadically published between 1955 and 1957, taking a year hiatus from April 1955 – April 1956 as Naeem relocated from Iowa to New York. By its final year, it had reached a modest circulation of five thousand and played a crucial role in positioning the NOI as an orthodox religious group firmly within the global Muslim world.<sup>13</sup> Indeed, the journal’s principal goal was to connect Muslims in the East and West. The Nation of Islam eventually dominated the pages of *Moslem World and the U.S.A.*, finding an ally in Naeem, who arranged Malcolm X’s trip to the

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<sup>8</sup> Malcolm X FBI File, Summary Report, New York Office, May 17, 1960, 25.

<sup>9</sup> Marable, 69. Also see “Race Doctrines,” handwritten notes, no date, Box 136, Folder 8, C. Eric Lincoln Collection (CELC), Robert W. Woodruff Library, Archives Research Center, Atlanta University Center.

<sup>10</sup> Although known as African-Asian Bazaars then, these bazaars became known simply as African Bazaars beginning in 1963. Flyers advertising these bazaars, which had once featured pyramids and the Sphinx, now depicted African dancers and an outline of the continent, all indications of the impact that African decolonization had on the Nation of Islam’s racial imaginary. For more on this shift amongst black Americans, see Meriwether, *Proudly We Can Be Africans*.

<sup>11</sup> “Muhammad’s Son at Bazaar Saturday,” *Amsterdam News*, April 9, 1960 and “Muhammad’s Sons at African-Asian Bazaar,” *Amsterdam News*, April 16, 1960.

<sup>12</sup> Diab taught Arabic at the University of Islam in Chicago but broke with Muhammad and founded his own Islamic Center of Chicago, becoming one of the most vocal opponents of the Nation of Islam. Claude Andrew Clegg, III, *An Original Man: The Life and Times of Elijah Muhammad* (New York: St. Martin’s Press, 1997), 122 and 131.

<sup>13</sup> Circulation figures in 1957 were reported at 5,500 for the monthly journal. International distribution of the journal is difficult to estimate. See *Ayer and Sons Directory of Newspapers and Periodicals* (Philadelphia: Ayer Press, 1957), 1386.

Middle East in 1959 through a travel agency with whom he just been hired. He would continue to drive the NOI's publishing efforts well into the 1970s. However, despite building these bridges to orthodox Islamic groups and anticolonial movements throughout Asia and Africa, the Nation of Islam would come to be understood primarily through two other texts: the CBS documentary "The Hate That Hate Produced" and C. Eric Lincoln's sociological study, *The Black Muslims in America*.

"The Hate That Hate Produced" aired on New York's WNTA during Malcolm's second week abroad in the summer of 1959. It portrayed the NOI as a "hate group" not unlike George Lincoln Rockwell's American Nazi Party and the Ku Klux Klan, often referring to them as "black racists" and "black supremacists." The message was a cautionary one: America's sordid racial picture would continue to create such unfortunate examples of hate until such time as the "Negro problem" was resolved. As Malcolm recalled: "Every phrase was edited to increase the shock mood . . . In a way, the public reaction was like what happened back in the 1930s when Orson Welles frightened America with a radio program describing, as though it was actually happening, an invasion by 'men from Mars.'"<sup>14</sup> The documentary was singularly responsible for launching the NOI into national discussions on race relations. But more importantly, it gave white viewers a framework for misunderstanding black nationalism. Charlie Keil, a white student who was then a sophomore at Yale University, remembered: "The Hate that Hate Produced" allowed them to sort of categorize the Muslims – the Nation of Islam – and treat them a certain way . . . People knew what to do with it somehow . . . [It was] some way of saying that this was not an autonomous self-starting movement, but a reaction, an overreaction to a history of oppression."<sup>15</sup> As Claude Clegg notes, the documentary also marked a departure in media

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<sup>14</sup> Malcolm X and Alex Haley, 273-274.

<sup>15</sup> Charles Keil phone interview with author, November 23, 2015.

coverage from the “othering” Orientalist tropes of “voodoo cults” and rumors of human sacrifice towards a discourse of “reverse racism” and “black supremacy.”<sup>16</sup>

The documentary also played a crucial role in pushing C. Eric Lincoln, then a doctoral student at Boston University, towards a full-length research project on the burgeoning movement. Lincoln was nearing a deadline for his dissertation topic as word of the Nation of Islam spread like wildfire through the mainstream press. He cited the documentary as the decisive factor in a letter to his dissertation chair. “I have chosen to continue work on the Muslims,” he wrote, “and I believe you will agree that this is a good choice at this time. You were in Europe at the time the ‘Hate Group’ story broke in the national press, so I am enclosing a tear-sheet from Time Magazine as perhaps the best way to bring you abreast of the movement.”<sup>17</sup> Lincoln’s dissertation would soon become the first book-length study on the Nation of Islam, and soon after his book was released in April 1961, the phrase the “Black Muslims” became ubiquitous.<sup>18</sup> Malcolm X later noted the parallel between the documentary and the book. “Just as the television ‘Hate That Hate Produced’ title had projected that ‘hate-teaching’ image of us,” he wrote, “[t]he press snatched at that name. ‘Black Muslims’ was in all the book reviews, which quoted from the book only what was critical of us, and generally praised Dr. Lincoln’s writing.” Although the producers of these texts had diverging intents in portraying the NOI, they both contributed to marginalizing the organization from both anticolonial politics and orthodox Islam at the precise moment the group was making concerted efforts to engage both.

What disturbed the Nation of Islam was the way the term “Black Muslim” distinguished between the movement and orthodox Islam. As the Nation attempted to make inroads with

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<sup>16</sup> Clegg, 127.

<sup>17</sup> C. Eric Lincoln to Professor Walter G. Muelder, October 8, 1959, Box 70, Folder 1, CELC.

<sup>18</sup> A Proquest newspaper search revealed 0 instances the year of “The Hate That Hate Produced,” 113 in the year of the book’s release, and over 600 by 1963.

emerging anticolonial leaders while responding to a fierce campaign by other American Muslim groups challenging its religious legitimacy, the “Black Muslims” moniker offered a shorthand for understanding the NOI’s particular brand of Islam as outside the bounds of global Islam. Most significantly, just as the “Hate That Hate Produced” gave white audiences an intellectual framework to understand black nationalism as reverse racism, the “Black Muslims” became the lexicon through which the NOI’s religious standing could be easily dismissed. “I tried for at least two years to kill off that ‘*Black Muslims*,’” Malcolm X recalled. “Every newspaper and magazine writer and microphone I got close to: “*No! We are black people here in America. Our religion is Islam. We are properly called ‘Muslims! (emphasis in original).’*”<sup>19</sup> The Nation of Islam attempted to steer its own narrative, at one point even entertaining the idea of selling Lincoln’s book. But its introduction to white audiences through the “Hate” documentary and to high school and college students (as well as law enforcement officials) vis-à-vis *The Black Muslims*, meant that a carefully crafted anti-essentialist, anticolonial “Asiatic” identity of the Nation of Islam which emphasized being part of a global world majority of people of color, was replaced with a “Black Muslim” identity which signaled distance from both orthodox Islam and Third World anticolonial struggles.

### ***Moslem World and the U.S.A.***

Abdul Basit Naeem was born in Pakistan in 1929 and emigrated from Lahore to the United States at the age of nineteen. There, he enrolled at Western Michigan University, where he took an immediate interest in disseminating information about his home country and the

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<sup>19</sup> Malcolm X and Haley, 284.

religion of Islam.<sup>20</sup> Shortly after his arrival in the country, Naeem read of a Muslim group in Chicago in the pages of *True Confessions* magazine.<sup>21</sup> Yet, another eight years would pass before he met Elijah Muhammad in Chicago to write an article for his journal. First, he became a graduate student at University of Iowa in 1949 and worked briefly at Pakistan consul general in San Francisco. By 1955, he had moved back to Iowa City and was auditing classes in magazine production. Despite working 65 hours a week to fund his journal project, Naeem's wife became ill and could no longer take care of their four children alone, making the prospects for *Moslem World* seem dim. With 500 copies of his first issue already ordered for printing, a group called the American Friends of the Middle East agreed to fund the project.<sup>22</sup>

In its first issue in January 1955, Naeem described the mission of *Moslem World*, calling it the “first authentic, illustrated monthly journal on Islam and Islamic affairs ever published in the United States of America . . . founded to serve as a bridge between America and the far-flung 500-million strong world of Islam.”<sup>23</sup> The magazine tried to connect these communities by offering foreign subscriptions in pounds, UNESCO coupons, and mint. It even suggested a store in Pakistan where the journal was available.<sup>24</sup> One recurring section entitled “News From the Moslem World” featured Turkey, Iraq, Iran, Egypt, Pakistan, Saudi Arabia, and Syria and Jordan alongside another called “News From the United States” which included reports on Cedar

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<sup>20</sup> Naeem was a member of the International Relations Club, whose goal was “fostering a growing interest in the relationships of the United States and other countries.” See Western Michigan University, *Brown and Gold* Yearbook, 1949, 98.

<sup>21</sup> He recalled that it was an article in the June 1948 edition. This was a strange topic for the magazine, which was primarily pitched at young women.

<sup>22</sup> “Has Magazine for Moslems,” *Iowa Quest*, June 1, 1955 and “Luck Finally Changes for Abdul Naeem,” *Des Moines Register*, January 15, 1955.

<sup>23</sup> Abdul Basit Naeem, “Editorial,” *Moslem World and the U.S.A.*, 1, no. 1 (January 1955): 2. Naeem's name for the journal seems to be drawing on his 1951 article, “Pakistan and U.S.A.” for *The Muslim World*. See Abdul Basit Naeem, “Pakistan and U.S.A.,” *The Muslim World*, 41, no. 3 (July 1951): 227.

<sup>24</sup> “Handy Subscription Blank,” *Moslem World and the U.S.A.*, 1, no. 1 (January 1956): 8 and *Moslem World and the U.S.A.*, 1, nos. 2/3 (February/March 1955): 47.

Rapids, San Francisco, New York City, and Washington, D.C.<sup>25</sup> Naeem's two-hundred paid subscribers reflected this global reach. Twenty-seven were Muslims in Malaya and other near-eastern countries, fifty-six were Muslims in America, and the rest were American subscribers, consulates, libraries, and national magazines.<sup>26</sup>

Yet after publishing only two issues, Naeem took a year-long hiatus before the journal reappeared in 1956. By then, Naeem had relocated from Iowa to the vibrant Muslim community of Brooklyn's Bedford-Stuyvesant neighborhood. Although *Moslem World* had not been published in over a year, it had expanded greatly by virtue of the move. The small journal now featured an advisory board and contributing editors, likely a result of connections formed while attending Friday prayers at Shaikh Daoud Faisal's State Street mosque.<sup>27</sup> Among them were international figures such as Dr. Hafiz Mohammed Fazlur-Rahman Ansari Al-Qaderi, who wrote his first book at eighteen and traveled to forty different countries in Africa, Asia, America, and Europe as a missionary.<sup>28</sup> Others, such as staff artist Bilal Abdurahman, carried impressive local credentials. Abdurahman was also part of a musical community in the Bedford-Stuyvesant neighborhood which produced innovative mixes of African and Middle-Eastern musical influence with jazz. He recorded albums alongside childhood friends Ahmed Abdul-Malik and pianist Randy Weston. Abdul-Malik's 1958 album *Jazz Sahara* is considered the first to combine jazz and the sounds of the Middle-East.<sup>29</sup> Weston later described this community:

African Village Bedford-Stuyvesant is that part of Brooklyn where I grew up as a boy. It was the most popular part because that's where most of the clubs were, the ballrooms . . .

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<sup>25</sup> "News From the Moslem World" and "News From the United States, *Moslem World and the U.S.A.*, 1, no. 1 (January 1955): 38-43.

<sup>26</sup> "Has Magazine For Moslems."

<sup>27</sup> "New York City," ed., Edward Curtis, *Encyclopedia of Muslim-American History* (New York: Facts on File, 2010), 431.

<sup>28</sup> Dr. Fazlur Rahman Ansari biography, <http://www.fazlurrahmanansari.org/biography/>, accessed on March 23, 2012.

<sup>29</sup> See Robin D. G. Kelley, *Africa Speaks, America Answers: Modern Jazz in Revolutionary Times* (Cambridge: Harvard University Press, 2012).

that special community of Black people from different parts of the world - from the Caribbean, from the southern part of the United States, from the West. For me it was like an African Village despite the fact that it was located in Brooklyn, New York.<sup>30</sup>

Although Naeem had been aware of the Nation of Islam since reading about it in 1948, his decision to visit Chicago and write the an article on the “south Chicago Moslems” may very well have been prompted by the recent emergence of the Nation of Islam in Harlem under the leadership of Malcolm X. In fact, it was in *Moslem World* in which the young minister published his first editorial: “We Arose From the Dead!”<sup>31</sup>

In his brief article on the Nation of Islam in spring 1956, Naeem broke with previous understandings of the NOI by stressing their orthodoxy and placing them firmly within the Muslim world. For Naeem, the group was “proof of the now-well-known fact that Islam *is* fast spreading in the United States, especially among Americans of African descent (emphasis in original).”<sup>32</sup> He stressed that students at the NOI’s University of Islam in Chicago recited “passages from the Koran from memory and perform the prayer ritual in a perfect manner.” They also spoke to one another in Arabic, “using authentic Arab accent.”<sup>33</sup> In a later article, Naeem also pointed out that their grocery store carried no liquor or pork and that the University was “decorated with large flags of Turkey, Arabia, Pakistan, Morocco, Egypt and other Moslem countries of Asia and Africa.”<sup>34</sup>

The influence of Naeem’s first article on the NOI in changing the character and composition of the journal was dramatic. He reported that it “created quite a sensation in many

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<sup>30</sup> Randy Weston, Liner Notes, *The Spirits of Our Ancestors*, 1991, compact disc.

<sup>31</sup> Malcolm X, “We Arose From the Dead!” *Moslem World and the U.S.A.* 1, no. 5 (August/September 1956): 24-27, 36. Malcolm went on to publish this essay in the *Pittsburgh Courier* several months later under the new title: “We Have Risen From the Dead.” See Malcolm X, “We Have Risen From the Dead,” *Pittsburgh Courier*, December 28, 1956.

<sup>32</sup> Abdul Basit Naeem, “The south Chicago Moslems,” *Moslem World and the U.S.A.* 1, no. 3 (April/May 1956): 22.

<sup>33</sup> *Ibid.*, 23.

<sup>34</sup> He noted that this was “in sharp contrast to the situation in Cedar Rapids.” Abdul Basit Naeem, “The Rise of Elijah Muhammad,” *Moslem World and the U.S.A.* 1, no. 4 (June/July 1956): 25.

circles, both in this country and abroad. ‘We would like to know more about these Moslems,’ wrote a number of readers.”<sup>35</sup> Almost overnight, *Moslem World* was transformed into a vehicle for the Nation of Islam, with editorials by Elijah Muhammad and Malcolm X, as well as a variety of profiles on NOI members and mosques throughout the country. In fact, the shift to the Nation was so dramatic that the journal felt it necessary to clarify to its readers that it was “an independent publication . . . not the property of Mr. Elijah Muhammad.”<sup>36</sup>

The strongest addition to Naeem’s vision of global Islam from this change was the inclusion of Pan-Africanism. In a remarkable anonymous essay likely written by a member of the Nation, “The Black Man and Islam,” Islam was not only framed as the natural religion of the African Diaspora (common to NOI theology), but seen as tool for the liberation of both Africa and black America.<sup>37</sup> While the article stressed the non-racial basis of the religion, noting that “Islam perhaps is the only world religion or ‘way of life’ that has never been identified with any particular race,” this did not stop the author from asking how it could be of particular use throughout the African diaspora.<sup>38</sup> Echoing a refrain within the Nation for several decades, the author argued that “acceptance of Islam by a black man means that he immediately becomes a full-fledged *bona-fide* member of the vast Brotherhood of Believers, and no longer remains in a ‘minority group.’”<sup>39</sup> This discursive shift from minority to majority status mirrored 19th-century thinkers such as the Pan-Africanist Edward Blyden, who positioned Islam as the emancipatory

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<sup>35</sup> Abdul Basit Naeem, “The Rise of Elijah Muhammad,” 19.

<sup>36</sup> “Mr. Elijah Muhammad and the MOSLEM WORLD AND THE U.S.A.,” *Moslem World and the U.S.A.* 1, no. 6 (October - December 1956): 8. Brenda Plummer asserts that the NOI subsidized the journal. See Brenda Gayle Plummer, *Rising Wind: Black Americans and U.S. Foreign Affairs, 1935-1960* (Chapel Hill: University of North Carolina Press, 1996), 265.

<sup>37</sup> It is possible that this editorial was written by Shayk-’Allama Al-Hajj Ahmad Tawfiq, a founder of the Mosque of Islamic Brotherhood, Inc. and member of Malcolm X’s Muslim Mosque Inc. who later published a book by the same name. At the time of the editorial, he had just graduated from DeWitt Clinton High School in the Bronx and was twenty-years old.

<sup>38</sup> “The Black Man and Islam,” *Moslem World and the U.S.A.* 1, no. 5 (August/September 1956): 11.

<sup>39</sup> *Ibid.*

religion of Africans. Accompanying a map of Africa which linked Islam to national sovereignty, the article claimed that “if Islam best suits the needs of black Africans, it should best suit the needs of the black men in America as well.”<sup>40</sup> Still a year before Ghana proclaimed its independence under Kwame Nkrumah, the implication that Islam produced liberation from the shackles of colonialism carried great currency. Of the eight independent African nations in 1956, five were majority Muslim (Egypt, Libya, Morocco, Tunisia, and the Sudan) and Ethiopia represented a sizable minority. What had begun as a modest journal published in Iowa City had quickly become an organ for the Nation of Islam to position itself firmly within global Islam, the nonaligned movement, and African decolonization.

### **“The Hate That Hate Produced”**

Soon after Malcolm met with President Nasser in Egypt on the second week of his trip arranged by Naeem, “The Hate That Hate Produced” aired on New York’s WNTA in five half-hour episodes from July 13-17. For the producers of “Hate,” black nationalism represented the inevitable variant to white racism. Journalist Louis Lomax, who first pitched the idea of a television documentary on the burgeoning group to producer Mike Wallace (later of *60 Minutes* fame), was the lone black voice involved in its production. According to promotional materials, he “approached Wallace with skeletal evidence that anti-white sentiment among Negroes was on the rise . . . Then the Wallace-Lomax team began to assemble evidence of the black supremacists’ power in local politics and Negro life in general.”<sup>41</sup> The directors emphasized that

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<sup>40</sup> Ibid., 13.

<sup>41</sup> Untitled and undated promotional materials, in Louis E. Lomax Papers (LLP), Ethnicity and Race Manuscript Collection, University of Nevada at Reno.

nationalist groups such as James Lawson's United African Nationalist Movement and the Nation of Islam worked with local political figures such as Congressman Adam Clayton Powell and Manhattan Borough President Hulan Jack. Wallace and Lomax also found voices within the national civil rights movement to publicly denounce the NOI, including the NAACP's Roy Wilkins, Arnold Forster of the Anti-Defamation League, and Anna Arnold Hedgeman. A year before the Greensboro Sit-ins sparked a movement of young, college-aged activists like Charlie Keil, the old guard distanced themselves from a rising tide of black nationalism which was vocally critical of nonviolence as a means - and integration as a goal - of the civil rights movement.

But denouncements from groups such as the NAACP did not come as readily, or as packaged, as the final program would suggest. As filmmakers arranged to meet with Roy Wilkins in May, he had sent a frantic memo to Henry Moon: "The camera crew made a new appointment for this afternoon at 3pm and I would appreciate having your suggestions of what I might say, bearing in mind that I do not wish to inject the NAACP into a full-scale street corner battle."<sup>42</sup> Wilkins' trepidation should not be mistaken for sympathy for the Nation of Islam or its beliefs. Just the year before, he had written a letter outlining a history of "American Negro sympathies with non-white people outside this country" – from black American identifications with Ethiopia in the 1930s to the Japanese during World War II. He saw such solidarity misguidedly simplified, "an easy (and, of course, deceptive) line: black v. white." In offering a longer narrative of the "surprising number of Abdullahs, Mohammeds, and Messengers [which] have arisen from nowhere," Wilkins portrayed these groups as a natural part of the landscape in which the NAACP operated. His careful response to the "Hate That Hate Produced" more

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<sup>42</sup> Roy Wilkins to Henry Moon, May 20, 1959, General Office File, Black Muslims, 1958-1960, Part 24: Special Subjects, 1956-1965, Series A: Africa-Films, Papers of the NAACP, Library of Congress.

reflected his desire to avoid officially engaging with the Nation of Islam, which he saw as both “violently anti-NAACP as well as violently anti-white.”<sup>43</sup>

After Wilkins’ official statement, which reproduced the documentary’s thesis by equating black nationalism with white hate, many in the NAACP agreed that non-engagement was the best policy. In a broadcast on “NAACP News” on the subject of the “Muslim Menace,” Derrick Bell countered calls for an all-out campaign against the NOI which included sponsoring full-page ads in local newspapers and leveraging its political and economic weight to stop Elijah Muhammad’s editorials in the *Pittsburgh Courier*.<sup>44</sup> Bell agreed with Wilkins that there were larger issues to fight, adding that he thought people would be unlikely to confuse the two groups. He also cited the recent suspension at the national convention of Monroe, North Carolina branch leader Robert F. Williams, “who advocated such a course speaks clearly of our position in this matter.” In one particular regard, Bell was extremely prescient. He argued that “the remedy for this problem is not to urge the *Courier* to discontinue a column which thousands of its readers find of interest – the Muslims would simply find another medium to disseminate the same material.”<sup>45</sup> In fact, it seems likely that those calling for the NAACP to pressure the *Courier* actually succeeded. By November, editor P.L. Prattis had informed Muhammad of a new policy which would disallow columns devoted to a particular faith.<sup>46</sup> Yet, Bell’s prognosis proved correct as well. Within a year, the NOI began self-publishing *Muhammad Speaks*, which would eventually surpass the *Courier* as the most-circulated black newspaper in the country.

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<sup>43</sup> Roy Wilkins to Joel Judovich, August 25, 1958, *ibid*.

<sup>44</sup> Among those eager for the NAACP to denounce the NOI was Donald Goff, the Chief of the New Jersey Bureau of Correction. See Goff to Samuel Williams, October 27, 1959, *ibid*.

<sup>45</sup> Derrick Bell, “NAACP News” broadcast transcript, August 16, 1959, *ibid*.

<sup>46</sup> Prattis explained meekly: “When we publish a column which is restricted to one faith, or one sect or one denomination, we are not being faith with the others.” P.L. Prattis to Elijah Muhammad, November 13, 1959, P.L. Prattis Papers (PLPP), Series B, 144-9, Folder 24.

But there were also those in the NAACP who understood the emergence of the NOI in the aftermath of the “Hate” documentary as a legitimate threat with lessons and strategies which the organization could learn from. In a lengthy memo to NAACP leaders John Morsell, Henry Moon, and Robert Carter, Gloster Current argued that “mere denouncement of the Nationalist is not good enough.” With embarrassing honesty, he told of being on a Harlem street corner where the speakers dress and talk like those in the community, using “repetition, alliteration, humorous analogies, [and] biting sarcasm.” He recalled once employing a “character named Caruso” for \$5 or \$10 to travel around black congregated street corners in Detroit and proposed establishing a division of workers within the publicity department who could use these corners effectively. Current went as far as suggesting that they purchase the step ladders which street-corner orators on 125<sup>th</sup> street famously used. Although the memo painfully demonstrates how out of touch NAACP leadership was with working-class black communities in places like Harlem, these responses also indicate the range of concern with black nationalists that some civil rights leaders had following the documentary. Wilkins begrudgingly denounced the NOI, but did so in no uncertain terms. Current, on the other hand, felt that the NAACP needed to learn from the appeal of black nationalists and even imitate its strategies. The “full-scale street corner battle” that Wilkins wished to avoid, Current hoped to approach head on.

Mike Wallace and his production team were also clear about the role they saw for themselves in the world of race relations. One press release hailed the documentary as “serv[ing] the cause of brotherhood in several ways.” While it “underscored the viciousness of race hatred,” it proudly pointed out that “brotherhood is a two-way street.” Eliminating anti-black racism, it claimed, was only one piece of a larger puzzle of achieving racial harmony. The story of the Nation of Islam was that “racism, among Negroes and whites, remains a grave national problem .

. . . and showed race hate to be many-faceted.” In many ways, the documentary activated both fear and relief amongst its largely white viewership. While its sensationalistic aspects warned of a “small but growing segment” calling for “black supremacy,” it consoled whites by suggesting that racism was not racially distinct. “Negroes must return the brotherhood they expect from non-Negroes,” it scolded.<sup>47</sup> This ahistorical explanation of racism had widespread appeal. In fact, Harvard professor and presidential advisor Arthur Schlesinger would make a similar argument several years later at Spelman College before a largely black audience which included Malcolm X. He concluded that “white supremacists and the Black Muslims are two sides of the same coin.”<sup>48</sup>

The documentary also voiced concern about the Nation of Islam’s rising influence in the Muslim world. The FBI recorded Forster’s comments in the documentary with particular interest. He claimed that there was “intense cooperation between representatives of Arab nations in the United States and this Muslim movement . . . In terms of personnel; in terms of appearance on their platform; in terms of encouraging what they have to say.” For Forster, this suggested that “the movement is even more dangerous than many of us appreciate.”<sup>49</sup> The New York Police Department’s Bureau of Special Services and Investigation (BOSSI) confirmed this fear, noting that while these “pseudo-Muslims sects are regarded askance by the Moslems . . . Nasser however has confirmed the importance he attaches to American Nationalist Negroes to serve as a minority pressure group.” A surveillance memo added that Egyptian diplomats, who “normally would not associate with Temple type-low-class Negroes, now go out of their way flatter

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<sup>47</sup> Untitled and undated promotional materials, LLP.

<sup>48</sup> “Harvard Professor Had Called Muslim Racists,” *Pittsburgh Courier*, February 4, 1961 and Malcolm X FBI File, Summary Report, New York Office, May 17, 1961, 14. The same evening, in a smaller Q&A discussion, Malcolm X confronted Schlesinger from the audience about his analogy of the NOI and the KKK and White Citizens Councils. Malcolm identified himself only as a Muslim.

<sup>49</sup> Malcolm X FBI File, Memorandum, July 24, 1959.

them.”<sup>50</sup> Although state and federal surveillance agencies dismissed the Nation of Islam’s place amongst orthodox Muslims, it was nevertheless anxious about its developing ties with emerging independent nations. These fears would be exacerbated following events in the fall of 1960 as Fidel Castro, Gamal Abdel Nasser, Kwame Nkrumah, and Jawaharlal Nehru made their way to the United Nation’s General Assembly in New York.

Fewer than six months after Malcolm X called for a Bandung Conference in Harlem on the steps of the Hotel Theresa, and less than two months after the disaster of “The Hate That Hate Produced,” these anticolonial leaders traveled to Manhattan for the 15<sup>th</sup> gathering of the United Nations. If Bandung represented, in the words of Brenda Gayle Plummer, a “break in the Cold War ice,” visits by Castro and Egyptian president Gamal Abdel Nasser to Harlem in 1960 “constituted an opening volley in the assault on Cold War bilateralism.”<sup>51</sup> When Castro and his delegation arrived in New York City in September, the Cuban government had just seized U.S. banks and tobacco production in Cuba and the Eisenhower administration had cut diplomatic ties and squeezed its embargo of the small Caribbean island even more tightly. As preparations were made for Castro stay at the Shelburne Hotel just blocks from UN headquarters, the owner of the hotel, Edward Spatz, made it clear that he would try to block the Cuban leader and his delegation: “I don’t want him in my hotel . . . Someone told me that the New York Police Department was prepared to put up tents in Central Park for Castro and his party. Maybe that’s not a bad idea.”<sup>52</sup> Just days later, the hotel acquiesced to requests from the State Department to comply, and honored the reservation for the Cuban delegation. However, when the group finally

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<sup>50</sup> Malcolm X As Nasser’s Guest,” Report by Abdul Basit Naeem, July 23, 1959, Malcolm X Surveillance File, Bureau of Special Services and Investigation and Investigation (BOSSI), New York Police Department.

<sup>51</sup> Brenda Gayle Plummer, *Rising Wind: Black Americans and U.S. Foreign Affairs, 1935-1960* (Chapel Hill: University of North Carolina Press, 1996), 255 and 297.

<sup>52</sup> “N.Y. Hotels Rebuff Castro,” *The Globe and Mail*, September 17, 1960.

reached the Shelburne, Spatz demanded Castro put down a second \$10,000 cash deposit to cover any potential damages from his delegation. Furious, Castro now threatened to sleep in Central Park if necessary, noting that Cubans “are mountain people. We are used to sleeping in the open air.”<sup>53</sup>

Malcolm X seized upon this opportunity and invited Castro to stay at the legendary Hotel Theresa. As Castro’s delegation moved towards Harlem, community activists rushed to prepare for his arrival. Yet despite the proliferation of photographs from the historic thirty-minute meeting between Malcolm X and Fidel Castro, there were very few members of the press there for the actual encounter. The only journalists present were Ralph Matthews of the *New York Citizen-Call*, James Booker of the *Amsterdam News*, and Carl Nesfield, who took the iconic photos. Part of the tremendous energy captured in Nesfield’s photos was a result of Malcolm and Castro’s use of gesticulations in their attempt to communicate across the language barrier. Malcolm welcomed Castro to Harlem by saying: “Downtown for you, it was ice, uptown it is warm.” Castro smiled and told him “Ahh yes, we feel very warm here.” The two exchanged pleasantries and discussed their shared commitments, and as Matthews remembered, “Castro tapered the conversation off with an attempted quote of Lincoln, ‘You can fool some of the people some of the time...’ but his English faltered and he threw up his hands as if to say ‘you know what I mean.’” Before leaving, Malcolm offered a closing parable: “No one knows the master better than his servants. We have been servants ever since we were brought here. We know all his little tricks. Understand? We know what he is going to do before he does.”<sup>54</sup>

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<sup>53</sup> Max Frankel, “Fidel Complains to U.N. Angry Castro Quits Hotel in Row Over Bill; Moves to Harlem,” *New York Times*, September 20, 1960.

<sup>54</sup> Ralph D. Matthews, “Going Upstairs - Malcolm X Greets Fidel,” *New York Citizen-Call*, September 24, 1960.

As Devyn Spence Benson points out, Castro's anti-racist agenda within the Cuban revolutionary government was itself new - a product of Afro-Cuban activists who "viewed the change in government as a moment to push for their agenda."<sup>55</sup> Despite seeing the move to Harlem as an opportunity to both rankle the Eisenhower administration and make overtures to people of color, Castro had brought an entire 80-person delegation which was entirely white. Thus, they quickly wired Afro-Cuban leader Juan Almeida, wanting him to join so in Benson's words "they could show that there were high-ranking black and brown leaders in Cuba." The *Chicago Daily Defender* made this point bluntly in a news article entitled: "Castro Summons his Negro Army Chief to U.S. . . to Meet Race Leaders Here."<sup>56</sup>

Just as Castro was using his Harlem visit to shape international perceptions about the Cuban revolutionary government, Malcolm and other Harlemites were also using the exposure to press upon the United States' Achilles heel of racial discrimination. *Amsterdam News* journalist James Hicks laid this strategy out clearly after the Soviet Union's Nikita Krushchev had also joined Castro in Harlem: "Castro wounded the United States by moving into Harlem's Hotel Theresa. Krushchev rubbed salt into the wound by hopping into a Cadillac and rushing uptown to visit his old friend Fidel." Hicks argued that those in Harlem were sophisticated enough to recognize that their "one big weapon in this fight with bigoted white Americans is to try to shame his white American bigot in the eyes of the world as a man who will not practice what he preaches."<sup>57</sup>

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<sup>55</sup> Reena Goldthree, "Antiracism and the Cuban Revolution: An interview with Devyn Spence Benson," March 8, 2016, <http://www.aaihs.org/antiracism-and-the-cuban-revolution/>, accessed February 16, 2017.

<sup>56</sup> "Castro Summons his Negro Army Chief to U.S. . . to Meet Race Leaders Here," *Daily Defender*, September 22, 1960.

<sup>57</sup> James Hicks, "Our Achilles Heels," *Amsterdam News*, September 24, 1960.

But Castro's visit to the Hotel Theresa was most impactful by establishing an important precedent at the United Nations' General Assembly. Those interested in anti-racism, anticolonial politics, and nonalignment, would join Castro or visit on their own in the upcoming weeks as part of an informal Bandung Conference orchestrated by Harlem activists. Castro was soon joined not only by Nasser, but also Jawaharlal Nehru of India and Kwame Nkrumah of Ghana. These three leaders, as both representatives of Islam in the case of Nasser and of darker nations in the case of Nehru and Nkrumah, held perhaps even more meaning than Castro for the people of Harlem. Three thousand gathered as Nasser came to meet Castro, some holding signs reading "Viva Nasser!" and "Viva Castro," but others which focused on the Congo and Islam: "Congo for the Congolese," "Allah is the Greatest," and "Stop the Imperial Rape of the Congo." One Muslim man, Abdul Samad, traced these historic meetings back to the legacy of Garveyism. "It has proved the quotation made forty years ago by Marcus Garvey that someday the black man's heritage will surround him and the world," he told a reporter.<sup>58</sup> A week later, having given the first speech by an African leader before the United Nations in which he condemned South African apartheid and U.S. intervention in the Congo, Kwame Nkrumah made the trip uptown. "I wanted you to know that my presence in Harlem would show the solid bond we feel between the people of Africa and the Afro-Americans in this country," he told a crowd of 1,500 gathered in front of the Hotel Theresa.<sup>59</sup> Malcolm X introduced Nkrumah at the same spot that he had called for a "Bandung Conference in Harlem" the previous year, along with Hulan Jack and James Lawson of the United African Nationalist Movement, which had sponsored the original Africa Freedom Day Celebration.

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<sup>58</sup> Sara Slack, "Nasser, Nehru Visit Harlem," *Amsterdam News*, October 1, 1960.

<sup>59</sup> Hazel La Marre, "Africa and the World," *Los Angeles Sentinel*, September 29, 1960.

In essence, a year after calling for a Bandung Conference in Harlem, Malcolm X initiated an impromptu gathering of nonaligned and anticolonial leaders at the exact corner of his first proclamation. Two of the countries represented – Cuba and Ghana – had become independent since the original conference in 1955 and would now play a major role in international decolonization movements for Third World self-determination. One Harlemite reflected on Nasser’s visit, “I feel that what’s taking place in Harlem now is the first step forward taken by diplomats. The second step is for the people to take advantage of this and unify.” As if to encapsulate this sentiment, a six-foot sign read: “We are united!”<sup>60</sup> In many ways, this gathering resounded and echoed back Malcolm’s message the year before, in which he stressed that “We must come together and hear each other before we can agree. We must agree before we can unite. We must unite before we can effectively face or enemy . . . and the enemy must first be recognized by all of us as a common enemy to all of us before we can put forth a united effort against him for the welfare of all our downtrodden people.”<sup>61</sup> This coalescence of anticolonial politics in Harlem, orchestrated by Malcolm X and other local black radicals, captured the spirit of Bandung and grew out of the intellectual and material connections the movement had made with growing independence movements throughout the Third World.

### **C. Eric Lincoln**

Charles Eric Lincoln was born on June 23, 1924 and raised in Athens, Georgia during the interwar years. By the age of four, his mother Bradonia Lincoln had remarried and moved to Pittsburgh and his father left for Nashville, Tennessee, leaving him to be raised by his maternal

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<sup>60</sup> Slack, “Nasser, Nehru Visit Harlem.”

<sup>61</sup> Malcolm X FBI File, Summary Report, New York, November 17, 1959, 50.

grandmother. Athens was within 100 miles of the much-larger Atlanta, as well as the more rural birthplaces of Elijah Muhammad (Sandersville, Georgia) and Malcolm X's father Earl Little (Reynolds, Georgia). Lincoln, like Muhammad, was raised within the tradition of the southern black church. Muhammad as the son of a preacher at Bold Spring and Union Baptist Churches in Sandersville and Lincoln in a proudly Methodist family. By the turn of the century, Athens had developed a sizable middle-class of black professionals in law, medicine, and dentistry. A vibrant cultural scene developed, with a two-story opera house downtown which featured popular artists such as Louis Armstrong, Cab Calloway, and Duke Ellington. The city was also home to one of the oldest public universities, University of Georgia, which did not admit students of color until 1961.<sup>62</sup>

Athens had established itself by Lincoln's birth as the center of the cotton industry. In his early teens, Lincoln was employed picking cotton to help support his ailing grandfather. He later recalled the violent racism of the Jim Crow South after being beaten when questioned about his payment received for picking cotton. He wrote that the "lesson was indelible: *Ain't no nigger can count behind a white man!* The lesson was explicit, and though I have never been impressed by the credibility of its source, I have never forgotten it (emphasis in original)."<sup>63</sup> The success of the cotton industry also brought five railroad lines to Athens, one of which Lincoln took north to Chicago in the summer of 1939 upon his graduation as valedictorian at Trinity High School. There he began night classes at the University of Chicago on the city's South Side, home to the Lost-Found Nation of Islam.

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<sup>62</sup> Athens-Clarke County Unified Government, <http://athensclarkecounty.com/index.aspx?nid=111>, accessed April 22, 2013.

<sup>63</sup> C. Eric Lincoln, *Coming Through the Fire: Surviving Race and Place in America* (Durham: Duke University Press, 1996), 25.

Unlike members of the Nation of Islam who refused to register with the selective service, Lincoln rushed to join the Navy immediately following the bombing of Pearl Harbor in 1941. He later recalled that he and six other black men, mostly southerners, were “ready to fight and die for our country.” However, he was turned away from enlisting because of his race, told that they “ain’t taking no niggers in the Navy today. Just fightin’ men.”<sup>64</sup> Two years later, Lincoln was drafted and served in the Navy until the War’s end. Following the war, Lincoln held a variety of odd jobs following the war - even acting as road manager for the Birmingham Black Barons of the Negro Leagues – before moving back to Chicago where he received his divinity degree in 1956 and became an ordained Methodist minister the following year. Despite spending time before and after the war in Chicago near the NOI’s headquarters on the South Side, it was at his first academic position at Clark College in Atlanta that Lincoln became interested in the burgeoning Nation of Islam.<sup>65</sup>

At the moment of the Nation of Islam’s growing engagement with global Islam and African decolonization, and its emergence within mainstream American discourse, C. Eric Lincoln envisioned a sociological study which would document the Nation as a religious mass movement. As a minister and professor of religion at Clark, and with a theologian as his dissertation chair, Lincoln was primarily interested in the NOI’s religious function. However, he also came to know the Nation of Islam at the moment when its religious legitimacy had come under a severe attack. Following the extensive coverage of the NOI by Abdul Basit Naem, a series of other Muslim organizations in the United States became vocal opponents of the Nation,

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<sup>64</sup> Lincoln, *Coming Through the Fire*, 38.

<sup>65</sup> Lincoln dates his own interest to this period. See C. Eric Lincoln to John (last name unknown), March 3, 1960, Box 70, Folder 2, and “A Preliminary Statement on a Proposed Dissertation Study of the Black Muslim Movement in America,” October 8, 1959, Box 134, Folder 13, both in CELC. *The Autobiography of Malcolm X* also dates Lincoln’s interest to his time at Clark when a religion student wrote a term paper after visiting the local mosque.

challenging its orthodoxy. Talib Dawud, a jazz trumpeter and prolific proselytizer associated with the Moslem Brotherhood of America, Inc., first attacked the NOI in 1959 with a series of articles in the black Chicago newspaper, the *New Crusader*. The most scathing was a photograph of NOI founder W.D. Fard, whom the group believed to be Allah-in-person, with the subtitle: “White Man is God for Cult of Islam.”<sup>66</sup> The NOI found the article so disturbing that the Chicago and New York mosques worked to purchase and destroy as many copies of the issue as possible.<sup>67</sup> As Lincoln began his dissertation research, this context encouraged his own keen interest in the Nation’s place within global Islam as well as the NOI’s eagerness to foreground its religious legitimacy over its political aims.

Lincoln’s earliest research questionnaires drafted for NOI members reflected the dual focus on issues of religious orthodoxy and African decolonization foregrounded in the pages of *Moslem World and the U.S.A.* In an anonymous survey about the movement, Lincoln asked rank-and-file members if the movement was “recognized by ‘orthodox’ Islamic leaders in the U.S.A.” He also probed if Elijah Muhammad relied on international funding and whether or not Malcolm X was “received” in Mecca during his tour the previous summer.<sup>68</sup> Lincoln honed in on the relationship of the NOI to the growing force of decolonization worldwide. His first question on the growth of the “Moslem movement” in the United States over the last ten years was followed up by another which anticipated that the respondent would make these global connections; “assuming allusion is made to international factors” he noted parenthetically. Another question asked: “Who do you regard as the major figure in this new period of the re-emergence of the darker peoples of the earth?” Other inquiries included the relationship between “American

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<sup>66</sup> “White Man is God for Cult of Islam,” *New Crusader*, August 15, 1959.

<sup>67</sup> DeCaro, 148.

<sup>68</sup> Questionnaire, October 27, 1959, Box 70, Folder 1, CELC.

Negroes and Africans” and what the respondent would “like to see the kinship between them express.” Finally, Lincoln asked what members saw “as the future of these new African states.” In total, nearly half of his seventeen questions dealt with Africa and world affairs.<sup>69</sup> Whether or not Lincoln had read the *Moslem World* article “The Black Man and Islam,” he clearly understood the group as primarily concerned with Islam and its link to African decolonization and the American civil rights movement.

Lincoln’s handwritten notes also focused on the relationship between the NOI and Islam in the East as well as on potential deviations from orthodox Muslim practice. Noting Muhammad’s use of Nasser as a symbol of African resistance to European colonialism, Lincoln remarked that anti-Zionism had “crept into his [anti-Semitic] hate campaign” in the past few years. Although the NOI was critiqued for its anti-Semitism in later years, Muhammad had previously used Jewish Zionism as historical precedent for nation building. However, the group turned in the mid-1950s to an anti-Zionist position as it became further entrenched in the Arab world. As Lincoln’s notes reveal:

Anti-Zionist doctrine is just now becoming a part of overall temple propaganda. [Egyptian attaché to the United Nations, Ahmad Zaki El] Borai and Bashir are working closely with Malcolm X on a long-term project including the importation of a group of dark-skinned Arab-propagandists. Arabs are frequently in touch with E[lijah] in Chicago according to Naeem.

In fact, Borai was even trying to persuade Muhammad to change the group’s self-identification to Arab-American.<sup>70</sup> Despite all these indications of orthodoxy, Lincoln also focused on groups who opposed Muhammad. His notes featured an entire section devoted to “Deviations from Islam.” Through Lincoln’s questionnaires and early sketches of the organization, two trends

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<sup>69</sup> Questionnaire, no date, Box 134, Folder 15, *ibid*.

<sup>70</sup> “Race Doctrines,” handwritten notes, no date, Box 136, Folder 8, *ibid*.

become apparent: the NOI was deeply concerned with its relationship within the Muslim world and C. Eric Lincoln was deeply invested in determining the legitimacy of that position.

Lincoln's early framing of the Nation of Islam reflected his own precarious position as a black scholar navigating the nationalism of the NOI and the white liberal world of academia. To his advisors at Boston University, Lincoln described the Nation in fundamentally negative terms, as a cult which represented the failings of American democracy and racial equality. The success of the "Hate" documentary allowed Lincoln to make appeals to both a reluctant dissertation committee and skeptical Nation of Islam. As Louis Lomax recalled, it was during 1959 that "Lincoln and I crossed paths . . . he was researching his book and I was preparing the TV documentary."<sup>71</sup> Just months after the airing of "Hate," Lincoln wrote to a professor at the University of Chicago Law School that "the growing importance of the movement in the Negro community has brought an increasing number of suggestions from various concerned organizations that I at least deal with some phase of it in my dissertation."<sup>72</sup> But the attention brought about by the documentary allowed him to make a compelling case to his committee. As he later recalled:

I had early on requested permission to do my dissertation studies on the Black Muslims, but that request was denied. At the same time I was lecturing occasionally for Professor Gordon Allport, the Dean of Social Psychology, as he was called at Harvard. And I mentioned to him that my request had been denied. He immediately got on the phone and called Dean Walter Muelder of the Boston University School of Theology, who was my major professor. Professor Allport told Dean Muelder that he was sitting on an academic gold mine and you didn't know it. He said I urge you strongly to let this man pursue his instincts and his interests and so they relented.<sup>73</sup>

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<sup>71</sup> Louis Lomax, *To Kill a Black Man: The Shocking Parallel in the Lives of Malcolm X and Martin Luther King Jr.* (Los Angeles: Holloway House, 1987), 56.

<sup>72</sup> C. Eric Lincoln to Rita James, September 20, 1959, Box 70, Folder 1, CELC.

<sup>73</sup> David Gallen interview with C. Eric Lincoln, October 17, 1991, Box 190, Folder 9, *ibid.*

Meanwhile, the negativity of the “Hate” segment allowed Lincoln to position himself to the NOI as an apologist of sorts. “At the time,” he wrote to Elijah Muhammad, “I was unaware that a New York television station had done a ‘documentary on your movement . . . [but] I think the TV documentary, and the subsequent articles in Time and other magazines, have possibly contributed to rather than clarified the public distortion.’”<sup>74</sup>

In 1959, Lincoln outlined his personal investments in a dissertation prospectus for his committee. Framing the NOI as a “*particular* problem” and a “black cult of hatred,” Lincoln echoed the language of the recent “Hate That Hate Produced” documentary and wrote that his motivations were “both subjective and objective; they have been personal and social, egoistic and altruistic.” His first reaction to the “existence of an organized hate group among American Negroes was an open-minded surprise.” Lincoln added: “I chose to write about this movement because I sincerely believe it to be of significant proportions and relevance, and that if unchecked, its impact on the American social balance will be such as to more than justify the labor and research involved.” He compared it to the White Citizens’ Councils of the South, but conceded that the group offered the “appeal of religion, the shadow of truth, the implication of international support . . . and the unity of common oppression.” The Nation of Islam that he presented to his committee conjured a “nether-image . . . an image which poses a serious threat to the painstaking work that has gone into the careful sculpture of the NAACP, and the gentle daubing [sic] of the M.L. King non-violent crusade.”<sup>75</sup> It was a portrait which reflected and reinforced the conclusions of the recent “Hate” documentary.

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<sup>74</sup> C. Eric Lincoln to Elijah Muhammad, August 25, 1959, Box 175, Folder 12, *ibid.*

<sup>75</sup> “A Preliminary Statement on a Proposed Dissertation Study of the Black Muslim Movement in America,” October 8, 1959, Box 134, Folder 13, 4, 6-7, 10, 11, *ibid.*

However, Lincoln portrayed himself to Elijah Muhammad as an ally: an “educator who happens to be black . . . (and perhaps a more sympathetic one).”<sup>76</sup> In order to build a relationship with Muhammad, he added that his book would be translated into at least one “Asiatic” language and that he himself was sometimes “mistaken for a Muslim.” As opposed to the stark terms in which he described the NOI to his committee, Lincoln wrote that he had “felt that many of your goals are not only desirable, but presently attainable, and I have felt constrained to say so whenever the issue has arisen.”<sup>77</sup> Although many ministers within the Nation of Islam would later discredit and even disassociate themselves from Lincoln’s work, the author made a compelling case to Elijah Muhammad for the significance and integrity of his project. While it is difficult to determine which perspective was truer to his own, the negative fallout that followed the “Hate” documentary led Muhammad to believe there might be benefit to cooperating with Lincoln’s research.

## **The Making of the “Black Muslims”**

As *The Black Muslims* headed to press in early 1961, Beacon Press editor Ed Darling rushed off a letter to promotion manager Rae Alexander, as the “top priority, even if nothing else is done today.”<sup>78</sup> Minister Jeremiah X of the Atlanta mosque had spoken with C. Eric Lincoln about the possibility of the Nation of Islam selling advanced copies of the book at its upcoming Saviour’s Day Convention. Darling suggested selling the books at 75% of their list price and covering the shipping costs. He was optimistic about the book and its potential sales, writing that he felt “a surge beneath this book” and would “not be surprised if it made Eric a wealthy man.”<sup>79</sup>

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<sup>76</sup> C. Eric Lincoln to Elijah Muhammad, February 27, 1959, Box 175, Folder 12, *ibid.*

<sup>77</sup> C. Eric Lincoln to Elijah Muhammad, July 27, 1959, *ibid.*

<sup>78</sup> Ed Darling to Rae Alexander, February 15, 1961, Box 53, Folder 20, *ibid.*

<sup>79</sup> *Ibid.*

Despite Darling's palpable excitement over the arrangement, Lincoln made it clear to him that the NOI would need endorsement from someone higher than Jeremiah.<sup>80</sup> Therefore, Darling emphasized to Alexander that Malcolm X should be invited to Boston and shown advanced proofs of the book. Rather than call and make the arrangements himself, he suggested that she try "since I am a white man." Alexander, on the other hand, was a young black woman who was secretary to the Board of Boston NAACP and was active in CORE and the Young Democratic Club.<sup>81</sup> As Darling awkwardly phrased it: "You will best know in what subtle manner to let Malcolm realize that you do not resemble me in certain vital statistics."<sup>82</sup>

Weeks before the book was released, the discount had become much steeper than originally proposed by Darling. If the NOI agreed to purchase 5,000 copies, Beacon would offer Lincoln's work at two-thirds the retail price of \$4.95. Although Muhammad had corresponded with Lincoln throughout his dissertation research, he had not yet read the final manuscript. And he left this final decision to Malcolm. "If the book is not good enough for us to sell to the public, then we will not sell it," Muhammad wrote. "On the other hand, if you think it is suitable for us to back up, the printers have offered a very good commission to the Muslims."<sup>83</sup> While Malcolm was given the ultimate authority, Muhammad stressed that the arrangement should remain "top-secret," adding that "THIS IS NOT TO BE MENTIONED TO THE PUBLIC (emphasis in original)." Although he had ceded the decision to Malcolm, Muhammad understood the stakes of

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<sup>80</sup> Interestingly, Lincoln only felt it was necessary to involve Muhammad or Malcolm once the possibility of peddling the book showed itself. He responded to an inquiry just weeks earlier by his managing editor at Beacon that he did "not see what end will be served" by sending proofs to either as "Malcolm would have no authority in the matter at hand, and Mohammed [sic] would not be likely to respond." See C. Eric Lincoln to Miss Mary Irving, February 2, 1961, Box 53, Folder 23, *ibid*.

<sup>81</sup> "Gadabouting U.S.A.," *Baltimore Afro-American*, April 8, 1961.

<sup>82</sup> Ed Darling to Rae Alexander, February 15, 1961.

<sup>83</sup> Elijah Muhammad to Min. Malcolm X. (Little), March 23, 1961, Box 3, Folder 8, MXC. Here the peculiar usage of Malcolm X's birth name in the letterhead seems to suggest that tensions between the national spokesman and Muhammad had emerged by as early as 1961.

endorsing the book. The “main thing for us to remember is that we will not get behind the sale of anything that we might regret in the future, whose contents may prove to be unfavorable for us, but favorable to the enemy.”<sup>84</sup> Whether or not the Nation of Islam ever sold copies of C. Eric Lincoln’s work is unclear, but Muhammad’s skepticism proved prophetic. He would later critique both Lincoln for “show[ing] undeveloped knowledge of just what’s what” and charged the author with “writ[ing] . . . [to get] on the market.”<sup>85</sup> And, as Malcolm X later noted, “that ‘Black Muslims’ name never got dislodged.”<sup>86</sup>

Manning Marable wrote of Elijah Muhammad’s tacit endorsement: “Astutely, he realized that the deal was good business if not good publicity.”<sup>87</sup> In fact, Lincoln’s book was both, as it opened up the NOI to previously neglected audiences, especially college students and academics. Malcolm X later credited his popularity at colleges due to Lincoln’s book and Lincoln himself recalled arranging Malcolm X’s first lecture before a largely white audience at Boston College’s Human Relations Center in 1960:

Malcolm made a great impression on the crowd that day. The next week I got a call from a professor at Harvard, asking if I could get Malcolm X to come and speak over there. I was back in touch with Malcolm, and he was back in with Elijah and he went to Harvard to speak, after which he was in touch with me. He said thank you for giving me the opportunity to speak to all those blue eyed willies, now can you give me the opportunity to speak to some black people[?] So I sent him to Clark College in Atlanta, my home base. So he lectured at Clark, then went on to lecture at Morehouse. And that is what launched Malcolm lecturing on the college scene.<sup>88</sup>

Lincoln’s reminiscences reveal the underlying tension surrounding the book’s (and Malcolm’s) popularity on college campuses. For Elijah Muhammad, there was nothing to be gained from these elite and largely white audiences. He felt that such college lectures only provided an

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<sup>84</sup> Ibid.

<sup>85</sup> Clegg, 178.

<sup>86</sup> Malcolm X and Haley, 284.

<sup>87</sup> Marable, 191.

<sup>88</sup> David Gallen interview with C. Eric Lincoln; and Malcolm X and Haley, *Autobiography*, 324.

opportunity for the organization to be publicly “blasted.”<sup>89</sup> When Malcolm did lecture at colleges and universities, Muhammad urged him to “not go too much into details on the political side.”<sup>90</sup>

Lincoln, on the other hand, had always seen the book first and foremost in academic settings. He explained to Muhammad at the outset that his “dissertation automatically becomes available to every college and university student and professor in the country.”<sup>91</sup> And, although he added that he hoped it would “be published as a book for the general public,” neither could have anticipated its popularity. The book sold remarkably well, with 10,000 copies shipped in just one six-month period in 1961-1962.<sup>92</sup> The wave of scholarly interest came from all levels of the academy, domestic and abroad. This was in large part due to publicity efforts by Beacon Press, which mailed paperback copies to 43,000 professors in 1962 alone.<sup>93</sup> One newspaper reported that the book had twice sold out at the Harvard University bookstore.<sup>94</sup> Graduate students from around the country wrote Lincoln with interest in the Nation.<sup>95</sup> The book was even reviewed in Arabic and a former acquaintance of Lincoln’s in Japan “tried to introduce the meaning of it at the chapel of Aoyama Gakuin University.”<sup>96</sup> In Germany, where it was translated in an abridged form, an author wrote that he was “deeply interested in questions of race and religion [and] my attention has been drawn lately to the Black Moslems [sic] movement

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<sup>89</sup> Malcolm X FBI File, Summary Report, New York Office, November 16, 1962, cover page and 24.

<sup>90</sup> Elijah Muhammad to Malcolm Shabazz, February 15, 1962, Box 3, Folder 8, MXC. Muhammad’s firm disapproval on Malcolm’s lecture circuit seemed to waver in 1962, as he wrote: “I am certainly happy to know, according to the College and University papers, you have been successful. Speaking with them is now producing success for the Muslims whom they call ‘Black Muslims’ which is our program that Almighty Allah has revealed to us.” See Elijah Muhammad to Malcolm Shabazz, March 28, 1962, Box 3, Folder 8, MXC.

<sup>91</sup> C. Eric Lincoln to Elijah Muhammad, July 27, 1959, Box 175, Folder 12, CELC.

<sup>92</sup> “Royalty Statement,” April 30, 1962, Box 54, Folder 1, *ibid*.

<sup>93</sup> Mary Lou Thompson to C. Eric Lincoln, February 7, 1962, Box 54, Folder 2, *ibid*.

<sup>94</sup> *The Atlanta Inquirer*, April 29, 1961, Box 175, Folder 4, *ibid*.

<sup>95</sup> See Box 70, Folder 2, *ibid*.

<sup>96</sup> Sanichi Kesen to C. Eric Lincoln, September 11, 1961 and book review of *The Black Muslims in America* in Arabic, Box 175, Folder 4, *ibid*.

in America.”<sup>97</sup> *The Black Muslims* reached from a high schooler in Cedar Falls doing a term paper on the NOI to tuberculosis patients at the National Jewish Hospital in Denver asking for an autographed copy.<sup>98</sup> C. Eric Lincoln had quickly emerged as the foremost expert on the Nation of Islam, which was now understood through the international vernacular, the “Black Muslims.”

Yet for Muhammad, public awareness of the Nation - especially within the predominantly white world of academia - had little appeal. In fact, he saw it as a hindrance to his economic and political program of separation, drawing unnecessary attention from the federal government. Malcolm X’s increasing presence on university campuses, television, and radio especially frustrated him. He wrote Malcolm in 1962 after hearing of a possible engagement the national spokesman had secured in Vancouver, Canada:

Stay out of such appointments, brother, it will only lead to future harm to the entire nation of mine here in America to the Lost-found Nation. Sometimes we can be prompted with ideas that we think will help us to reach the apex of our career, when at the same time, it might bring us to our bottom round. So be careful of making yourself available to the radio, T.V. or newspaper conferences, colleges, and universities without first consulting me of these arrangements.<sup>99</sup>

Muhammad emphasized that he was “only after my own people here in America, and they can learn from that which I put out to the public, that is, what I say and what it means to us, and to them.”<sup>100</sup> However, Malcolm X argued that these public speaking opportunities were not merely ways to reach white Americans, but also black nonbelievers (referred to in the NOI as “the dead”). Shortly after being chastised by Muhammad, he wrote that the television show he had appeared on “did cause the dead to show greater interest and concern. It had already been taped

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<sup>97</sup> See F. Manasseer to Lincoln, April 6, 1961, in Box 70, Folder 3; and “Die Black Moslems in den USA,” Box 134, Folder 10, *ibid.*

<sup>98</sup> Karma Schauer to C. Eric Lincoln, April 23, 1961 and Philip Houtz to Lincoln, April 28, 1961, in Box 70, Folder 4, *ibid.*

<sup>99</sup> Elijah Muhammad to Minister Malcolm Shabazz, September 21, 1962, Box 3, Folder 8, MXC.

<sup>100</sup> *Ibid.*

before you told me on the phone what to stress, but I hope when you hear it, it won't be too displeasing to you."<sup>101</sup> Despite these reservations, Muhammad presented Malcolm X with the opportunity to offer the final word on C. Eric Lincoln's soon-to-be released book.

Yet beyond the academic world, Lincoln's work had an underappreciated impact in three other important arenas: policing, prisons, and the courts. Following the 1962 killing of unarmed mosque secretary Ronald Stokes by Los Angeles Police, Chief William Parker revealed that he had been reading Lincoln's book prior to the shooting and was "watching them with them with concern for a long time."<sup>102</sup> In line with most interpretations of Lincoln's appraisal of the NOI, he added that the "Negro author of this book does an apparently objective analysis of this problem."<sup>103</sup> The LAPD newsletter even reviewed *The Black Muslims* the year before the Stokes killing and mailed a copy to Lincoln with a personal note: "We thought you might like to see our Trainee's review of your book."<sup>104</sup> Law enforcement frequently framed its denunciation of the NOI in terms similar to the "Hate That Hate Produced." For example, the LAPD's review concluded that that the "ugly and irrational prejudice that has prepared the social climate for the growth of such an organization as the Black Muslims should be a source of shame for every American who believes in the principles for which this country stands."<sup>105</sup>

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<sup>101</sup> Malcolm X to Elijah Muhammad, October 1, 1962, Box 3, Folder 8, MXC. This letter was not signed and ended abruptly in mid-sentence. Since much of the letter was spent venting frustrations about the distribution of *Muhammad Speaks* and the frustrations of being a national spokesperson trying to assess local mosques, it is possible that Malcolm never sent the letter.

<sup>102</sup> "Study Shows Los Angeles Police Were Investigating Muslims At Time of Riot; Good Police Work?" *Amsterdam News*, May 12, 1962.

<sup>103</sup> "The Police," an interview with William H. Parker by Donald McDonald, 1962, Box 12, Folder 1, MXC. It is important to note that Parker's policing of the Nation of Islam did not go unnoticed by the organization. This interview comes from Malcolm's personal archive and contained handwritten notes on the pages which explicitly mentioned the NOI.

<sup>104</sup> *The Monthly Bulletin of the Association for Professional Law Enforcement*, April 1961, 8, 10, Box 175, Folder 1, CELC.

<sup>105</sup> *Ibid.*

And while the gap between Lincoln's book and the conclusions by law enforcement officials seems irreconcilable at first glance, both shared the fundamental premise outlined in the "Hate" documentary that the significance of the Nation of Islam was not its political solutions, but rather as the canary in the coal mine of American race relations. Lincoln articulated this in his 1963 article, "The Black Muslims: Society's Bitter Fruit." Here, he concluded that that the Nation is the "bitter fruit that grows on the vine we planted. We cannot hope realistically that they will be other than they are until the general society of which they are but a small part, is willing to change."<sup>106</sup> Lincoln even gave a talk to the Conference on Law Enforcement and Racial Cultural Tensions sponsored by the California Attorney General where he again deployed the same admonishment: "Muslims do not 'just happen.' They are symbols of our failure to meet effectively the minimum needs of large members of human beings, who being deprived of traditional incentives, are looking for a cause and a leader . . . whatever that future may be, we shall all be in part responsible."<sup>107</sup> Ultimately this language of the "good" civil rights movement and "bad" black nationalists reflected the dominant discourse of racial liberalism during the Cold War.<sup>108</sup> It was one laced with class paternalism which cast NOI members as victims of a false consciousness caused by larger structures of racism. Black nationalism was not a solution, but an effect. As one writer understood Lincoln's message: "The meaning for America is clear. We must attack the disease, not its symptoms . . . When we have done so with the determination and

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<sup>106</sup> C. Eric Lincoln, "The Black Muslims: Society's Bitter Fruit," *News Illustrated*, 1, no. 5 (December 1963), in Box 152, Folder 10, CELC.

<sup>107</sup> C. Eric Lincoln, "The Black Muslims As a Protest Movement," Address to the Conference on Law Enforcement and Racial Cultural Tensions sponsored by the School of Criminology at UC-Berkeley in cooperation with the Office of the Attorney General, Department of Justice, State of California, September 26, 1962, Box 134, Folder 7, CELC.

<sup>108</sup> This dichotomy plays itself out in histories of the Sixties as well as the civil rights movement and Black Power. See Peniel Joseph, ed., *The Black Power Movement: Rethinking the Civil Rights-Black Power Era* (New York: Routledge, 2006) for one of the first anthologies to break with the historical assumption of the "good/bad" shift from civil rights strategies to Black Power.

moral conviction so brutal a problem deserves, there will be no Black Muslims. There will be no need for them.”<sup>109</sup>

But Lincoln’s reached much further into the carceral community than local police bulletins. As the NOI became a greater topic of conversation in race relations and its presence in prisons grew, the state attempted to develop a consistent logic to justify suppression of activism among Muslim prisoners. Lincoln’s book was widely read and distributed among criminologists and prison officials as the organization gained a stronger following in America’s prison system.<sup>110</sup> Reuben Horlick, the Psychological Services Center President of the American Association of Correctional Psychologists, invited Lincoln to participate in a panel discussion on the “Black Muslims” at the 1963 convention of the American Correctional Association (ACA). “I know there is an urgent need for prison administrators and professional personnel to know more about the Muslim movement and its implications and your knowledge on the subject would be most helpful.”<sup>111</sup> Bernard F. Robinson, a sociologist in the Illinois prison system, wrote Lincoln that not “only did I benefit by your very instructive statements regarding the Black Muslim Movement, but my fellow staff members also considered themselves well edified as a result of your correspondence.”<sup>112</sup> With the help of two other sociologists and actuaries, officials estimated that one in four prisoners “could be considered a Muslim in terms of his participation and indoctrination in the beliefs and general knowledge of the Muslim organization.” Just five miles away, at nearby Stateville Prison, Thomas X Cooper would soon win one of the most significant rulings of the prisoners’ rights movement.

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<sup>109</sup> Earl Raab to Lincoln, October 24, 1961, Box 53, Folder 25, CELC.

<sup>110</sup> In 1961, a California law officer estimated that half of NOI membership came from prison recruitment. The Maryland superintendent of prisons noted that the movement in prisons had become “steadily stronger and more troublesome.” C. Eric Lincoln added that “the prisons are made to order for Muhammad.” See “Recruits Behind Bars,” *Time*, March 31, 1961.

<sup>111</sup> Reuben Horlick to Lincoln, May 23, 1963, Box 70, Folder 12, CELC.

<sup>112</sup> Bernard F. Robinson to Lincoln, September 5, 1962, Box 70, Folder 10, *ibid*.

In fact, in a variety of court cases brought against the state by Muslim prisoners, Lincoln's work acted as an authoritative source of evidence on the organization's religious legitimacy in the prison system.<sup>113</sup> By 1961, the senior prison inspector for the Department of Correction, Richard Woodward, estimated that there were at least 300 NOI members in the New York state system. He began monthly bulletins to be distributed to all wardens, noting that after one month "[m]any clippings have been received on the Muslim activity. They are most welcome."<sup>114</sup> Thus began a culling of both local and national information about the NOI from criminologists, sociologists, and corrections officers, all compiled and disseminated through these monthly reports. Woodward carefully read Lincoln's work and offered a "short review of the fine book" in his monthly brief for New York State correctional facilities.<sup>115</sup> Like Chief Parker in Los Angeles, he praised Lincoln's thoroughness and objectivity while judging the findings to have "frightening implications." But Woodward's interest also had tangible implications for members of the NOI. In closing his brief, he noted that "in the book by Eric Lincoln he states there are two temples within prison walls and the writer of these letters [Woodward] is attempting to establish their location and the validity of this statement."<sup>116</sup> *The Black Muslims* not only offered a framework for understanding the organization as politically subversive and religiously marginal, but gave intelligence to law enforcement bent on subverting its influence in black urban communities and prisons.

As prison officials suppressed black activism and harassed incarcerated NOI members, prisoners brought grievances over civil and human rights violations before the courts in

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<sup>113</sup> Lincoln was even called forth as late as 1994, six years before his death, to testify on behalf of prisoners incarcerated in Pennsylvania to the religious difference between Elijah Muhammad's teachings and the contemporary iteration of the Nation of Islam under Louis Farrakhan.

<sup>114</sup> Richard E. Woodward, Bulletin, April 1961, Box 21, Items 340-349, Non-Criminal Investigation Case Files (NCICF), New York State, Division of State Police, New York State Archives.

<sup>115</sup> Ibid., June 1961, Box 22, Items 381-390, *ibid.*

<sup>116</sup> Ibid., July 1961, Box 22, Items 411-420, *ibid.*

increasing numbers. These cases throughout the early 1960s reflected many of the demands articulated by Muslim prisoners during World War II and Malcolm X and by Malcolm Jarvis at Norfolk: the right to religious counsel, access to the Holy Qur'an and religious publications, possession of religious medals, cells facing East, halal preparation, and an end to solitary confinement and persecution for religious and political views. Denials of these basic rights were made by the state's insistence that the NOI was a "hate group" rather than a legitimate religious sect. As New York State Commissioner of Corrections, Paul McGinnis testified, "all of my contact with this particular sect, my reading, my contact, is the fact it is an organization which preaches hate, subversive activity." When Judge Henderson asked McGinnis what he had read to reach this conclusion, the commissioner replied: "Many, many newspaper articles, periodicals, magazines, things that have been picked up in our institutions." The judge then pressed if McGinnis had read "*The Black Muslims in America* by Lincoln." Here, McGinnis faltered: "No, sir, I haven't read it."<sup>117</sup>

The judge's question demonstrated the authority that Lincoln's book now held. The ambiguity of Lincoln's conclusions about the NOI's religion and politics offered state agencies the flexibility to make various arguments about its legitimacy. For example, in a 1964 case against Commissioner McGinnis, the Circuit Court reversed the judgment of the District Court, which had ruled in favor of the NOI. Citing Lincoln, the court concluded that "it is obvious from the evidence in the record that the activities of the group are not exclusively religious."<sup>118</sup> *The Crisis*, which reviewed Lincoln's book shortly after its release, reminded readers that "America's

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<sup>117</sup> Exchange between Federal Judge John O. Henderson and N.Y. State Corrections Commissioner Paul D. McGinnis, Buffalo, N.Y., October 30, 1962, 30, Box 11, Folder 19, MXC.

<sup>118</sup> *Sostre v. McGinnis*, 334 F.2d 906 (1964), [http://www.leagle.com/decision/19641240334F2d906\\_11036](http://www.leagle.com/decision/19641240334F2d906_11036), accessed December 25, 2013. The passage cited from *The Black Muslims* read: "Although the Black Muslims call their Movement a religion, religious values are of secondary importance. They are not part of the Movement's basic appeal except to the extent that they foster and strengthen the sense of group solidarity." See Lincoln, *The Black Muslims*, 27.

Black Muslims, it must be remembered, are not authentic Islamites, but members of an eccentric religious and racist sect.”<sup>119</sup> When Lincoln presented before the Conference on Law Enforcement and Racial Tensions in Berkeley, his lecture was described as an “attempt to define the Muslims as a protest movement which places it within the realm of the various organizations that have attempted to improve the lot of the Black America.”<sup>120</sup> These conclusions bore out Elijah Muhammad’s greatest fears about political action. For NOI ministers to visit incarcerated Muslims and for the organization to continue to extend protections to its members in prisons, it had to provide – at least in the eyes of the court – a legitimate and strictly religious function.

## Conclusion

The month of *The Black Muslims*’ release, Malcolm X and C. Eric Lincoln confronted one another on Eric Goldman’s NBC show “The Open Mind” with co-panelists James Baldwin and George Schuyler. The conversation exemplified the tenuous position that the book put the Nation of Islam in, as well as the NOI’s own complicity in an apolitical reading of its aims and objectives. Lincoln defined the group in convoluted terms, as “essentially a movement of social forecast which moves upon a kind of religious vehicle.”<sup>121</sup> But this argument that the NOI was a political group operating under the veneer of religion was precisely the one the group hoped to avoid. As Elijah Muhammad explained to Malcolm X the following year in regards to a discussion on the Civil Rights Bill:

One thing about meetings of this nature, it will gradually ease us over into just what the devil is desiring to charge us with doing; that is, carrying on political religious teachings. And from this standpoint, he will find everything possible to persecute us under a political discussion. The particular questions are rather involved around political ideas

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<sup>119</sup> See *The Crisis*, June/July 1961, in Box 175, Folder 1, CELC.

<sup>120</sup> Vincent Lynch, “‘Muslim’ Author, Law, Meet,” *The Sun-Reporter*, September 29, 1962, *ibid*.

<sup>121</sup> “The Open Mind” with Eric Goldman, transcript, April 23, 1961, 3, Items 371-380, NCICF.

and not religious. Therefore, if you care to visit the discussion, you must remember how we must steer away from being classified as an actual political party under the disguise of religion.<sup>122</sup>

Thus, Malcolm immediately took objection to Lincoln's description on "The Open Mind" and clarified that "as Muslims we are not a political group nor are we a civic group but rather we are a religious group." He condemned the book, adding that "we don't think that it rightly represents us."<sup>123</sup>

But despite these denunciations by the NOI, Elijah Muhammad was interviewed for "The Hate That Hate Produced," had authorized Lincoln's research, and even considered distributing *The Black Muslims*. It is impossible to fully know Muhammad's motivations. And while sheer financial opportunism is certainly one explanation, Muhammad's concern over the ideological content of the book suggests that he was also responding to the negative national reputation the NOI had recently garnered in the aftermath "The Hate That Hate Produced." In both cases, Muhammad was navigating within a Cold War political climate which frequently equated black nationalism with "black supremacy," subversive activity, and Communism. His own experience of draft resistance during World War II, which had decimated the NOI while most of its leadership was imprisoned, made him deeply skeptical of any outside publicity and the attention of local and federal state surveillance.

Despite the omnipresence of the "Black Muslims" in mainstream accounts, the NOI continued to pursue the Afro-Asian identity and anticolonial affiliation with Third World nations that it had developed through *Moslem World and the U.S.A.* Naeem was brought to Chicago by Elijah Muhammad to help plan his trip to Africa and the Middle East.<sup>124</sup> In 1962, Naeem was

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<sup>122</sup> Elijah Muhammad to Malcolm Shabazz, September 18, 1962, Box 3, Folder 8, MXC.

<sup>123</sup> "The Open Mind," 5 and 37.

<sup>124</sup> Malcolm X As Nasser's Guest," July 23, 1959, Malcolm X BOSSI File.

hired for one-thousand dollars a month to work as a journalist for *Muhammad Speaks*. That same year, he established Shalimar International, Inc. which was described as “America’s First Asian African Travel Service” and an “Asian-African Press Service,” which he submitted for United Nations accreditation.<sup>125</sup> A photograph from Shalimar’s grant opening on W. 39<sup>th</sup> Street in Manhattan showed Malcolm X shaking hands with Alhaji Muhammad Wgileruma, Nigerian Ambassador to the U.S., and Sheik Al-Haj Daoud Ahmed Faisal of the Islamic Mission of America.<sup>126</sup> Despite the insistence of state agencies that the Nation of Islam was not a part of a global Muslim community, these connections accelerated throughout the first half of the 1960s and remained crucial during Malcolm X’s travels in 1964 following his break from the Nation.

Meanwhile, C. Eric Lincoln continued to retool his thinking about the movement. For example, despite using verbatim excerpts from *The Black Muslims*, his 1961 article in *Current* magazine was more provocatively titled: “Black Muslims: Catalysts of Civil Rights?” He also called it a serious mistake to “dismiss black nationalism as mere street-corner demagoguery” and had begun drafting plans to write a book on Malcolm X, capturing a spirit of protest he had begun to call “mood ebony.”<sup>127</sup> Even in *The Black Muslims*, Lincoln concluded that the “line that separates a purely social organization from a purely religious communion is seldom well defined . . . An incipient mass movement such as the Black Muslims, therefore, may be both ‘social’ and ‘religious,’ though its emphasis will be weighted in one direction or the other.”<sup>128</sup> But for local

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<sup>125</sup> Elijah Muhammad to Abdul Basit Naeem, April 12, 1962; Map of the Countries and Islands of Africa, May 1, 1962; Memorandum Submitted to Secure U.N. Accreditation, no date; all in Box 11, Folder 14, MXC. Also see “Afro-Asian Venture,” *Pittsburgh Courier*, April 7, 1962 and “Shalimar International,” *Pittsburgh Courier*, July 21, 1962.

<sup>126</sup> “Greetings,” *Pittsburgh Courier*, April 7, 1962.

<sup>127</sup> “Black Muslims: Catalysts of Civil Rights?” *Current*, May 1961, 9-12, Box 151, Folder 1, CELC. He also footnoted his article “The Black Muslims as a Protest Movement” for a “discussion of the exclusion of Black Muslims from the circle of acceptable protest organizations.” See Box 137, Folder 2, CELC. Also see “How Negroes Rediscovered Their Racial Pride,” *Negro Digest*, July 1961, in Box 136, Folder 32, CELC.

<sup>128</sup> C. Eric Lincoln, *The Black Muslims in America* (Boston: Beacon Press, 1961), 212.

police and law enforcement, prison officials and criminologists, and the federal courts, Lincoln's waffling simply opened space for what they already believed: the NOI was a dangerous hate group masquerading under the guise of religion. The phrase the "Black Muslims" became the linguistic shorthand for this growing consensus.

Malcolm X later described the difficult position the Nation of Islam inhabited due to this dual marginalization. "The movement itself was supposedly based upon the religion of Islam and therefore supposedly a religious movement . . . [but] the government tried to maneuver us and label us as political rather than religious so that they could charge us with sedition and subversion." The result was that that NOI was in what he called "a religious vacuum" and a "political vacuum." "We became a sort of religious-political hybrid, all to ourselves," he wrote. "Not involved in anything but just standing on the sidelines condemning everything. But in no position to correct anything because we couldn't take action."<sup>129</sup> Malcolm's assessment reflects his disillusionment with NOI leadership and what transpired between the group's entrance into mainstream discourse during the summer 1959 and his break with the Nation in 1964. But, in the intervening years, the NOI *was* involved in the black freedom struggle, despite the state's extensive efforts to sequester it to religious and political vacuums. For just as mainstream America was being introduced to the Nation of Islam through "The Hate That Hate Produced," prison officials were scrambling to understand the rising numbers of incarcerated Muslims who would soon bring about the first organized prison litigation movement in the country's history, forming the origins of the prisoners' rights movement.

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<sup>129</sup> Haley and Malcolm X, 173-174.

## Chapter 3

### “Shades of Mississippi” Prison Organizing and the Rise of the Carceral State

This is probably as big a single worry as the American prison system has today - the way the Muslim teachings . . . are converting new Muslims among black men in prison, and black men are in prison in far greater numbers than their proportion in the population.<sup>1</sup>

Malcolm X and Alex Haley, *The Autobiography of Malcolm X*, 1965

In October 1962, the *Amsterdam News* ran a shocking photograph of a black man carrying a stack of books into a courtroom with his arms and legs in shackles. The headline read: “Shades of Mississippi!”<sup>2</sup> A flyer under the same title excoriated the hypocrisy of Nelson Rockefeller and other northern white liberals for publicly criticizing Mississippi Governor Ross Barnett while silently condoning the chaining of prisoners in New York: “Sir, do you really think that other Negroes in this state are dumb enough to believe that you and these other white so-called liberals are really for the civil rights of Negroes in the South, while the *HUMAN RIGHTS* of Negroes here in *YOUR* state are being trampled underfoot?” If “Ross Barnett is to be blamed for civil rights violations in Mississippi, Nelson Rockefeller must take the blame for human rights violations in New York!”<sup>3</sup> The man in chains was a plaintiff in *SaMarion v. McGinnis*, a case filed by five Muslim prisoners at Attica Prison. Nearly a decade before the 1971 rebellion which would grip the nation and irrevocably alter the course of the prisoners’ rights movement,

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<sup>1</sup> Malcolm X and Alex Haley, *The Autobiography of Malcolm X* (New York: Ballantine Books, 1992), 211.

<sup>2</sup> “Muslims Chained in N.Y. Courtroom,” *Amsterdam News*, October 27, 1962.

<sup>3</sup> “Muslims Chained in N.Y. Courtroom,” press release and “Muslims Chained in N.Y. Courtroom,” Box 11, Folder 19, Malcolm X Collection (MXC), Schomburg Center for Research in Black Culture, New York Public Library.

Deputy Attorney General William Bresnihan captured the case's magnitude: "the whole prison system of the State of New York is on trial here."<sup>1</sup>

The choice of Mississippi for this southern analogy was deliberate. The previous year, Mississippi State Penitentiary, better known as Parchman Farm, imprisoned black and white Freedom Riders, making them "national heroes, bold survivors of the prison in America's most repressive state."<sup>2</sup> As David Oshinsky argues, this "suffering was not in vain. It focused attention on Parchman as a civil rights problem and made it part of the larger black struggle."<sup>3</sup> But rather than see one struggle replacing the other, Dan Berger points out that the role of jailing in the southern civil rights movement ran parallel to prisoners' struggles outside the South: "If the civil rights movement used the jail to make southern racial opposition a national issue, black militants in the urban North and West used their prison experience to nationalize their claim that white supremacy defined America itself. They shifted the focus from the southern jail to the northern (and national) prison."<sup>4</sup> This was the utility of the phrase "Shades of Mississippi" to northern black activists – to suggest that the struggles of incarceration in New York under Rockefeller and Mississippi under Ross Barnett were more similar than distinct. But the introduction of young SNCC activists and the NAACP to the brutal conditions of Parchman Farm in the early 1960s was not the first link between civil rights organizers and prisons. As demonstrated in Chapter 1, it marked a return to a relationship which had existed since the 1930s and reached its peak during

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<sup>1</sup> *SaMarion v. McGinnis* (9395) trial transcript, 28, in National Archives and Records at New York City.

<sup>2</sup> David Oshinsky, *Worse Than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* (New York: Free Press, 1996), 236.

<sup>3</sup> *Ibid.*, 238.

<sup>4</sup> Dan Berger, *Captive Nation: Black Prison Organizing in the Civil Rights Era* (Chapel Hill: University of North Carolina Press, 2014), 54. He adds that while through these experiences with incarceration "civil rights activists grew sensitized to the prison experience . . . neither the heroic greetings from other black prisoners nor the brutal conditions inside . . . transformed the civil rights movement as such into a prisoners' rights movement." See page 35.

World War II, but receded from the agendas of groups like the NAACP as the NOI emerged as the vanguard of the nascent prisoners' rights movement during the 1950s and 1960s.

The Nation of Islam's prison organizing during this period thus offers an alternative origin story which complicates this linear narrative of the prisoners' rights movement as an outgrowth of the civil rights movement. Seeing the prisoners' rights movement as a teleological development from the civil rights movement reinscribes a South-to-North trajectory which has been challenged by social movement historians over the last decade who demonstrate how this narrative exceptionalizes southern racism while flattening the tactics of activists on both sides of the Mason Dixon line.<sup>5</sup> Organizing by the Muslim Brotherhood – as the group was known in prisons – also troubles the notion of the Nation of Islam as apolitical or unwilling to challenge the state. While Dan Berger points out that the prisoners' rights movement “was less a claim to expand rights than it was a critique of rights-based frameworks,” the NOI's prison litigation in the early 1960s was responsible for making such expanded claims possible by the latter part of the decade.<sup>6</sup> The 1871 ruling of *Ruffin v. Commonwealth* unequivocally stated that the prisoner had “not only forfeited his liberty, but all his personal rights except those which the law in its humanity accords to him.” In the eyes of the law, the prisoner was thus considered “the slave of the State.”<sup>7</sup> This was reconfirmed in 1951, when a federal circuit judge claimed that it “is not the function of the courts to superintend the treatment and discipline of persons in penitentiaries.”<sup>8</sup> Therefore, Muslim prisoners frequently cited Section 1983 of the 1871 Civil Rights Act, which

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<sup>5</sup> For example, see Timothy Tyson, *Radio Free Dixie: Robert F. Williams and the Roots of Black Power* (Chapel Hill: University of North Carolina Press, 1999); Jacquelyn Dowd Hall, “The Long Civil Rights Movement and the Political Uses of the Past,” *The Journal of American History* 91, no. 4 (March 2005): 1233-1263; and Lance Hill, *The Deacons for Defense: Armed Resistance and the Civil Rights Movement* (Chapel Hill: University of North Carolina Press, 2006).

<sup>6</sup> Berger, 3.

<sup>7</sup> *Ruffin v. Commonwealth*, 62, Va. 790, 1871.

<sup>8</sup> *Stroud v. Swope*, 187 F. 2d. 850, 9<sup>th</sup> Circuit, 1951.

protects citizens against violations of constitutional rights by a person acting under state authority. They also referenced the equal protection clause of the 14<sup>th</sup> Amendment. In *Cooper v. Pate*, for example, Thomas X Cooper referenced the Illinois Bill of Rights as well as the 1<sup>st</sup>, 5<sup>th</sup>, and 14<sup>th</sup> Amendments.<sup>9</sup> Courtroom victories by the Nation of Islam opened access to the courts for all prisoners, and Section 1983 was used with greater frequency to challenge violations of constitutional rights.<sup>10</sup>

Muslim prisoners not only drew upon similar legal tactics to those in the civil rights movement, but used direct-action strategies such as sit-ins, hunger strikes, and occupations of solitary confinement, which mirrored – and even anticipated – the “Jail, No Bail” efforts of southern civil rights activists. Like SNCC, SCLC, and other civil rights groups in the early 1960s which filled local jails by refusing to post bail after being arrested for civil disobedience, Muslims in New York purposefully were sent to, and remained in, solitary confinement until the entire gallery was filled with protesters. These actions not only shared the strategy of neutralizing the power of the jail cell, but also were meant to draw public visibility to their struggles by eliciting violent reprisals by the state. Both temporally and strategically, these movements shared commonalities despite their geographic distance and diverging goals. Thus, by considering Muslim prison organizing as another stream of midcentury black protest we add breadth to our understandings of the black freedom movement and its multiple registers.<sup>11</sup>

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<sup>9</sup> Toussaint Losier, “...For Strictly Religious Reason[s]: *Cooper v. Pate* and the Origins of the Prisoners’ Rights Movement,” *Souls* 15, nos. 1-2 (2013): 13.

<sup>10</sup> John Irwin, *Prisons in Turmoil* (Boston: Little, Brown, 1980), 102-103.

<sup>11</sup> Both Timothy Tyson and Peniel Joseph have similarly argued that the strategies that emerged in the Black Power movement were present during the heart of the civil rights era in the 1950s and early 1960s. However, unlike Joseph, who suggests a “Long Black Power Movement” which spans from 1954 to 1975, I see the Black Power movement as a discrete social movement beginning in the late 1960s. But, I build on the conclusions of both scholars that the civil rights movement and the South were more intertwined with Black Power notions of self-determination, self-defense, and community control than was previously believed. See Peniel Joseph, ed., *Neighborhood Rebels: Black Power at the Local Level* (New York: Palgrave Macmillan, 2010), 11 and Timothy

The Nation of Islam's prison activism also suggests an alternative intellectual genealogy to the writings, theorizing, and activism of the prisoners' rights movement in the late 1960s and early 1970s. These drew not only upon the emerging energy of the Black Power movement outside prisons, but from ideas which had percolated inside prison walls for over a decade.<sup>12</sup> Just as Berger urges us to find continuities between Fannie Lou Hamer and Angela Davis, or Martin Luther King, Jr. and George Jackson, we must also recognize the ways in which prison intellectuals and theorists of the Black Power era also drew upon deep wells of black nationalist and radical thought which grew out of decades of inside organizing by those such as the Muslim Brotherhood's black history study groups. Amidst the Attica uprising in 1971, Martin Sostre, a jailhouse lawyer who was a central figure in the prison organizing at Attica ten years earlier, was being held in keep-lock at Auburn Prison while serving a 30-40 year sentence for trumped-up heroin charges. He wrote from his cell that the "struggle to exercise a First Amendment 'preferred' right (freedom of religion) took from 1958 till 1971, thirteen years of torture, suffering and death at the hands of racist outlaw savages who recognize no law except that of force, violence and murder."<sup>13</sup> Sostre's own personal narrative offers a case study of this broader shift from what he called the "politicized" prisoner of the early 1960s to the political prisoner of the Black Power era.<sup>14</sup>

While grassroots struggles and voices of prisoners are crucial to understanding the prisoners' rights movement, it is important that they not be simply added to histories of federal

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Tyson, *Radio Free Dixie: Robert F. Williams and the Roots of Black Power* (Chapel Hill: University of North Carolina Press, 1999).

<sup>12</sup> See Berger, *Captive Nation*.

<sup>13</sup> Martin Sostre, *The New Prisoner* (New York: Martin Sostre Book Store, 1973), reprinted in *North Carolina Central Law Journal* 4, no. 2 (Spring 1973): 251, in Joseph A. Labadie Collection, University of Michigan Special Collections.

<sup>14</sup> *Frame-Up! The Imprisonment of Martin Sostre*, directed by Hoel Sucher, Steven Fischler, and Howard Blatt (1974; New York: Pacific Street Films).

policy and the carceral state. Instead, the two must be seen as an interlocking and mutually constitutive system. The constant dialogue between prison discipline and prisoners' resistance – what I term the “dialectics of discipline” – paradoxically helped to develop the protest strategies and legal framework for the prisoners' rights movement while simultaneously fortifying and accelerating the expansion of the carceral state through new modes of punishment and surveillance.<sup>15</sup> As Sostre argued after the Attica rebellion, the same “dungeons used to torture us . . . [had become] the crucibles from which evolved the new hardened prisoner and the Vanguard revolutionary ideology which has now spread throughout New York State prison.”<sup>16</sup>

These dialectics took two major forms during this period in New York prisons. The first was the relationship between state methods of control such as prison transfers, confiscation of religious literature, solitary confinement, and loss of good time, and the responses by Muslim prisoners through hunger strikes, writ writing, and takeovers of solitary confinement. This chapter begins by focusing on the methods of prison discipline at Clinton and Attica prisons, which were aimed at suppressing Islam in New York penitentiaries. Wardens transferred politicized prisoners between institutions in an attempt to diffuse the movement (a practice sometimes referred to as “bus therapy”).<sup>17</sup> They confiscated religious literature and disallowed subscriptions to newspapers such as the *Los Angeles Herald-Dispatch* (which carried a weekly column by Malcolm X) and later *Muhammad Speaks*. Muslim life in New York prisons in the 1950s continued to be marked by the paradox first described in the *Dunkirk Evening Observer*

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<sup>15</sup> A similar dynamic is explored in the work of Alan Gómez, whose essay “examines the origins of behavior modification and the CU [Control Unit] in the United States, as well as the CU's relationship to radical political struggles, by focusing on the contradictions inherent in the dialectic of prison rebellions and repression.” See Alan Eladio Gómez, “Resisting Living Death at Marion Federal Penitentiary, 1972,” *Radical History Review*, 96 (Fall 2006): 60.

<sup>16</sup> Martin Sostre, *The New Prisoner* (New York: Martin Sostre Book Store, 1973), reprinted in *North Carolina Central Law Journal*, 4, 2 (Spring 1973), 251, in Joseph A. Labadie Collection, University of Michigan Special Collections Library.

<sup>17</sup> *Ibid.*, 242.

during Malcolm X's incarceration: that of "complete religious freedom – and constant surveillance."<sup>18</sup> Of course, incarcerated Muslims did not enjoy complete religious freedom. They were denied copies of the Arabic translation of the Qur'an, could not correspond with ministers who had a criminal record, and frequently had Muslim publications confiscated and censored. They also suffered religious and political persecutions which placed them in solitary confinement and lost earned time from their sentences. Prisons' principle system of punishment was through this combination of solitary confinement and good time practices. The two emerged alongside one another as physical and psychological punishments which isolated prisoners while extending their sentences. However, they responded to these incursions through direct-action protests, takeovers of solitary confinement, and the initiation of the first organized prison litigation movement, one which brought the plight of prisoners before the courts and ended the long period of hands-off administration of the judicial branch which ceded full discretion to prison officials.

The second dialectic was the interplay between Muslim religious practices and prison surveillance. The politicization and radicalization of prisoners in response to these forms of prison discipline resulted as an emerging web of state surveillance monitored Muslim rituals and daily life in prisons. This growing network of surveillance by the state is reminiscent of Foucault's articulation of the panopticon as a "cruel, ingenious cage." His description of "carceral archipelagos," which extend the concept of the nation state to a broader network of surveillance, discipline, and control of space was a quotidian experience in New York prisons.<sup>19</sup> However, prison discipline was met with resistance by Muslim prisoners who refused pork, communicated secretly in Arabic, and even performed prayer as an act of protest while under

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<sup>18</sup> "Moslem Converts Get Concessions," *Dunkirk Evening Observer*, April 20, 1950.

<sup>19</sup> Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Pantheon Books, 1977), 205 and 297.

surveillance. In these ways, the politicization of Muslim prisoners in response to the arm of the state troubles the Foucauldian idea that panoptical control produces docile subjects.<sup>20</sup> Yet prison surveillance did more than respond to activism of the Nation of Islam with new modes of repression. It became a central motor for constructing a religio-racial formation which could justify the suppression of Islam in prisons. Because the state's argument against the NOI in prisons hinged on undermining its religious legitimacy, prison officials emerged as arbiters of religious orthodoxy, determining who and what constituted legitimate Muslim practice. Scholars such as Mai Ngai and Margot Canaday have suggested that the state does not merely react to social identity, but works to construct it as well. This is what Canaday calls "state-building from the bottom up" or "a social history of the state."<sup>21</sup> Throughout the early 1960s, prison officials ranging from guards, wardens, and superintendents to chaplains, psychologists, and social workers, read widely about the growing Muslim movement and presented their thoughts internally through monthly bulletins and nationally at meetings such as the annual American Correctional Association (ACA) conference. The academic communities of penology and criminology emerged as an additional arm of the state's developing knowledge production about the so-called "Black Muslims."

One of the greatest structural challenges to prison organizing was its physical isolation from the outside world. James Jacobs wrote that "prisoners were invisible, except perhaps for occasional riots, when they captured public attention."<sup>22</sup> And while prison uprisings such as that

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<sup>20</sup> Dylan Rodriguez, Joy James, and Alan Gómez have made similar observations. See Rodriguez, "'Social Truth' and Imprisoned Radical Intellectuals," *Social Justice* 30, no. 2 (2003): 66-80; James, "American 'Prison Notebooks,'" *Race & Class* 45, 3 (January 2004): 35-47; and Gómez, "Resisting Living Death." For a critique of Foucault's inattention to race and gender, see Angela Davis, "Racialized Punishment and Prison Abolition," in *Angela Y. Davis Reader*, ed. Joy James (Malden, MA: Blackwell, 1998), 96-107.

<sup>21</sup> Margot Canaday, *The Straight State* (Princeton, NJ: Princeton University Press, 2009), 5. Also see Mae Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, NJ: Princeton University Press, 2004),

<sup>22</sup> James Jacobs, "The Prisoners' Rights Movement and Its Impacts, 1960-1980," *Crime and Justice* 2 (1980): 433.

at Attica in 1971 certainly publicized prison conditions, there were also much slower labors which brought about greater visibility, such as prison litigation. So-called “jailhouse lawyers,” who prepared writs to be copied by other prisoners and signed under their own names, flooded the courts and brought prison conditions under the auspices of the judicial branch. Jacobs has even described this litigation as the “peaceful equivalent of a riot” in terms of voicing prisoners’ concerns to a broader audience.<sup>23</sup> I end this chapter by considering the ways in which Muslim prisoners envisioned the courts as arenas of political struggle, bringing prisons decisively into national movements for racial justice.

Despite focusing on Muslim prison organizing and litigation in New York, I draw national conclusions with regards to the prisoner’s rights movement and the growth of the carceral state. The New York State prison system was rather unique (alongside California’s) in terms of its diverse prison population largely culled from New York City, but from its birth in the 1820s until the 1940s it had served as the principal model for state prison systems in the North.<sup>24</sup> While its prisons were among the first wave of Muslim litigation which drew the attention of the judicial branch to prison conditions, cases soon came from federal and state prisons across the North, South, and West throughout the 1960s.<sup>25</sup> Both the demands of Muslim prisoners and the mechanisms of state repression echoed in cases across the country. For example, the use of transfers to isolate and separate politicized prisoners, has been documented

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<sup>23</sup> Ibid., 459-460.

<sup>24</sup> Rebecca McLennan, *The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776-1941* (New York: Cambridge University Press, 2008), 12.

<sup>25</sup> The other two were Lorton Reformatory in Virginia and Folsom Prison in California. In 1966, a survey reported the highest activity of incarcerated Muslims in states with “large Negro populations concentrated in urban areas,” including California, Illinois, Indiana, Kansas, Michigan, Missouri, New Jersey, New York, Ohio, and Texas. Wallace F. Caldwell, “Black Muslims Behind Bars,” *Research Studies* 34, no. 4 (December 1966): 204. Also see Report of Security Section, Intelligence Division, Bureau of Inspectional Services, Chicago Police Department, May 24, 1962, in *14 NY 2d 864, Shaw v. McGinnis*, Respondent’s Appendix, A127-A128, Appellate Division Law Library, Rochester, New York.

in states ranging from New York to Texas and California.<sup>26</sup> As Sostre concluded, while “[I can] speak only for prison camps in New York State . . . I have compared notes with many out-of-state prisoners serving time in New York prison camps and found that the identical ideological situation exists in out-of-state prisons.”<sup>27</sup> Thus, the story of Muslims in New York prisons stands as both the origins of one of the richest and most comprehensive prison organizing campaigns in the early prisoners’ rights movement, and part of a larger mosaic of prisoners’ activism which would ultimately inflect and inform iconic struggles such as the Attica uprising over a decade later.

## Clinton Prison

We particularly object to their communicating with the Moslem Temple in Harlem which is run by a fellow by the name of Malcolm.<sup>28</sup>

New York Assistant Attorney General, Manuel Murcia, 1960

On Christmas Day in 1959, a small group gathered in the Clinton Prison recreation yard. As one of the prisoners remembered, it “was snowing and it was very cold, but as usual, on Friday we would meet to [do] a short prayer regardless of inclement weather or anything else.”<sup>29</sup> Less than ten feet from the men was prison guard John Emery Duquette, who was assigned to

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<sup>26</sup> Robert Chase, “Civil Rights on the Cell Block: Race, Reform, and Violence in Texas Prisons and the Nation” (Ph.D. dissertation, University of Maryland, 2009), cited in Zoe Colley, “‘All America is a Prison’: The Nation of Islam and the Politicization of African American Prisoners, 1955-1965,” *Journal of American Studies* 48, no. 2 (May 2014): 13. In 1967, Eldridge Cleaver described a similar situation after Muslims sentenced following a confrontation with police in Los Angeles arrived in California prisons: “[O]fficials separated them by sending each man to a separate institution. They did this because Black Muslim inmates looked upon these men as heroes in that they were political prisoners who had fallen in the line of duty, not for committing petty crimes.” See Eldridge Cleaver, *Post-Prison Writings and Speeches* (New York: Random House, 1969), 16.

<sup>27</sup> Sostre, 244.

<sup>28</sup> *Pierce v. LaVallee* (7813) transcript, 46, National Archives and Records at Kansas City.

<sup>29</sup> *SaMarion v. McGinnis* transcript, 712-713.

monitor the congregation that day.<sup>30</sup> It was common to have an officer observing nearby and the group routinely met in this designated area for almost a year, drawing anywhere from ten to seventy prisoners.<sup>31</sup> The plot of land had expanded alongside the growth of Islam at Clinton. As James X Walker recalled, as “the Muslims grew we began to receive more area.”<sup>32</sup> By then, the physical space had grown to fifteen yards long and seventy yards wide and was paved using stones the men had collected from the yard. It featured a stove for cooking and an oven for baking since the mess halls did not offer halal cooking: “we would all more or less join together to purchase food and things of that nature so that we could cook it ourselves.”<sup>33</sup> It also offered a vibrant intellectual life with a blackboard for illustrations and classes on current events, black history, Arabic, and readings from the Qur’an on Fridays such as this.<sup>34</sup> As Joseph X Magette later testified, we “were tolerated. I wouldn’t say we were admitted, but we weren’t denied the right to meet.”<sup>35</sup>

But conditions for Muslims at Clinton worsened dramatically after that day. Magette noted that “all of the sudden the situation changed completely. Thereafter we were in complete segregation” (solitary confinement).<sup>36</sup> Duquette claimed that he heard one of the prisoners say that they were going to take over solitary confinement and filed a disciplinary report using the familiar argument that the group’s religious intentions were disingenuous. The men were charged with hosting an “unauthorized meeting under the guise of an assembly for religious

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<sup>30</sup> Ibid., 1,145-1,159.

<sup>31</sup> Ibid., 433 and 711.

<sup>32</sup> Ibid., 477.

<sup>33</sup> Ibid., 744. James Walker clarified for Judge Henderson, who thought this was a plot for gardening: “No, sir, to cook on, whatever activities you wish. It was actually in the recreation yard . . . They had a section there, what we call a hill, it is up high.” Quote on 478.

<sup>34</sup> Ibid., 432-433.

<sup>35</sup> Ibid., 711.

<sup>36</sup> Ibid., 708.

purposes.”<sup>37</sup> Sammy X Williams, who allegedly made the remark, was locked up immediately and the other men were soon taken to disciplinary court and moved to a minimum privilege area which was accompanied by a loss of 360 days of good time.<sup>38</sup> Some of the men would remain in solitary confinement until June of the following year.<sup>39</sup>

New York prisons, along with those in Washington, D.C. and California, had become a central battleground for the Nation of Islam by the late 1950s. In 1957, Attica’s warden Walter Martin wrote to Commissioner Paul McGinnis that four prisoners at Attica had been identified as Muslim. This “fad for *Qu’ran* . . . has been developing over recent months,” he wrote. “I have been trying to puzzle out what the ‘gimmick’ is in this matter but haven’t solved it yet.”<sup>40</sup> By the early 1960s, the state estimated nearly three hundred Muslims in New York prisons, with some institutions having up to 25% membership among black prisoners.<sup>41</sup> By January 1964, this number had nearly doubled.<sup>42</sup>

The rich diversity of Muslim prison communities evidenced in the experiences of Malcolm X and Malcolm Jarvis a decade earlier were an important backdrop to the demands of incarcerated members of the Nation of Islam in New York. Muslim prisoners associated with the

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<sup>37</sup> *Ibid.*, 1,157. This language of a “guise” was also remembered by James Walker in his testimony: “That was the time that we were taken to the principal keeper and charged with holding unauthorized meetings under the cloak and guise of a religion,” page 432.

<sup>38</sup> *Ibid.*, 712-713 and 721.

<sup>39</sup> *Ibid.*, 721.

<sup>40</sup> *Attica: The Official Report of the New York State Special Commission on Attica* (New York: Praeger, 1972), 122. Ironically, the warden’s puzzlement over how Islam constituted some sort of hustle is reminiscent of Malcolm X’s own initial confusion over converting to Islam as told in his autobiography. When his brother Reginald told him to not eat pork or smoke cigarettes and he’d him how to get out of prison, Malcolm’s “response was to think he had come upon some way I could work a hype on the penal authorities . . . I was aching with wanting the ‘no pork and cigarettes’ riddle answered,” Malcolm X and Haley, 180-183. The timeframe for the rise of Islam in New York corresponds with the activism found by James Jacobs at Stateville Prison in Illinois. There, disciplinary reports identified Muslim beginning in 1957 and listed nearly sixty members by 1960. James Jacobs, *Stateville: The Penitentiary in Mass Society* (Chicago: University of Chicago Press, 1977), 60.

<sup>41</sup> *14 NY 2d 864 Shaw v. McGinnis*, Respondent’s Appendix, A127.

<sup>42</sup> Richard E. Woodward, “History of Muslims Presented to Uniformed Supervisors Association of the New York State Department of Correction,” February 5, 1964, 7, Box 24, Items 831-839, Non-Criminal Investigation Case Files (NCICF), New York State, Division of State Police, New York State Archives.

NOI requested access to the Qur'an with Arabic translations, religious literature published in black newspapers, and correspondence with ministers such as Malcolm X in Harlem and Robert X Williams in Buffalo. They also challenged the lawfulness of punitive prison measures such as solitary confinement and loss of good time for their religious beliefs. In many of these cases, the state used the Ahmadiyya Movement in Islam (AMI) to undermine these claims, offering prisoners English-only translations of the Qur'an and correspondence with Ahmadi religious leaders. The racial particularity of the Nation of Islam's message reinforced the state's belief that the group was insincere in its religious convictions and was merely using Islam as a front for its subversive political agenda.

Muslim prison organizing and litigation in New York marked the first wave of cases which prompted the attention of the courts.<sup>43</sup> No figure was more important in this movement than Martin X Sostre. His parents Talwinn and Cresencia emigrated from Puerto Rico and Haiti, and settled in New York in 1925, two years after he was born. His father was a Communist merchant seaman and his mother a capmaker. In Harlem, Sostre was influenced by Lewis Michaux's African National Memorial Bookstore and the step-ladder orators on 125<sup>th</sup> Street.<sup>44</sup> He dropped out of school in the tenth grade and was drafted in 1942. After serving a brief stint in Korea, he was eventually arrested in 1952 for heroin possession, identified as having connections

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<sup>43</sup> Two significant chapters on the Nation of Islam's influence in Illinois and California prisons have been produced by James Jacobs and Eric Cummins. See Cummins, *The Rise and Fall of California's Radical Prison Movement* (Stanford: Stanford University Press, 1994) and Jacobs, *Stateville*. The presence of Latino prisoners in New York, largely drawn from New York City, also made NOI membership uniquely multiracial in ways not seen outside California. Studies of Muslim prison litigation have generally relied on legal outcomes due to the lack of extant source material produced by prisoners themselves. This chapter uses new source material, including courtroom testimonies, letters from prisoners to Muslim ministers, and state police surveillance, to document the actual mechanisms of prison activism and state repression which cannot be captured using only legal rulings. For these reasons, this chapter focuses upon the experiences of Muslim prisoners in New York during the first half of the 1960s.

<sup>44</sup> Warren Schaich and Diane Hope, "The Prison Letters of Martin Sostre: Documents of Resistance," *Journal of Black Studies* 7, no. 3 (March 1977): 284.

to the “top echelon in narcotics throughout the country . . . and nation’s biggest distributors.” He was eventually captured in San Diego where he had purchased a house and was enlisting the help of a chemist to convert opium into heroin. When asked if he was asked if he used the drug, he responded: “I’m too smart for that. Only suckers use that stuff.”<sup>45</sup>

Sostre arrived at Clinton Prison in 1953 and, like many eventual converts, listed his religion as that of his childhood: Catholicism. Sostre later recalled that there were thirty Muslims belonging to “at least four different sects of Islam, both of orthodox and non-orthodox, namely Afamdiya [Ahmadiyya], Moorish, Science [Moorish Science Temple], Muhahhad [Nation of Islam] and non-denomination [sic].”<sup>46</sup> Like Malcolm X and Jarvis before him, Sostre was introduced to Islam through the AMI. He first wrote to the movement in 1958 in an attempt to get a copy of the Qur’an and credited his conversion to another Ahmadi prisoner named Teddy Anderson, who brought his Qur’an from Green Haven Prison and maintained the only copy at Clinton.<sup>47</sup> “We would have to consult with him and borrow it from him,” Sostre remembered. “He was reluctant to lend it out, naturally, but usually he would loan it out to ones that wanted to peruse it.”<sup>48</sup> In this sense, Sostre’s conversion was typical of Muslim prisoners during the 1950s. Thomas X Bratcher later testified that he was raised Roman Catholic but converted to Islam at Auburn Prison in 1959 after receiving teachings from prisoners of the Ahmadiyya faith. He

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<sup>45</sup> “Prisoner Who is Identified,” *New York Times*, September 24, 1952. After his release from prison in 1964 Sostre opened his own Afro-Asian bookstore in Buffalo modeled after Michaux’s and the black bookshops of his youth. He was famously framed on heroin possession charges in 1967 and sent back to prison until his sentence was commuted in 1975 by New York Governor Hugh Carey amidst pressure from Free Martin Sostre Committees, the Black Panthers, the Young Lords, and Amnesty International, who added him to list of political prisoners.

<sup>46</sup> *Pierce v. LaVallee* transcript, 18. Further evidence of the breadth, and contention, of the Muslim community in New York prisons came at the *Shaw v. McGinnis* trial in which a fight between Saki [likely Zaki] Abdullah and James Walker was reported over “a difference in the two branches of Muslimism.” Abdullah was listed elsewhere as a leader of the NOI at Auburn Prison. See W.B. Surdam to Inspector W.F. Driscoll, February 4, 1960, Box 19, Items 11-20, NCICF.

<sup>47</sup> Anderson was also persecuted as a Muslim at Clinton. He was listed as “one of the leaders of the Moslems” at Clinton and was transferred to Auburn in May 1959. Earlier that year, he was placed in solitary confinement “because he started an agitation about the Moslem Religion among the prisoners.” See *ibid*.

<sup>48</sup> *Pierce v. LaVallee* transcript, 143 and 150.

described the community at Auburn: “some were Ahmadiyya, some were Moorish Science Islams, some were Sunni Muslims, some were Wahapi [Wahhabi] . . . We had a non-sectarian class. That means that we did not lean to the teachings of any so-called sect in Islam.” Although the men were introduced to Islam through the AMI, they formed a small-but-growing community drawn to the teachings of the NOI. Citing the state’s sanctioning of the AMI, Bratcher asked to write to Elijah Muhammad. “Since permission is granted to the Ahmadiyya Muslims to correspond with religious advisors,” he wrote Commissioner Paul McGinnis, “I assume similar permission shall be granted to me.”<sup>49</sup>

Despite the efforts of prison officials to divert Muslim converts towards the AMI, the Muslim Brotherhood continued to thrive in New York prisons throughout the 1950s. Because they were not given a formal space to hold services within the prison, informal prayers such as that described at Clinton often took place in the prison yard.<sup>50</sup> They relied on an oral tradition of memorized prayer, and surahs were passed from prisoner to prisoner. As William X SaMarion noted, these prayers were “learned by heart, to be able to speak about.”<sup>51</sup> The basis for many of these lessons were editorials by Elijah Muhammad and Malcolm X published in black newspapers in the late 1950s. “Most of us have never seen the inside of a Temple,” Thomas Bratcher later wrote, “[w]e have had to make up our own lesson from articles appearing in the Los Angeles Herald Dispatch.”<sup>52</sup> While the censorship of black newspapers was never as

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<sup>49</sup> *SaMarion v. McGinnis* transcript, 558 and 602. Malcolm X would later explain when testifying in the case, “just as a priest is not acceptable to a Protestant or a Protestant clergyman is not acceptable to a Catholic, although both of them are Christian, neither is Ahmadiyya acceptable to us.” Martin Sostre gave a similar explanation in *Pierce v. LaVallee*, telling the judge that he would not want any of the four interpretations of the Qur’an listed as acceptable for the “same objection a Catholic wouldn’t use a Protestant book.” See *SaMarion v. McGinnis* transcript, 85 and *Pierce v. LaVallee* transcript, 188.

<sup>50</sup> See Steven Frankino, “The Manacles and the Messenger: A Short Study in Religious Freedom in the Prison Community,” *Catholic University Law Review* 14, no. 1 (1965): 38 and 50.

<sup>51</sup> *SaMarion v. McGinnis* transcript, 376.

<sup>52</sup> Thomas X Bratcher to Malcolm X, no date, Box 4, Folder 9, MXC. The state even brought forward confiscated material from the *Pittsburgh Courier* as evidence in the *Shaw v. McGinnis* trial several years later, including a 1958

thorough as the later ban on *Muhammad Speaks*, prisons nevertheless monitored and confiscated papers that carried editorials by the Nation of Islam.

The stark contrast between the “tolerance” described by Magette prior to December 1959 and the various punishments levied against Muslim prisoners thereafter, reveals the strategies developed by the state to suppress political agitation and the spread of Islam in New York prisons. The timing of the response by prison officials was certainly not accidental.<sup>53</sup> It emerged alongside an entire apparatus of state control which included local surveillance and a national network of shared information about the Nation of Islam. It also came shortly after the first airing of “The Hate That Hate Produced.” Just as the sensationalist miniseries had prompted fear amongst its largely white viewership and earned denouncements from moderate civil rights leadership, prison officials who had been watching the growth of the Nation in prisons with alarm now felt compelled to take more decisive action.

On January 10, 1960, just two weeks after the Christmas raid on religious services, “all pens, pencils, paper – anything that could be used to write a writ, was confiscated,” remembered Magette. “I was told that I could not purchase any more legal paper nor could I have a pen in my possession.”<sup>54</sup> Walker and Magette were handcuffed together and taken to meet with prison administrators where Magette claims he was struck across the face by a prison lieutenant and Walker was told that he must “withdraw this petition and give up this . . . ridiculous idea of a so-called religion.”<sup>55</sup> At the time of the Clinton reprisals, prison litigation was just beginning to be developed as a coherent strategy. Four prisoners had submitted what was believed to be the first

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article by Elijah Muhammad called “Separation Solves the Problem. See *14 NY 2d 864 Shaw v. McGinnis*, Respondent’s Appendix, A71.

<sup>53</sup> The timing of the disciplinary action on Christmas Day seems as if it were a direct response to the prisoners’ religion, but no evidence or claims were given at the trial to suggest that either the plaintiffs or defendants believed this to be a motivation.

<sup>54</sup> *SaMarion v. McGinnis* transcript, 722.

<sup>55</sup> *Ibid.*, 430-431.

writ by Muslim prisoners.<sup>56</sup> As the judge later noted at trial, “these complaints were drawn the same day, same thing. Apparently even the wording is practically identical.”<sup>57</sup>

The writs from Clinton Prison became the basis for the *Pierce v. LaVallee* case, which was argued on behalf of Martin Sostre, William SaMarion, and James Pierce by NAACP attorneys Jawn Sandifer and Edward Jacko.<sup>58</sup> Jacko and Sandifer were both graduates of Howard Law School and protégées of Charles Hamilton Houston.<sup>59</sup> Having won the largest lawsuit against the city of New York on behalf of the Nation of Islam in the Johnson Hinton police brutality case of 1957, the attorneys were now again employed by Elijah Muhammad on behalf of Muslim prisoners at Clinton.<sup>60</sup> Commissioner McGinnis responded to the threat of judicial oversight by extending the surveillance of the state into the daily activities of Muslim prisoners. That summer, he asked that wardens submit monthly reports on all Muslim activities in prison which would be eventually be culled into a summary produced by senior prison inspector, Richard Woodward, and distributed to each prison administration.<sup>61</sup> As a final measure meant to quell the activities of Muslim prisoners, SaMarion, Sostre, Magette, and Walker were all transferred to Attica Prison on June 28, 1960. There, they would join another vibrant Muslim community which continued to thrive through religious conversions and prison transfers until it

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<sup>56</sup> “Moslems Hurl Charges at State Prison Rule,” *Amsterdam News*, November 7, 1959.

<sup>57</sup> *Pierce v. LaVallee* transcript, 102.

<sup>58</sup> The fourth plaintiff, Edward Robert Griffin, was paroled before the case went to trial so the judge dismissed his case against LaVallee. See *ibid.*, 21. For a good legal summary of the *Pierce v. LaVallee* and *SaMarion v. McGinnis* cases and their significance, see Malachi Crawford, *Black Muslims and the Law: Civil Liberties from Elijah Muhammad to Muhammad Ali* (Lanham, MD: Lexington Books, 2015), 65-90.

<sup>59</sup> For more on Jacko’s legal career and the influence of Charles Hamilton Houston, see Malachi Crawford, “Neo-Houstonian Studies: Edward W. Jacko, the NOI and the Struggle for Afro-Muslim Civil Liberties,” in *Charles H. Houston: An Interdisciplinary Study of Civil Rights Leadership*, ed., James Conyers (Lanham, MD: Lexington Books, 2012), 231-250.

<sup>60</sup> Manning Marable and Garrett Felber, *The Portable Malcolm X Reader* (New York: Penguin, 2013), 82 and *Pierce v. LaVallee* transcript, 17.

<sup>61</sup> *Attica: The Official Report*, 123 and *SaMarion v. McGinnis* transcript, 1,183.

grew to almost sixty strong and became one of the most active political communities in American prisons.<sup>62</sup>

## **Attica Prison**

The box is the real barometer of who is a threat to the state.<sup>63</sup>

Martin Sostre, 1975

When Attica Prison opened in 1931, it was billed as a “paradise for convicts.”<sup>64</sup> Despite featuring over a mile of solid concrete walls thirty feet high and boasting that it “breathes security,” the corrections department maintained that rehabilitation was valued equally alongside the “protection of society.”<sup>65</sup> Clinton and Attica were both large receiving prisons whose populations were meant to come from direct court commitments rather than transfers.<sup>66</sup> They hovered near or above two-thousand prisoners throughout the 1950s after Clinton’s population swelled in the earlier part of the decade to meet Attica.<sup>67</sup> In 1959, the state reported that nearly half of Clinton’s 1,968 prisoners were black whereas only a third of Attica’s 1,917 prisoners were.<sup>68</sup> In this sense, Attica was more representative of the national demographics in state

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<sup>62</sup> Thomas Bratcher testified that there were roughly sixty Muslims at Attica before he was placed in segregation. See *SaMarion v. McGinnis* transcript, 612. This figure is reflected in Martin Sostre’s writ presented in *14 NY 2d 864 Shaw v. McGinnis*, Respondent’s Appendix, A115.

<sup>63</sup> Marlene Nadle, “Martin Sostre Up Against the Wall: The Convictions of a Man with Convictions,” *Village Voice* 20 (March 1975): 10.

<sup>64</sup> Marie Gottschalk, *The Prison and the Gallows: The Politics of Mass Incarceration in America* (Cambridge: Cambridge University Press, 2006), 170.

<sup>65</sup> *Attica State Prison: Its History, Purpose, Makeup and Program* (New York: New York State Department of Correction, 1949), 5.

<sup>66</sup> The degree to which this intention remained a reality fluctuated over the years. For instance, in 1949, a “bulk of its population [came] . . . by transfer from other institutions.” Sixty-two percent were direct court commitments, thirty-two percent were transfers, and five percent were parole violations, *ibid.*

<sup>67</sup> *New York State Commission of Correction, Annual Report, 1960* (Albany: State Commission of Correction, 1961), 462.

<sup>68</sup> “Prisoner Group Held Anti-White,” *New York Times*, October 31, 1959. Also see *ibid.*, 468. It’s worth noting that nearly 34% of new commitments at Attica were nonwhite, compared to fewer than 20% at Clinton. At Attica, there were 274 white, 128 black, 6 Native American, and 6 Puerto Rican new commitments. At Clinton there were 121 white, 29 black, and 1 Puerto Rican new commitments.

prisons, which were 35% nonwhite at the beginning of 1960 and up to nearly 40% by the year's end.<sup>69</sup>

SaMarion, Sostre, Magette, and Walker were four of the eleven prisoners transferred from Clinton to Attica in the summer of 1960.<sup>70</sup> The move was an explicit, if ineffectual, attempt at curbing Muslim activism in the prisons. The practice of transferring prisoners – known as “drafts” – in order to “break up gangs, separate associates in crime, and prevent disorder” was decades old.<sup>71</sup> The McKay Commission, established to report on the Attica rebellion in 1971, cited New York prisons under McGinnis as trailblazers of this strategy.<sup>72</sup> But it was also not unique to New York. Robert Chase notes that the Texas Department of Correction distributed Muslims throughout state prisons in order to limit their influence in any given place.<sup>73</sup> When Deputy Warden Albert Meyer sat down with SaMarion during his initial interview at Attica, he told him that he was aware of his disciplinary record at Clinton due to his religious beliefs and that “he had been transferred to Attica Prison because the authorities at Clinton felt that he was a leader of a group in that institution.”<sup>74</sup>

Like Clinton, Attica had a diverse Muslim community. Meyer later testified that there were “approximately twenty-two of these [Muslims], nine of whom profess to be followers of the Honorable Elijah Muhammad and thirteen of whom profess to belong to other religions – religious groups, Ahmadiyya, Sunni, Shiite . . . The others are on the list and we suspect or we have reason to believe that they may be Muslims.”<sup>75</sup> However, the transfer of the four men

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<sup>69</sup> *National Prisoner Statistics (NPS) Bulletin, Characteristics of State Prisoners* (Washington, D.C.: Federal Bureau of Prisons, 1960), 5.

<sup>70</sup> *New York State Commission of Correction, Annual Report, 1960*, 78.

<sup>71</sup> *Attica State Prison*, 7.

<sup>72</sup> *Attica: The Official Report*, 121.

<sup>73</sup> Chase, “Civil Rights on the Cell Block,” cited in Colley, ““All America is a Prison””: 13.

<sup>74</sup> *SaMarion v. McGinnis* transcript, 1,013.

<sup>75</sup> *Ibid.*, 1,211.

indicates that to prison officials, Attica was not seen to be as active as Clinton. It also importantly separated the man named in the lawsuit against Clinton's warden, James X Pierce, from his co-plaintiffs, Sostre and SaMarion. Administrators at Attica then set about regulating the possible transmission of ideas and materials which might lead to further conversions at the prison.

After spending time in reception, where transfers are held before being released into general population, the men each had interviews with Meyer. Although a "warden's card" for each prisoner contained his name, number, criminal history, record of disciplinary actions, age, education, and a variety of other information relating to his sentence, William SaMarion was forthright with Meyer in their conversation. He recalled telling the warden that "I had been transferred from Clinton Prison to Attica Prison because of my religious beliefs, and I wanted to know if I would [be] so persecuted at this prison as I was in the Clinton Prison."<sup>76</sup> Meyer told SaMarion that he could attend Hebrew classes with the part-time Jewish chaplain or write to Khalil Ahmad Nasir of the Ahmadiyya Movement if he wanted a religious advisor. In an effort to restrict proselytizing, Meyer stressed that any religious literature found outside a cell would be confiscated.<sup>77</sup>

Attica's officials tried to halt the spread of Islam at its source by limiting such dissemination of religious texts. As Magette remembered, "[Meyer] didn't want us to – in other words – to permit anyone to read literature that we had in our possession dealing with Islam. He wanted us to keep all Islamic materials and periodicals and what-not within the confines of our

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<sup>76</sup> Ibid., 1,024.

<sup>77</sup> Ibid., 333 and 338. Attica had two full-time chaplains (Protestant and Catholic) and one part-time Jewish chaplain. They all offered weekly services, hospital and segregation visits, and personal consultations. They also assisted with correspondence to relatives and lectured on "Successful Living." See *New York State Commission of Correction, Annual Report, 1960*, 85-86. For more on Khalil Nasir, see Richard Brent Turner, *Islam in the African-American Experience* (Bloomington: Indiana University Press, 1997), 125.

cells. He didn't want us proselyting in any way."<sup>78</sup> Ironically, just days before the men interviewed with Meyer, he had written Attica's warden about the transformative potential Islam held for Attica prisoners: "It is my feeling that some of these prisoners are really benefiting and have had a decided change in behavior pattern since becoming converts to the religion of Islam. I feel as long as this religion does not interfere with the orderly operation of the institution, we may derive some benefit from it."<sup>79</sup> But Meyer's enthusiasm did not last. Soon after their release into general population, Magette and Sostre were disciplined as "principal agitators" for distributing hand-printed religious lessons. A number of writs were also being prepared against the warden of Clinton Prison, J.E. LaVallee, and Commissioner McGinnis.<sup>80</sup> These became the basis of two foundational cases in the early prisoners' rights movement: *Pierce v. LaVallee* and *SaMarion v. McGinnis*.

Arthur 2X Johnson and Thomas X Bratcher were already held at Attica when the other four arrived, and had come to Islam through different paths. Thomas Bratcher was raised as a Roman Catholic in New York City after his parents migrated from the South. His father worked as driver for the post office before eventually getting laid off in 1962 from the Motor Truck Exchange.<sup>81</sup> He took an interest in Islam while incarcerated at Auburn Prison in 1959. Just over a year later, Bratcher made his profession of faith, or Shahada.<sup>82</sup> Arthur 2X was raised outside the faith as a Baptist and converted during the summer of 1961. Johnson had attended services in Buffalo under minister Robert X Williams before his incarceration. "I attempted to embrace Islam then when I was working . . . [but] I wasn't successful in my attempt," he later testified.<sup>83</sup>

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<sup>78</sup> *SaMarion v. McGinnis* transcript, 764.

<sup>79</sup> Albert Meyer to Walter Wilkins, July 1, 1960, *ibid.*, 1,187.

<sup>80</sup> Attica report on Muslim activities, September 1, 1960, *ibid.*, 1,191.

<sup>81</sup> Lofton J. Bratcher, "Jobless," *Amsterdam News*, December 1, 1962.

<sup>82</sup> *SaMarion v. McGinnis* transcript, 598-601.

<sup>83</sup> *Ibid.*, 503.

Although he had not yet officially converted, Johnson's disciplinary record documented the emergence of his faith the previous year. Prior to 1960, all disciplinary citations were non-religious before he was suddenly charged in March 1960 with having "fanatic religious writings" in his possession.<sup>84</sup> As Johnson recalled, "eleven of us put in writs to the court asking permission, right to religious freedom and later on I read in the paper somewhere where they had passed a law, some other prisoners that were allowed to worship, have congregational services in the institution . . . Then I began to attend the services of Islam in the yard with the other prisoners that was having the classes."<sup>85</sup> It was this combination of litigation beyond the prisons walls and classes and organizing in the recreation yards that eventually led prison officials to develop greater repressive strategies at Attica.

The Muslim Brotherhood was organized around a written constitution which outlined aims and objectives, membership eligibility, organizational structure, meeting dates, and disciplinary measures. Regular meetings were held regularly on Fridays for Jumu'ah along with a monthly conference at which officers would report on conditions and duties and all members would vote on any controversial matters. The monthly meeting also produced a "[b]road policy and long-range strategy."<sup>86</sup> Like the Nation of Islam outside prisons, the organization operated on a system of internal discipline where a member could be either reprimanded or expelled by trial and vote.<sup>87</sup> As Cleaver wrote, each prison featured a "hierarchy patterned rigidly after the structure of the Mosques in the outside world . . . [with a] minister, captain, and Fruit of Islam."<sup>88</sup> The written constitution created a shared community in which each member was

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<sup>84</sup> Ibid., 1,078.

<sup>85</sup> Ibid., 534.

<sup>86</sup> Muslim Brotherhood Constitution, 34A, Box 11, Folder 19, MXC.

<sup>87</sup> Ibid., 33-34A. Thomas Bratcher's constitution for D Block at Attica also read: "If the brother accused denies the charge, a trial is to be had." *SaMarion v. McGinnis* transcript, 608.

<sup>88</sup> Cleaver, *Post-Prison Writings*, 14.

responsible to the group, in contrast to typical prison social formation which stressed individual rehabilitation and speaking only for oneself.<sup>89</sup> Thomas Bratcher explained that “charges may be brought by any number of the Muslim Brotherhood and placed against another Muslim, because every Muslim’s conduct in Attica reflect on every other Muslim.”<sup>90</sup>

If there were a limit to this brotherhood, it came around issues of sexuality and security. The constitution explicitly banned membership by homosexual prisoners and known informers. The latter were required show “evidence to the contrary,” otherwise rumor would be sufficient for ineligibility.<sup>91</sup> The heteropatriarchal norms which structured life in the NOI outside of prisons were heightened inside. Sexuality and masculinity were significant issues for all prisoners, particularly men of color. A man at Attica interviewed after the 1971 uprising, said that “[m]anhood at Attica is intimidated 24 hours a day, 365 days a year.”<sup>92</sup> New York prisons also segregated suspected homosexuals to different blocks. At Clinton, for example, the prison reported “[f]orty-three homosexuals were segregated in F-Block” in 1960. And Attica reported having fifty-two prisoners in segregation for mental reasons, protection, or those “suspected of having homosexual tendencies.”<sup>93</sup> However, there were also ways in which the social and emotive bonds of the Muslim Brotherhood challenged gendered paradigms prisons. As Berger notes, while collective organizing was “a staple of women’s resistance, such an emphasis on

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<sup>89</sup> See Jacobs, “The Prisoners’ Rights Movement,” 435.

<sup>90</sup> *SaMarion v. McGinnis* transcript, 608.

<sup>91</sup> Sexuality and masculinity were significant issues for prisoners, particularly men of color. One prisoner at Attica interviewed after the 1971 uprising, said that “[m]anhood at Attica is intimidated 24 hours a day, 365 days a year. See *Attica: The Official Report*, 119. New York prisons also segregated suspected homosexuals to different blocks. At Clinton, the prison reported “[f]orty-three homosexuals were segregated in F-Block” in 1960. See New York State Commission of Correction, *Annual Report*, 1960, 105. Attica also reported having fifty-two prisoners in segregation for mental reasons, protection or those “suspected of having homosexual tendencies.” See *New York State Commission of Correction, Annual Report, 1963* (Albany: State Commission of Correction, 1964), 85.

<sup>92</sup> See *Attica: The Official Report*, 119.

<sup>93</sup> See *New York State Commission of Correction, Annual Report, 1960*, 105 and *New York State Commission of Correction, Annual Report, 1963* (Albany: State Commission of Correction, 1964), 85.

collectivity in men's facilities belied some of the hypermasculinity of the constant calls to arms that celebrated the power of a heroic individual."<sup>94</sup> This shared responsibility was expressed economically through tithing, and these organizational dues were used for "supplementing the diet of the members and further[ing] the cause of the Brotherhood."<sup>95</sup> Taken as a whole, the five-page constitution featured a level of organization unmet by many civil rights, religious, and fraternal groups outside prisons but featured many of the same principles of hierarchy, officer duties, membership dues, and disciplinary procedures typical of such organizations.

One of the principal roles of the Brotherhood at Attica was to teach classes in the prison yard. SaMarion was in charge of organizing these lessons, and along with Magette and Walker, the group covered a diverse set of teachings including business, Islam, Arabic, black history, and law. The "Mufti is known as the one that keeps the peace within the group, discipline," he later explained:

The treasurer is one that holds the finances, sees that – if we are short of toothpaste or tooth powder, or the brother has no money and is trying to buy some books, that he has the toothpaste or the tooth powder. The librarian is the one that has the control of all the literature that we were able to fill our lockers with; literature pertaining to our own kind, Black Man's literature, Black Man's history, mathematics, Arabic, anything we thought would help us in our educational field . . . The secretary is the one that would record the day's activities, would record the statements of some of the brothers.<sup>96</sup>

This community was persistently under threat due to a constantly fluctuating membership base. Short sentences often meant the release of members, and several assistants were appointed for each officer position to assure continuity and sustainability.<sup>97</sup> This was meant to counter prison

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<sup>94</sup> Berger, 175.

<sup>95</sup> Muslim Brotherhood Constitution, 31A.

<sup>96</sup> *SaMarion v. McGinnis* transcript, 406-408.

<sup>97</sup> Muslim Brotherhood Constitution, 32A. The constitution noted that using "this method our organization is indestructible; shall always maintain its continuity; and shall frustrate the enemys [sic] attempts to destroy it, since as soon as a member is drafted to another prison it is his duty organize there a Muslim Brotherhood upon the same lines as the present organization, thereby spreading the unifying and awakening force of Islam among all the brother prisoners in all the N.Y. State Prisons." This passage was noted with great concern by Senior Prison Inspector

officials, who, as Cleaver recalled, would “periodically bundle up the leaders of each Mosque and transfer them to another prison, or place them in solitary confinement so that they could not communicate with the other members of the Mosque.”<sup>98</sup> Indeed, the two greatest threats to the Muslim Brotherhood came from prison transfers and the “further reduction of our ranks by the implacable enemy through persecutions (solitary confinement).”<sup>99</sup>

Solitary confinement – sometimes referred to as “the box” or “segregation” - was the prison’s principal tool of security and punishment.<sup>100</sup> The practice of solitary confinement, developed out of the Quaker practice of penitence and solitary reflection, was codified in the Pennsylvania System and best illustrated at Eastern State Penitentiary in Philadelphia, where prisoners were held in solitary cells 12 x 7.5 feet wide with an individual exercise yard. New York’s Auburn Prison system augmented this idea by combining solitary living within a system of strict discipline and labor for prison profit. This drew upon 19<sup>th</sup> century penal thought that believed collective work and isolated living would reform prisoners.<sup>101</sup> By the 1960s at Attica, solitary confinement had shed its pretense of reform and become strictly punitive. It consisted of fifty individual cells on the third floor of the reception building. The floor made up a gallery of single cells each with only a bed, toilet and wash basin, running water, and a light. When assigned to segregation, prisoners often were required to stay for days or weeks in “keep-lock” or a strip cell before moving to the gallery. “Keep-lock” was a single solitary cell, where “your cell

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Richard Woodward, who wrote that it “might be a good thing in the institutions to find out the leaders and their assistants.” See Richard E. Woodward, *Bulletin*, April 1961, Box 21, Items 340-349, NCICF.

<sup>98</sup> Cleaver *Post-Prison*, 14.

<sup>99</sup> *Ibid.*

<sup>100</sup> Prison officials insisted upon calling solitary confinement “segregation.” In one case, William SaMarion wrote to his lawyer and the warden charged that he was writing lies. “I asked the warden specifically what was untrue in the letter [to Jacko], and he made reference to I should change the ‘solitary confinement’ to ‘segregation.’” See *SaMarion v. McGinnis* transcript, 371. This emphasis on language was reflected in California as well. At San Quentin, convicts were forbidden from writing about prisons, being critical of American society, or even referring to themselves as prisoners. See Cummins, 83.

<sup>101</sup> Oshinsky, 6.

doors do not open up any more.” The strip cell was bare, with only a bucket and blanket. As SaMarion described it, prisoners “do an initial twenty days on a concrete floor with only a pair of winter underwear, pair of socks, no sanitary facilities whatever. The only thing you use for calls of nature is a bucket, a defecation [sic] bucket.” Rations in keep-lock were reduced to half of normal mess hall food and water with two slices of bread.<sup>102</sup> Magette described keep-lock at Clinton as even more medieval. The “Dark Cell,” was completely empty, without even a blanket. He was put there naked with a half a cup of water and one slice a bread three times a day.<sup>103</sup> Asked to compare it to Attica, he described solitary at Clinton as “solid sheet of steel [door] that has a sliding panel . . . they have a crack under the door of the block cell about an inch high and through this crack, the cold air comes, and that was the most miserable part of the thing.”<sup>104</sup>

But solitary confinement was used by prison officials as more than a physical punishment. It was coupled with the loss of good time as a way to isolate prisoners while simultaneously extending their sentences. Good time, sometimes referred to as good behavior (now called “earned time”), was a method by which prisoners could shorten their sentence through good conduct. Accumulated losses of good time could be re-earned, but often prevented prisoners from shortening their maximum sentence.<sup>105</sup> In the first year the men spent at Attica, thirty-three prisoners were sent to solitary confinement and 400 cases of discipline led to 8,525 total days of good time lost over a nine month period.<sup>106</sup> The loss of good time and solitary confinement also worked together to punish prisoners in two directions at once. First, prisoners

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<sup>102</sup> *SaMarion v. McGinnis* transcript, 364-366 and 613.

<sup>103</sup> *Ibid.*, 718.

<sup>104</sup> *Ibid.*

<sup>105</sup> As Deputy Warden Meyer described it, “[g]ood time is tentatively assessed. It is assessed for misconduct, the prisoner may earn back some of this good time if he conducts himself in a manner conforming to the rules and regulations. However, the final disposition of good time is made by the prison board and the prison board in the final analysis determines all good time.” *Ibid.*, 1,035.

<sup>106</sup> *Thirty-Fifth Annual Report of the State Commission of Correction* (Albany: State Commission of Correction, 1962), 79-89.

lost an initial amount of time for the disciplinary matter. For instance, SaMarion lost sixty days for joining a hunger strike which protested the solitary confinement of another Muslim prisoner. The second loss of time occurred *during* solitary confinement, as each day in solitary earned three lost days. Finally, regardless of prisoners' behavior in solitary, good time could not begin to be re-accumulated until a prisoner had been readmitted to general population. These good time practices illustrate the vast discretionary powers wielded by prison officials. As SaMarion bleakly noted at trial, "it is taken at will, you have it one minute, then you don't have it."<sup>107</sup>

Solitary confinement and the loss of good time were administered to Muslim prisoners for variety of reasons, ranging from possession of inflammatory material and legal papers to more obscure reasons such as "professing religion" or making scrap books from clippings not on the approved literature list. In one of the most bizarre instances of arbitrary administrative control, SaMarion was keep-locked for "possessing literature pertaining to [racial] segregation and advocating to other prisoners segregation contrary to the Constitution of the State of New York and the State Administration."<sup>108</sup> The absurdity of this particular charge, which earned SaMarion over a year in solitary, was underscored by the persistence of racial segregation at Attica despite the very state constitution he was charged with violating. Sports teams, barber shops, and even ice buckets, were all racially segregated at Attica until the mid-1960s. The guard at the barber shop called first for "white shaves" and then "colored shaves." And despite being the only day of the year that prisoners could roam from yard to yard, even the ice buckets on the Fourth of July were separated by race.<sup>109</sup> As Bratcher described it, "They bring around two barrels of ice. The first barrel is dumped out on the platform and the officer hollers: 'white ice.'

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<sup>107</sup> *SaMarion v. McGinnis*, 363, 462, and 586.

<sup>108</sup> *Ibid.*, 362.

<sup>109</sup> *Ibid.*, 33 and 80.

And the white prisoners collect their ice. The next barrel of ice is dumped out on the platform and the phrase is ‘colored ice.’ The black prisoners collect their ice.”<sup>110</sup> One prisoner said: “I was in Mississippi in the army, in Alabama in the army, and I was all over. I want to tell you something about Attica in 1960. I have never seen so much discrimination in one place in all my life.”<sup>111</sup>

A year after the four men had been transferred from Clinton, Attica officials reported that a sit-down strike was being planned in protest of Sostre’s solitary confinement. The language of the Attorney General’s questioning at trial points to the similarities between strategies of Muslims in prisons and the concurrent civil rights movement outside. “On the 15<sup>th</sup> day of March, 1962, were you charged with sitting in for the second time after being requested to come out of your initial sit-in?” he asked Joseph Magette.<sup>112</sup> Following the movement in Greensboro, North Carolina in early 1960, the “sit-in” had become a national phenomenon and one of the principal strategies of southern desegregation movements. Prison officials responded to the Muslim prisoners’ sit-ins by putting them in keep-lock with a loss of ninety days good time. The group was then broken up and transferred to different blocks with the hope that “after a thirty-day cooling off period and the dispersion of the members of this click activity will abate.”<sup>113</sup> This incident reveals the ongoing struggle between strategies employed by prison officials to suppress Muslim activism and the resistance of prisoners to these practices. The three-pronged attack of solitary confinement, loss of good time, and transferring prisoners, were the primary means of

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<sup>110</sup> Ibid., 626.

<sup>111</sup> *Attica: The Official Report*, 80.

<sup>112</sup> *SaMarion v. McGinnis* transcript, 771.

<sup>113</sup> Ibid., 1,203. A monthly report noted that on May 27, 1961 “prisoner Martin Sostre, 17019, was apprehended, having in his possession in the corridor certain inflammatory Muslim literature, including many of the recent writings of Elijah Muhammad. This is in direct violation of institution rules concerning Muslims. Sostre was confined to segregation.” See *ibid.*, 1,248.

state control in New York prisons.<sup>114</sup> However, prisoners also continued to develop new strategies of resistance - both large-scale and quotidian - to undermine these systems.

## Prisoners' Resistance

[When] the box ceases to work, the entire disciplinary and security system breaks down.<sup>115</sup>

Martin Sostre, 1961

The most common tools of resistance used by Muslim prisoners were hunger strikes, writing, and takeovers of solitary confinement. Just as the potential strike of 1961 had revolved around the Sostre's segregation for distributing religious literature, a hunger strike was planned the following summer in response to Bratcher's segregation. Five prisoners were charged with planning the strike "on account of Brother Bratcher . . . [who] was placed on the observation cell or gallery, an excuse by the warden and those to make him seem that he was crazy concerning this trial that was coming up."<sup>116</sup> As Deputy Warden Meyer later told the courts, we "weren't going to permit [SaMarion] to stage a hunger strike; he didn't know the circumstances of the prisoner's being removed and furthermore, it wasn't up to him to question policy of the administration and we weren't going to permit him to do it."<sup>117</sup> The prisoners hoped to win

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<sup>114</sup> Eldridge Cleaver wrote of a similar combination of strategies in California's prisons: "In 1963, when I was transferred from San Quentin to Folsom for being an agitator, they put me in solitary confinement. The officials did not deem it wise, at that time, to allow me to circulate among the general prisoner population." See Eldridge Cleaver, *Soul on Ice* (New York: McGraw-Hill, 1967), 33.

<sup>115</sup> *14 NY 2d 864 Shaw v. McGinnis*, Respondent's Appendix, A120-121.

<sup>116</sup> *SaMarion v. McGinnis* transcript, 417. On the ways that black protest was pathologized, Jonathan Metzl writes that "psychiatric authors conflated the schizophrenic symptoms of African American patients with the perceived schizophrenia of civil rights protests, particularly those organized by Black Power, Black Panthers, Nation of Islam, or other activist groups." See Metzl, *The Protest Psychosis: How Schizophrenia Became a Black Disease* (Boston: Beacon Press, 2009), xiii.

<sup>117</sup> *SaMarion v. McGinnis* transcript, 1,045.

public recognition and visibility from the hunger strike: “When the ‘Man’ comes to see you dying from malnutrition then maybe we will win our point.”<sup>118</sup>

Several years later, at Stateville Prison in Illinois, the first written demands at the penitentiary coincided with a similar hunger strike and eventually the first violence the institution had seen in thirty years.<sup>119</sup> Although these strikes placed prison officials in a defensive position, there were also strategic problems for prisoners. As these examples indicate, striking against solitary confinement and loss of good time often resulted in kind. Arthur Johnson noted that there was also some disagreement amongst Muslims about whether or not to support a prison-wide strike against the good time practices and they ultimately decided against participation for fear that they would be “accused of inciting this strike.” Not only did strikes lead to more removals from general population and loss of good time, but Muslim prisoners were particularly susceptible to prison scrutiny. Johnson later recalled a conversation with Commissioner McGinnis: “Well,’ he said. ‘I am a Catholic,’ he said. ‘I am not prejudiced of any religion, he said. ‘But them follower[s] of Elijah Muhammad,’ he say. ‘I am going to defeat them.’”<sup>120</sup>

It was also not accidental that Bratcher’s confinement coincided with the upcoming *SaMarion v. McGinnis* trial in Buffalo later that year. Writ writing was a leading justification for prisoners’ placement in solitary confinement. As Bratcher recalled, he filed court papers and was quickly “marched to solitary confinement” where he lost ninety days of good time. His disciplinary report read that he had filed a “show cause order, making unfounded statements

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<sup>118</sup> Richard E. Woodward, Bulletin, November 1961, Box 22, Items 487-505, NCICF. SaMarion lost sixty days of good time for planning the action. See *SaMarion v. McGinnis* transcript, 425.

<sup>119</sup> Jacobs, *Stateville*, 61-62.

<sup>120</sup> *SaMarion v. McGinnis* transcript, 497-498.

relating to the management of Attica State Prison.”<sup>121</sup> He eventually received the application back from the Supreme Court Justice saying that he had mistakenly put Article 77 of the Civil Practice Act instead of Article 88. But by then, he was in solitary confinement and could not obtain his legal papers.<sup>122</sup> Not only had Bratcher’s writ writing been the impetus for his confinement, but solitary then prevented his case from moving forward in the courts.

Prison litigation had hit a nerve amongst prison officials and the NOI successfully flooded the courts with writs across the country. Between 1961 and 1978, there were 66 reported federal court decisions on suits filed by prisoners affiliated with the Nation of Islam.<sup>123</sup> In California, the number of habeas corpus petitions rose from a mere 814 in 1957 to nearly 5,000 by 1965. At San Quentin in 1965, prisoners were churning out almost 300 petitions a month.<sup>124</sup> As one judge noted, these were not “cases where uneducated, inexperienced and helpless plaintiffs are involved . . . these applications are part of a movement.”<sup>125</sup> Prison litigation catalyzed public support and brought about national attention to the otherwise hidden struggles of prisoners.<sup>126</sup> The waves of writs coming from Muslims in prison highlighted the plight of prisoners and shaped prison policy away from a discretionary system of control to a bureaucratized one in which the courts had oversight over prison treatment and conditions. Although scholars have duly credited the NOI with launching the first organized prison litigation movement, they have yet to fully explore the actual mechanisms which eventually forced judicial intervention and assured prisoners constitutional rights.<sup>127</sup>

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<sup>121</sup> Ibid., 581.

<sup>122</sup> Ibid., 582-3.

<sup>123</sup> Jacobs, “The Prisoners’ Rights Movement,” 434.

<sup>124</sup> Cummins, 80.

<sup>125</sup> Lawrence O’Kane, “Muslim Negroes Suing the State,” *New York Times*, March 19, 1961.

<sup>126</sup> Jacobs, “The Prisoners’ Rights Movement,” 433 and 460.

<sup>127</sup> As Jacobs argues, the NOI succeeded in part by “provid[ing] an example for using law to challenge officialdom. Ibid., 433. Also see Gottschalk, 175.

Martin Sostre was the most proficient “jailhouse lawyer” at Attica and his writ writing templates and instructions reveal the measures by which Muslims in solitary confinement were able to coordinate their litigation. By October 1961, three of the four men who had been transferred from Clinton had joined Bratcher in solitary confinement. Sostre wrote Walker that twenty-two Muslims in general population were actively preparing writs against the warden and commissioner. These would then be “consolidated into one big mammoth trial.”<sup>128</sup> Meanwhile, Bratcher wrote from his cell in segregation to Malcolm X and Mosque 7 in New York City:

The Grace of Allah has also been upon we Muslims in The New York State Correction System. He has given us several openings in the Federal Courts across the country so that we may seek redress from those in State and Federal authority who seek to regress our Freedom of Religious Worship, rights guaranteed us in the U.S. Constitution. Brothers! We have been persecuted, beaten, marred both mentally and physically, put in “Isolation-Segregation-Protection and Solitary confinement for the past 5 years. But, not, by the Will of Allah, our fight has almost come to an end. Victory is now in sight!”<sup>129</sup>

Bratcher hoped that Malcolm X would agree to be the key surprise witness in the case in Buffalo the following year and assured him that the prisoners were “still fathering evidence to be used against them at the trial.”<sup>130</sup> Indeed, when the case went to trial, Bratcher and the other plaintiffs routinely checked their diaries for specific dates of disciplinary hearings and regularly produced copies of letters received from Commissioner McGinnis and other prison officials.<sup>131</sup>

The case at Attica reveals the importance of the jailhouse lawyer in issuing organized legal challenges from prison. As Jacobs argues, the NOI “provided an example for using law to challenge officialdom.”<sup>132</sup> To file legal paperwork from prison, a prisoner would make out his papers and then contact the Notary Public who came on designated days of the week. The papers

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<sup>128</sup> *14 NY 2d 864 Shaw v. McGinnis*, Respondent’s Appendix, A108-9.

<sup>129</sup> Thomas X Bratcher to Malcolm X, no date, Box 4, Folder 9, MXC.

<sup>130</sup> *Ibid.*

<sup>131</sup> For example, see *SaMarion v. McGinnis* transcript, 574.

<sup>132</sup> Jacobs, “The Prisoners’ Rights Movement,” 433.

would be notarized and forwarded to the correspondence office from which they were mailed. Knowing that most prisoners were not able to draw up their own legal challenges, prisons established rules prohibiting legal assistance. For example, “rule 21” at Attica stated: “Prisoners are prohibited except upon approval of the warden to assist other prisoners in preparation of legal papers.”<sup>133</sup> This strategy was reproduced nationally as a means of combatting prison litigation efforts. In Texas, administrators employed a similar strategy, forbidding writ writers from having legal materials of a fellow prisoner.<sup>134</sup> In California, it was known as Rule D-2602.<sup>135</sup> Even if a prisoner wanted to use another prisoner’s paperwork as a template, officials concluded that any writ or legal material in a cell not pertaining to that prisoner was evidence of prison lawyering.<sup>136</sup> Thus, when Martin Sostre wrote Walker, he urged him to copy the writ into his notebook but not to “let this lay around. This is dynamite.” He then listed the “most essential weapons in fighting Shaitan (Arabic transliteration of “the devil”)” and emphasized that he should then flush this copy down the toilet:

one hundred sheets of legal paper – 44 cents  
an ink eraser – 5 cents  
one dollar stamps  
one loose leaf binder (two holes) – 35 cents  
fifty sheets loose leaf paper (two holes) – 25 cents  
one Scripto ball point pen - \$1.00  
one Scripto pen refill – 40 cents (always keep an extra refill)<sup>137</sup>

Sostre’s writs were templates onto which a prisoner could simply fill in the date and replace the name “James Doe” with his own.

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<sup>133</sup> *SaMarion v. McGinnis* transcript, 1,237.

<sup>134</sup> Robert Chase, “We Are Not Slaves: Rethinking the Rise of the Carceral States through the Lens of the Prisoners’ Rights Movement,” *Journal of American History* 102, no. 1 (June 2015): 73.

<sup>135</sup> Charles Larsen, “A Prisoner Looks at Writ-Writing,” *California Law Review* 56, no. 2 (April 1968): 356.

<sup>136</sup> See Meyer’s testimony, *SaMarion v. McGinnis* transcript, 1,055.

<sup>137</sup> *14 NY 2d 864 Shaw v. McGinnis*, Respondent’s Appendix, A109.

Writ writing developed out of Clinton and Attica as one of the most effective tools by Muslim prisoners in challenging the state. Despite measures by prison administrators to restrict prison litigation through mechanisms such as rule 21, prisoners were eventually successful in flooding the courts. Woodward wrote to the state police in 1964 that although it remained an “indisputable fact that the prisoner’s constitutional rights are rather narrow in scope . . . one clear constitutional right which prisoners both state and federal have under the Federal Decisional Law, is the absolute right of access to the courts for appeals and habeas corpus matters.” While the Supreme Court had not yet set forth a clear consensus on the NOI’s rights to religious freedoms in prisons, it strictly forbade any “direct or indirect interference by prisons or state authorities” in prisoner’s access to the courts.<sup>138</sup> However, the writ writing struggles of Muslims at Attica revealed the ways that prisons did in fact attempt to interfere with court access by limiting legal advice, intimidating writ writers, and disrupting the legal process through solitary confinement. Just as grandfather clauses and poll taxes worked as state mechanisms to disfranchise southern black voters, rules governing legal access and jailhouse lawyering sought to curb the legal literacy and courtroom access of black prisoners. Despite these measures, Muslim coordination often outshined that of the state, as the strategies of local prison officials and state policymakers were often at odds. In one example in California, San Quentin set up a small office where three prisoners transcribed writs onto standardized forms and were processed on duplicating machines. Meanwhile, the California Department of Corrections was busy attempting to clamp down on writ-writers by prohibiting access to law literature and court decisions.<sup>139</sup>

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<sup>138</sup> Richard Woodward to Richard Sampson, Memo, May 20, 1964, Box 24, Items 850-859, NCICF.

<sup>139</sup> Cummins, 80-81.

Sostre's letter to Walker in solitary confinement also revealed another strategy which mirrored and ran parallel to the developing civil rights movement in the South. Recognizing that most of Attica's Muslims were already in solitary confinement, Sostre urged Walker to remain there. According to Sostre, they "made a pact not to go down until the religious persecution of the Muslims cease[s]." If Walker was sent back to general population, he was told to threaten to bring contraband literature out of his cell and be sent back to solitary. Sostre reasoned that each time the warden "snatch[ed] an aggressive Muslim out of population, he would send one down from the box and send another one up from population. In other words, he kept manipulating the brothers like monkeys on a string." Yet he astutely noted that when "the box ceases to work, the entire disciplinary and security system breaks down."<sup>140</sup> His letter also sheds light on the Christmas Day raid several years earlier at Clinton and explains the severity of the reprisals. As Sostre remembered, this is "what happened at Dannemora (where Clinton is located) when the dead brothers in population became aware that the Warden would not put them in the box regardless of what they did, they started raising hell in population and taking advantage of the wardens [sic] predicament. Eventually the Warden had to ship us out of the box to different prisons."<sup>141</sup> The takeover of solitary confinement was an example of prisoners creatively adapting the methods of prison control as resistance. NOI members filled solitary confinement until the box no longer became an effective form of punishment. Wardens were then faced with the decision of creating hotbeds of activism in segregation or undermining the arbitrary rules they had worked so hard to justify and enforce.

The prisoners' strategy of filling solitary confinement shared many of the analyses and strategies of the developing civil rights campaign of "Jail, No Bail" (also known as "Fill the

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<sup>140</sup> *14 NY 2d 864 Shaw v. McGinnis*, Respondent's Appendix, A120-121.

<sup>141</sup> *Ibid.* Here "dead brothers" refers to prisoners who had not yet been converted to Islam.

Jails”) in the South.<sup>142</sup> In January 1961, a group of college students who had been staging sit-ins at department stores in South Carolina for a year refused to accept a bond and be released from jail. Instead, the nine students from Friendship Junior College served thirty-day sentences on a chain gang.<sup>143</sup> The strategy inspired SNCC workers Diane Nash, Ruby Doris Robinson, and Charles Sherrod to travel to South Carolina and refuse bail. The experience of imprisonment had a tremendous impact on the young organizers. Sherrod noted that you “get ideas in jail. You talk with other young people you’ve never seen . . . You learn the truth in prison, you learn wholeness.”<sup>144</sup> SNCC, SCLC, and the NAACP soon joined a local desegregation effort which targeted transportation, libraries, and lunch counters in Albany, Georgia.

One of the defining characteristics of the Albany movement was its strategy of filling the jails. Even Martin Luther King, Jr. and Ralph Abernathy came to Albany and spent Christmas in a cell. However, Albany police chief Laurie Pritchett had studied the strategies of nonviolent resistance and avoided national outcry by making mass arrests without the violent reprisals of police dogs and water hoses which would eventually etch Birmingham, Alabama into national memory several years later. As Berger points out, Pritchett had a four-point plan which included shielding police brutality from public view, arresting all protesters on purportedly colorblind bases, refusing to negotiate with protestors, and lastly, to “Incarcerate, incarcerate, incarcerate.”<sup>145</sup> A last strategy, the one that was perhaps the most effective, was his arrangement for protestors to be sent to county jails throughout southwest Georgia when his city jails became

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<sup>142</sup> For more on the connections between jail and imprisonment and the civil rights movement, see Zoe Colley, *Ain't Scared of Your Jail: Arrest, Imprisonment, and the Civil Rights Movement* (Gainesville: University of Florida Press, 2013) and Berger, 20-48.

<sup>143</sup> James Felder, *Civil Rights in South Carolina: From Peaceful Protests to Groundbreaking Rulings* (Charleston, SC: The History Press, 2012), 99.

<sup>144</sup> Berger, 40.

<sup>145</sup> *Ibid.*, 46.

full. As SNCC worker Bill Hansen noted, “[w]e were naïve enough to think we could fill up the jails . . . We ran out of people before [he] ran out of jails.”<sup>146</sup>

The prisoners’ strategy of taking over solitary dated back to at least 1959, over a year before the Friendship Nine in South Carolina used these tactics. But the causality of these two streams of protest is less significant than their mutual theorizing. Both prisoners and civil rights organizers appropriated the mechanisms of local control – solitary confinement and jails – as tools of organized protest. And just as civil rights organizers in the South and prisoners at Attica undermined forms of state control, Chief Pritchett in Albany was able to mobilize a larger network of police and jails just as wardens at Clinton and Attica were able to transfer prisoners to other state prisons when their much smaller segregation units became filled with politicized prisoners. Both movements also attempted to garner national attention and press for federal intervention. As Len Holt of CORE explained, “if we go to jail by the hundreds and thousands, the hearts of those who would maintain the old order will be inundated with the guilt necessary to bring about change.”<sup>147</sup> For prisoners at Attica, solitary confinement and the loss of good time were crucial to their claims in state and federal courts. As Sostre wrote: “We have taken over the box and he is anxious to get us out of the box, especially with the big trial coming soon. So don’t let him clean up for we are living proof of the religious oppression complained of in our writs.”<sup>148</sup> Filling solitary confinement not only undermined prison security; it built a case for trial and dramatized prisoners’ struggles before the courts and the nation.

But in both cases, the appropriation of state controls had unintended consequences. As Berger argues, “[m]ass arrests of political activists provided a dry run for mass incarceration,

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<sup>146</sup> Clayborne Carson, *In Struggle: SNCC and the Black Awakening of the 1960s* (Cambridge: Harvard University Press, 1982), 60-61.

<sup>147</sup> Colley, *Ain’t Scared of Your Jail*, 37.

<sup>148</sup> *14 NY 2d 864 Shaw v. McGinnis*, Respondent’s Appendix, A121.

especially when joined with the economic transformations wrought by mechanization and migration. The civil rights movement gave states an early taste of what it would mean to arrest, prosecute, and imprison large groups of people.”<sup>149</sup> In the case of Muslims at Attica, surveillance intensified statewide and knowledge production and intelligence sharing on the Nation of Islam in prisons began in the form of monthly reports by prison inspector Richard Woodward. Despite their similarities, the “Jail, No Bail” strategy has its place in the annals of civil rights history as a heroic confrontation with southern Jim Crow through non-violent direct action. Meanwhile, the takeover of solitary confinement by Muslims at Attica has gone unremarked. At best, the Nation of Islam has been depicted as a reluctant political participant, pulled toward the struggle by Malcolm X.<sup>150</sup> At worst, it is portrayed as an apolitical religious sect which was marginal, or even antithetical, to the civil rights struggle.

## **Albany, New York**

[The Nation of Islam] isn’t actually a religion. I would have to do some research and careful study before I’d make any commitment.<sup>151</sup>

Anonymous warden, 1966

While the federal government was no more willing to step into state prisons on behalf of Muslim prisoners than it was in Albany, Georgia to protect nonviolent protestors, the daily political acts of NOI members brought about an entire state apparatus in Albany, New York which puzzled over the problem the NOI posed to prison order. Writ writing and prison litigation had shone a light on the abusive discretionary powers of the corrections system and, in a sense, brought the courts to prison. This strategy prompted surveillance within prisons and an

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<sup>149</sup> Berger, 44.

<sup>150</sup> For example, Berger writes that Malcolm X “broadened the NOI’s message with a radical anti-imperialism that took the NOI’s claustrophobic nationalism in explicitly political directions.” See *ibid.*, 59.

<sup>151</sup> Caldwell, “Black Muslims Behind Bars,” 193.

administrative web of reports aimed at developing certain logics concerning the Nation of Islam. As the NOI emerged in public discussions on race relations in the early 1960s and its presence in prison grew, the state attempted to construct a logic to justify suppression of Muslim prisoners.

The writ writing campaigns of prisoners had helped to usher a national response and the purview of the courts, but it also brought about an arm of the state which reached deep into incarcerated communities. Wardens and state corrections officers authorized prison surveillance and in some cases even dedicated a staff member to internal supervision of the NOI.<sup>152</sup> This surveillance was not meant only to absorb and report, but also to disrupt and subvert. It also provided the raw material for state knowledge production which could quell prison activism. That the NOI constituted political subversion under the “guise of religion” became a stock phrase amongst law enforcement and prison officials.<sup>153</sup> Through its intervention, the state also assigned political meaning to religious practice, further politicizing incarceration and the practice of Islam within prison walls. But rather than see these carceral apparatuses as top-down responses to the gains of outside social movements or federal shifts in political power, we are better served by exploring the dialectics of discipline between state actors and prisoners which produced these intersecting developments.

More accurately than he could have known, Malcolm X wrote in his autobiography that prison officials “monitored what I wrote to add to the files which every state and federal prison keeps on the conversion of Negro prisoners by the teachings of Mr. Elijah Muhammad.”<sup>154</sup>

Indeed, Commissioner McGinnis requested in 1960 that each prison relay names of all Muslim

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<sup>152</sup> Ibid.

<sup>153</sup> This language appeared in a hearing on Un-American Activities in Monroe, Louisiana and the disciplinary report on the prisoners at Clinton Prison. See Hearing, Joint Legislative Committee on Un-American Activities, State of Louisiana, November 27, 1962, Box 23, Folder 10, page 32, in Margaret Meier Collection of Extreme Right Ephemeral Materials, Department of Special Collections, Stanford University.

<sup>154</sup> Malcolm X and Haley, 211 and 197.

prisoners to the New York State Police, who housed a department called the “Non-Criminal Investigation Unit.”<sup>155</sup> Within a year, prison inspector Richard Woodward began a series of monthly bulletins which highlighted individual prison reports, national news on the Nation of Islam, and conference proceedings from the American Correctional Association. He then redistributed this information back to wardens throughout the New York system.

In its earliest form, state surveillance operated unidirectionally - from prisons to the state capital. Disciplinary reports involving Muslims, group associations, names, addresses, and visitation lists, were all forwarded to Albany where they were transcribed and put into individual files with photographs and criminal records. These were in turn sent to the Non-Criminal Investigation Unit. For example, one note from Attica read:

Dear Commissioner:

‘A’, who was received here by transfer from the Elmira Reformatory and claimed to have no religion.

It has been our experience that prisoners claiming no religion usually gravitate into Muslimism after joining the population.

‘C’ was received from Greenhaven Prison. He claimed his religion to be Protestant but the record card shows a keeplock for taking part in a large aggressive gathering suspected to be Muslims.”<sup>156</sup>

A month after Woodward’s bulletins began, he thankfully reported that “[m]any clippings have been received on the Muslim activity. They are most welcome.”<sup>157</sup> The inspector stressed that “[i]nformation as to how a situation was handled in one institution may help in other instances.”<sup>158</sup>

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<sup>155</sup> *Attica: The Official Report*, 123. Eventually this category included anyone who listed “no religion” as well, which likely resulted in inflated figures. However, since the majority of Muslim prisoners converted while in prison, it is also likely that many members also went undetected by the state’s system. Many would have come, like Thomas Bratcher and Arthur Johnson, from a Christian background and listed their denomination upon entry.

<sup>156</sup> *Attica: The Official Report*, 123.

<sup>157</sup> Richard E. Woodward, Bulletin, April 1961, Box 21, Items 340-349, NCICF.

<sup>158</sup> Richard E. Woodward, Bulletin, March 1961, Box 21, Items 336-339, *ibid*.

But state surveillance relied most heavily on prison guards, who had daily contact with prisoners. One institution devoted a guard to keeping a list of all active members, searching their cells, and confiscating any literature relating to the Nation.<sup>159</sup> Seized materials served the dual purpose of slowing the spread of conversions while also acting as a source for state intelligence. One area of concern was prisoners' use of Arabic. The language not only served a cultural and religious function, but also stymied prison security who were unfamiliar with the language. For example, Bratcher gave specific instructions in his letter to Malcolm X: his mother would write him of the minister's reply in red ink with "Three lines of Al-Fatihah" (referring to Al-Fatiha, the first surah in the Qur'an).<sup>160</sup> One state report noted that it "would seem doubtful if the majority of the prisoners can rea[d] and write Arabic but if notes are picked up that seem to contain no meaning maybe they would bear investigating."<sup>161</sup> Two months later, six pages of Arabic to English and English to Arabic translation was confiscated.<sup>162</sup>

Another surveillance strategy which relied heavily on prison guards was the scrutiny of Muslim eating habits and religious rituals. The refusal to eat pork in prisons dates back to Malcolm X's imprisonment in the late 1940s when he and other prisoners protested the heavy use of pork in prison diets.<sup>163</sup> Malcolm recalled the first time he told a prisoner that he did not eat pork: "It was the funniest thing, the reaction, and the way that it spread. In prison, where so little breaks the monotonous routine, the smallest thing causes a commotion of talk . . . It made me very proud, in some odd way."<sup>164</sup> At Attica, Thomas Bratcher wrote to Warden Wilkins asking

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<sup>159</sup> Richard E. Woodward, Bulletin, September 1961, Box 22, Items 487-505, NCICF. Some of these guards may have even been undercover. As the report noted: "a member of the guard force was placed in a cell adjacent to a Muslim and recorded information of a subversive nature resulting in the prisoner's being placed in segregation."

<sup>160</sup> Thomas X Bratcher to Malcolm X.

<sup>161</sup> Richard E. Woodward, Bulletin, April 1961, Box 21, Items 340-349, NCICF.

<sup>162</sup> Richard E. Woodward, Bulletin, June 1961, Box 22, Items 381-390, *ibid*.

<sup>163</sup> "Local Criminals in Prison, Claim Moslem Faith Now: Grow Beards, Won't Eat Pork; Demand East-Facing Cells to Facilitate 'Prayer to Mecca,'" *Springfield Union*, April 21, 1950.

<sup>164</sup> Malcolm X and Haley, 181.

for permission to carry food from the mess hall to his cell so he and other Muslim prisoners could eat after sundown during Ramadan. One prisoner was even charged with wasting state food for refusing to eat, and then throwing away, his bacon.<sup>165</sup> At Milan Federal Penitentiary, where Elijah Muhammad had served time during World War II, prisoners took part in a three-day hunger strike against pork which eventually resulted in Muslim-prepared food and a separate dining section.<sup>166</sup>

These actions were challenged by prison officials who quickly seized upon dietary restrictions as a way to monitor and challenge the legitimacy of a prisoner's religious beliefs. "In order to check the authenticity of the Muslims," a monthly memo noted, "each officer has been required to submit to the principal keeper's office a report on whether or not the particular prisoner in question is eating pork. The members who are eating pork will be . . . included in next month's report."<sup>167</sup> Several months later, another institution itemized Muslim eating when pork was served in the mess hall: "Of the above total [of 70], 30 prisoners either refused their ration or gave it to another prisoner, and additional 16 prisoners took their ration to their cells and only two were actually observed fasting."<sup>168</sup> Other religious rituals, were also watched closely by prison officials. SaMarion was charged with making "unnecessary noise" and "sloshing water around in the cell" at 5:15 am despite this likely being part of his ablution and morning prayer (Fajr).<sup>169</sup> By monitoring prisoners' eating, writings, and literature, prison guards acted as foot soldiers in the state's surveillance and persecution of Muslim prisoners.

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<sup>165</sup> *SaMarion v. McGinnis* transcript, 571-573 and 1,324.

<sup>166</sup> Lester X Anthony, "How Faith Surmounted – Trials of Prison," *Muhammad Speaks*, October 25, 1963.

<sup>167</sup> Attica prison report, March 1, 1961, in *SaMarion v. McGinnis* transcript, 1,195.

<sup>168</sup> Richard E. Woodward, Bulletin, May 1961, Box 22, Items 381-390, NCICF.

<sup>169</sup> *SaMarion v. McGinnis* transcript, 1,043-1,044.

From this narrow base of day-to-day surveillance, reports on Muslims in prison also radiated outward to the state and federal level. When a Muslim prisoner was paroled, the investigation unit would contact the parole officer and receive a case number for state corrections system, the FBI, New York City Police, and their individual prison of incarceration.<sup>170</sup> For example, when Thomas Bratcher was paroled in 1964, agents at the FBI and the Bureau of Special Services and Investigation (BOSSI) were both alerted and asked to run his name through their system.<sup>171</sup> Even the Chicago Police Department's equivalent, the Bureau of Inspectional Services, reported that "serious Cult activities have been [witnessed at] Green Haven State Prison in New York and Clinton Prison in Dannemora, N.Y."<sup>172</sup> One warden reported that his prison was "studying activities around the country regarding this group."<sup>173</sup> In California, the warden of Folsom Prison wrote the California Attorney General Stanley Mosk with surveillance photographs taken by a guard. The memo he enclosed from a correctional sergeant at Folsom described a scene in which twelve Muslims were holding a meeting in the yard on "benches provided for the purpose of playing chess." As the sergeant approached, apparently snapping photos of the congregation, a prisoner proclaimed: "They want to take our picture, so let's give them a good one." Another suggested that they "[f]ace the east and pray to Allah." The group of twelve men then lined up facing east with their hands raised waist high and palms facing the sky while one prisoner conducted prayer.<sup>174</sup> By 1963, the Nation of Islam had a presence in major prisons from coast to coast, and the network of state surveillance expanded nationally alongside

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<sup>170</sup> For example, see Marcelino Rodriguez's parole report (Rodriguez was paroled from Green Haven in October 1963). Marcelino Rodriguez, parole report, November 27, 1963, Box 23, Items 775-784, NCICF.

<sup>171</sup> Thomas Bratcher, parole report, February 2, 1965, Box 24, Items 980-989, *ibid.*

<sup>172</sup> *14 NY 2d 864 Shaw v. McGinnis*, Respondent's Appendix, A128.

<sup>173</sup> Caldwell, "Black Muslims Behind Bars," 190.

<sup>174</sup> Robert A. Heinze to Stanley Mosk, Inter-departmental communication, January 8, 1963, Box 173, Folder 22, Subject Files, Muslims, Division of Criminal Law, Attorney General's Office, California State Archives.

it. Some prisons had even begun outlawing membership in the NOI and one even established a rule prohibiting more than two black prisoners congregating together.<sup>175</sup>

The emergence of the NOI as a chief concern of prison officials is documented in the conference proceedings of the ACA during the early 1960s. The first to present at the conference on the NOI was Donald Clemmer, the noted penologist who authored his foundational study, *The Prison Community*, in 1940.<sup>176</sup> Clemmer was also the Director of the Department of Corrections for Washington, D.C. and the defendant named in the *Fulwood v. Clemmer* case brought forth by Muslims at Lorton Reformatory. Woodward quoted extensively from Clemmer's findings at the ACA in his monthly bulletin alongside a review of C. Eric Lincoln's book. Perhaps most disturbing in Woodward's use of the Clemmer's findings was that he made no distinction in his report between his voice and that of the author. His memo shuffles effortlessly between his own conclusions and Clemmer's, notably that the most "disturbing phenomena [sic] of the Muslims in prison is their nonconformance and their bitter racial attitudes. In these respects they demonstrate an ethnocentrism, — that is a catering to ones one race and [ethnic] group, as chief interest or end."<sup>177</sup> These conclusions about the Nation of Islam were in line with many characterizations of black nationalism more broadly - that it is racially narrow and insular. By 1963, topics such as "The Black Muslims and Religious Freedom in Prison" and "The Black Muslim in Prison: A Personality Study" surfaced at the ACA's annual conference.<sup>178</sup>

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<sup>175</sup> Irwin, 70.

<sup>176</sup> Donald Clemmer and John M. Wilson, "The Muslim in Prison," *Proceedings of the Annual Congress of Correction of the American Correctional Association* (College Park, MD: American Correctional Association, 1960), 147-155. Also see Donald Clemmer, *The Prison Community* (Boston: Christopher Publishing House, 1940). Clemmer was also the Director of the Department of Corrections for Washington, D.C. and the defendant named in the *Fulwood v. Clemmer* case brought forth by Muslims at Lorton Reformatory.

<sup>177</sup> Richard E. Woodward, Bulletin, no date, Box 22, Items 381-390, NCICF.

<sup>178</sup> Donald Sheehy, "The Black Muslims and Religious Freedom in Prison" and Reuben S. Horlick, "The Black Muslim in Prison: A Personality Study," in *Proceedings of the Annual Congress of Correction of the American Correctional Association* (College Park, MD: American Correctional Association, 1963), 66-79 and 353-360.

The 1960s also marked a shift from rehabilitative strategies to psychological warfare and new technologies of violence, and Muslim prisoners were the first subjected to these new experimental practices. As Alan Gómez notes, bibliotherapy was replaced with isolation, sensory deprivation, and brainwashing, and it was Muslim prison litigation which helped to “propel this shift.” Edgar Schein, a professor of psychology at MIT, presented a paper in 1961 to the U.S. Bureau of Prisons entitled “Man against Man: Brainwashing.” Bertra S. Brown, of the National Institute of Mental Health, responded by contacting prison administrators and suggesting that they “do things perhaps on your own – undertake a little experiment of what you can do with Muslims.”<sup>179</sup> As Gómez persuasively argues, the ascension of Control Units (CU), Special Housing Units (SHU), and Adjustment Centers (ACs), were all outgrowths of the experimental use of excessive solitary confinement by prison officials during the late 1950s and early 1960s. These punishments and techniques, he concluded, were “initially experimented with on Muslim inmates, [but] later used en masse on political activists [and] became the model for the entire prison regime.”<sup>180</sup> The academic communities of penology, psychology, and criminology emerged as an additional arm of the state’s developing knowledge production which produced new modes of violence waged against incarcerated Muslim communities.

## The Courts

[The] court is an arena. It is a battlefield – one of the best. We will use these same torture chambers, these same kangaroo courts, to expose them.<sup>181</sup>

Martin Sostre, 1969

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<sup>179</sup> Gómez, 62-63. Also see “The Use of Psychiatry as an Instrument of Repression,” February 19, 1968, in *Martin Sostre in Court*, ed., Bob McCubbin (Buffalo, NY: Martin Sostre Defense Committee, 1969), 6-10, in Joseph A. Labadie Collection, University of Michigan Special Collections.

<sup>180</sup> Gómez, 59-60 and 79. Cummins noted that in “this prison-within-a-prison [San Quentin’s AC unit] inmates received far fewer treatment programs, not more.” See Cummins, 92.

<sup>181</sup> Quoted in McCubbin, ed., *Martin Sostre in Court*, 13.

When Thomas Bratcher asked Malcolm X to testify as an expert witness in the case of *SaMarion v. McGinnis*, he articulated the relationship between incarcerated Muslims and those outside using the language of war: “the fighting man cannot win a war without the moral support of the home front.”<sup>182</sup> Black prisoners saw the courts as political pulpits, a breach in the walls which allowed them to take their claims before the world outside. James Jacobs wrote that “it is as if the courts had become a battlefield where prisoners and prison administrators, led by their respective legal champions, engage in mortal combat.”<sup>183</sup> This language is rife throughout the writings of Muslim prison activists, who testified in courts to employ what Berger has called “a strategy of visibility” to make their struggles known.<sup>184</sup> Testifying has its political roots in slavery and has been carried through the black feminist tradition. As Danielle McGuire points out in her work on the role of the struggle against sexual violence in the civil rights movement “testimony must be seen as a form of direct action and radical protest.”<sup>185</sup> Prisoners thus imagined themselves fighting on the front lines, with courts as their battlefield, supported by the home front of Muslims outside prisons, and used their testimonies and writ writing as what Sostre called the “most essential weapons.”

When Commissioner McGinnis took the stand as a defendant before U.S. District Court Judge John Henderson in October 1962, SaMarion was the only plaintiff from the earlier case of *Pierce v. LaVallee*. But the trial also differed in several other significant ways from the one which emerged at Clinton two years earlier. The *Pierce* ruling had not brought about the

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<sup>182</sup> Thomas X Bratcher to Malcolm X.

<sup>183</sup> Jacobs, “The Prisoners’ Rights Movement,” 429.

<sup>184</sup> Berger, 6.

<sup>185</sup> Danielle McGuire, *At the Dark End of the Street: Black Women, Rape, and Resistance - A New History of the Civil Rights Movement from Rosa Parks to the Rise of Black Power* (New York: Alfred Knopf, 2010), 228.

wholesale changes that the NOI had hoped.<sup>186</sup> Judge Brennan constantly berated NOI attorney Edward Jacko for trying to expand the case beyond the initial complaint of access to the Qur'an, at one point even chastising him to be a "good little boy."<sup>187</sup> As Brennan saw it, the case boiled down to a demand for access, which had been permitted by the time of the trial. He told Jacko: "You are asking to purchase the Koran. Now, the Warden says you can have the Koran. Well, what is there left for me to litigate?" He added that he would only "litigate your right to possess the Koran, I am not going to let you go into a long harangue about religious discrimination." Jacko concluded with dismay, "I think that is the crux of the case."<sup>188</sup> In *SaMarion*, however, the plaintiffs sought weekly congregational services conducted by Buffalo's Robert X Williams, correspondence and visitation with ministers, and access to prayer books and the *Messenger Magazine* (the brief predecessor to *Muhammad Speaks*). They also meticulously documented their losses of good time and years in solitary confinement in order to demonstrate religious discrimination.<sup>189</sup>

But more fundamentally, in the *Pierce* case, Judge Brennan was unsympathetic to the view that the judicial branch should be involved in matters of prison discipline to begin with. "This Court didn't put these men in jail," he opined. "This Court didn't commit the crime for which they were convicted. This Court didn't try them. This Court didn't sentence them. This Court didn't control them, so that you must turn somewhere else to settle those other things."<sup>190</sup> He argued that naming the warden of Clinton had little bearing since he is "not free to run his prison as he likes" and suggested that if the plaintiffs "wanted something, to get a decision that

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<sup>186</sup> Perhaps because of these shortcomings, NOI headquarters did not invest lawyers in the *SaMarion* trial.

<sup>187</sup> *Pierce v. LaVallee* transcript, 117.

<sup>188</sup> *Ibid.*, 48-49, 53, 55-56.

<sup>189</sup> Deputy Meyer at one point threatened to destroy one of two notebooks that William SaMarion kept for the purpose of documenting his persecution. However, he agreed to let SaMarion keep them after SaMarion threatened to have them subpoenaed. See *SaMarion v. McGinnis* transcript, 373.

<sup>190</sup> *Ibid.*, 258.

would bind them, No. 1, you would have to bring in the Department of Correction.” Heeding this advice, the men decided to bring the suit beyond Attica’s warden, Walter Wilkins, and added Commissioner McGinnis to the *SaMarion* suit. The state defense also raised the ante by claiming that members of the Nation of Islam were not in fact “true members of the religion of Islam.”<sup>191</sup> Calling the tenets of the NOI “preachments of hate [and] race prejudice,” attorney general Robert Bresnihan outlined what would become the standard argument of the state against the practice of Islam in prisons: that the NOI was a political group acting in the guise of religion and caused clear and present danger to prison conditions. As he told the court: “it is our position that every activity in a prison must be supervised and it is our position that religion, the guise of religion, does not given a prisoner or anyone else the right to come in and violate those security rules.”<sup>192</sup> As court-appointed attorney Richard Griffin later recalled, with religious orthodoxy taking center stage, it was “clear that I needed an expert witness and [I] decided to contact Malcolm X to see if he would testify.”<sup>193</sup> Leading up to the trial, Bratcher wrote Malcolm X optimistically that the “trial promises to be the last one in the Muslims [sic] fight for Religious Freedom. It is taken out in behalf of the 60 Muslims in Attica Prison. This writ covers *all* grievances. We have compounded so much evidence - over a period of two years - against the defendants - Paul D. McGinnis and Walter H. (?) Wilkins- that under its magnitude, these two tyrants must fall.”<sup>194</sup> In its breadth, its testimony, and implications for future prison policy, *SaMarion* surpassed prior cases in its capacity to decide the future of the Nation of Islam in prisons. It was for these reasons that Bresnihan claimed the entire state prison was on trial.

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<sup>191</sup> Ibid., 22.

<sup>192</sup> Ibid., 27.

<sup>193</sup> Richard Griffin, letter to author, July 21, 2014. Griffin represented only William SaMarion and Thomas Bratcher. Clark Zimmerman represented Joseph Magette, Arthur Johnson, and James Walker and Jacob Hyman and Wade Newhouse of the University of Buffalo Law School were also court-appointed. See *SaMarion v. McGinnis* transcript, 28, and “Muslims Battle State,” *Amsterdam News*, October 20, 1962.

<sup>194</sup> Thomas X Bratcher to Malcolm X.

Bratcher correctly anticipated the state's defense in his letter to Malcolm X a year before the trial. "From the Attorney General's answer to my writ, I can see that his main argument is going to be in the presenting of certain publications out of Books, magazines, and papers about the Muslims . . . he is going to try and justify the warden's violation of our constitutional rights by submitting these published reports to the court saying that we are preaching 'hate' and we are a fanatical group not recognized by the rest of Muslim World."<sup>195</sup> As the state began to outline its defense that the NOI was an illegitimate religious group which threatened prison security, Bresnihan's questioning of key witnesses revealed its central strategy: to delegitimize the Nation of Islam's religious standing.

This set the stage for a showdown between the two key witnesses in the case. William Bresnihan called upon Columbia University professor Joseph Franz Schacht to testify that the NOI lacked sufficient standing in the Muslim World. Meanwhile, Bratcher recognized that since "this is the only loop-hole [Bresnihan] has, I plan to close this hole up forever. The 'Key' witness [sic] I am depending on to 'seal' our victory is 'You' *Minister Malcolm 'X'*."<sup>196</sup> It would be difficult to find two witnesses more different than Malcolm X and Schacht. One was a former prisoner with an eighth-grade education and no formal theological training or degree. The other was a leading Western scholar in Islamic jurisprudence at an Ivy League university. Schacht had "masterly knowledge of Arabic" while Malcolm readily admitted on the stand that he did not speak it. Perhaps the only common ground the two may have shared was their presence as orators. Schacht's eulogy, which described him as having a "forceful delivery, a

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<sup>195</sup> Ibid.

<sup>196</sup> Ibid. Richard Griffin recalled traveling to Harlem's luncheonette for Mosque 7 to meet with Malcolm X and convince him to testify in the case. Richard Griffin, phone conversation with author, June 6, 2014.

resonant voice, and . . . use of language [that] was unhesitating and precise” could have just as easily been written for Malcolm X.<sup>197</sup>

But at the trial, it was their ideological differences over the relationship between politics and religion, or as it was framed in the trial – history and religion – that emerged as the central issue. Schacht’s greatest scholarly contribution was his observation that Islamic law was a historical development with sociological implications. Meanwhile, Malcolm X continually separated religious principles and historical teachings as two distinct entities. Despite neither being named as a plaintiff or defendant, almost half of the eleven-day trial was devoted to testimony by the two men. The prosecution hoped that Malcolm could aptly demonstrate the NOI’s religious orthodoxy and rehabilitative value while the defense leaned on Schacht’s academic credentials and his unwavering assessment that anyone who recognizes Elijah Muhammad as the messenger of Allah was not a true Muslim.<sup>198</sup>

At the height of the Cold War and the NOI’s emergence in the wake of the “Hate That Hate Produced,” the NOI continued to battle associations with “hate” by emphasizing the group’s religious aspects over its political content. Nowhere was this more evident than during Malcolm X’s testimony at Buffalo’s District Court. In an attempt to dismantle both of the state’s defenses through one cogent argument, Malcolm stressed that the only situation in which “hate” speech might occur was through a lack of “sufficient religious instructions.”<sup>199</sup> Malcolm’s case before the court hinged on his ability to separate the NOI’s religious teachings from those that might seem racially volatile, which he described in his testimony as history. “History and religion are two different things,” he told the judge. “I went through that when I was in prison

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<sup>197</sup> Jeanette Wakin, “Remembering Joseph Schacht,” Islamic Legal Studies Program, Harvard Law School, *Occasional Publications* 4 (January 2003): 13.

<sup>198</sup> *SaMarion v. McGinnis* transcript, 838.

<sup>199</sup> *Ibid.*, 78.

and after becoming very religious and - but oftentimes whites confuse the history that Negroes begin to delve into with the religion that the Negro practices as a Muslim.”<sup>200</sup> At one point, the defense presented a lesson which asked: “What to the so-called American Negro is your 4<sup>th</sup> of July?” A variation on Frederick Douglass’s famous oration “What to the Slave is the Fourth of July?” Malcolm took issue with the characterization of this lesson as a religious teaching unique to the Nation of Islam. He argued that this was the history of all African Americans, who are “reminded on almost any holiday of their second class citizenship status; of their plight in this country and the struggle that is going on in Mississippi and elsewhere is reminder of this. It does not have to be a Muslim who says it, but that could be said by any Negro inmate in any prison or outside of any prison in the United States if he were honest.”<sup>201</sup> The segregation of ice buckets on July 4<sup>th</sup> at Attica surely underscored the significance of this lesson for prisoners.

Malcolm attempted to explain this distinction through the figure of Dr. King, teasing out an inconsistency that historians have still yet to fully rectify in their scholarship on the two charismatic leaders. “There is religion and history,” Malcolm explained, “as Dr. Martin Luther King is a religious figure, but he is also involved in the rights or the struggle for Negroes in this country, and the struggle for the rights of Negroes in this country has made him no less of a religious figure.”<sup>202</sup> King is revered now as a religious leader whose political commitments and oratory were rooted in the black church. He is portrayed as a charismatic preacher who was able to translate Gandhi’s nonviolent strategy into the vernacular of the Southern Christian tradition. However, just as Malcolm attempted to disentangle these threads before the court in 1962 and

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<sup>200</sup> *SaMarion v. McGinnis* transcript, 81 and 99. This is in contrast to Joseph Schacht, who answered the judge’s query of whether “when you study the law of Islam, you necessarily study the religion?” with: “Yes, necessarily.” See page 799.

<sup>201</sup> *Ibid.*, 199.

<sup>202</sup> *Ibid.*, 230-231.

later in his two independent organizations – the MMI and OAAU - historians have continued to partition his religion and politics as two discordant notes which were never resolved.

But Malcolm’s separation of history from religion in his testimony did not stop him from using every opportunity given by his examiners to launch into his many political riffs. For example, as the defense tried to pin “hate” speech on the NOI, they turned to Malcolm’s familiar critique of moderate leadership as “Uncle Toms” controlled by white forces. This questioning allowed the minister to launch into what would later be remembered as his most influential speech, delivered a year later in November 1963: “A Message to the Grassroots.” By then, Malcolm had developed the allegory of the “House Negro” and the “Field Negro,” translating these slavery-era archetypes into 20<sup>th</sup> century equivalents: black leadership and the revolutionary masses. He explained this to the court the year before: “in the Negro community today you have a modern counterpart who usually operates or plays the same role today as was played by Tom on the plantation.” He argued that what characterized black leadership was that it was a spokesman in name only, but actually had no idea what the masses were thinking. “He is a leader in public relations,” Malcolm said, “but when it comes to actual following among Negroes, he has no following . . . That is how you can tell him.”<sup>203</sup>

Malcolm’s critique had gained salience by the time of his “Grassroots” speech, which came just months after the historic March on Washington. The Northern Negro Grass Roots Leadership Conference at which it was delivered was itself a partial response to the moderate politics on display at the March, and a more explicit answer to Detroit’s “Negro Grass Roots Leadership Conference” which excluded the city’s more militant leaders. Organized by Albert Cleage’s Freedom Now Party with the help of James and Grace Lee Boggs, the conference

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<sup>203</sup> Ibid., 216 and 220.

demonstrated a growing network of radical activists who questioned the goals and strategies of the national civil rights movement.<sup>204</sup> By 1963, Malcolm had shifted away from the using the term “Uncle Tom” to the more historical analogy of the “House Negro” and “Field Negro.”<sup>205</sup> In fact, this transition came immediately following the trial, at a speech given at Michigan State University in January 1963.<sup>206</sup> At the Buffalo trial, the term “Uncle Tom” was interpreted as divisive hate speech and obscured Malcolm’s larger critique of black leadership. The metaphor of the “House Negro” and the “Field Negro” gave him more leeway in articulating the relationship between black leadership and the masses through historical parallel.<sup>207</sup> Here, as throughout the trial, Malcolm’s testimony moved the terms of the case beyond questions of prison security to the historical meanings of full citizenship and goals of the civil rights movement by using the witness stand as a pulpit.

Malcolm’s exchange at the trial around the use of the term “Negro” also acted as a dry run for another famous passage in his “Grassroots” speech: the distinction between “The Negro Revolution” and the “Black Revolution.” The Buffalo trial offered an opportunity for Malcolm to interrogate the term “Negro” and broaden the stakes of the trial to include issues of identity and language. When questioned about another piece of religious literature confiscated from prisoners, Malcolm brilliantly pivoted to a genealogy of the word “Negro.” He explained that no “black

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<sup>204</sup> For a more comprehensive description of the context, content, and meaning of the conference, see Stephen Ward, *In Love and Struggle: The Revolutionary Lives of James and Grace Lee Boggs* (Chapel Hill: University of North Carolina, 2016), 311-314

<sup>205</sup> As Berger points out, Malcolm’s historical analogy was somewhat ahistorical as “house slaves were often central to slave resistance precisely because of their proximity to the master’s family.” See page 60. Also see Adolph Reed, Jr., *Stirrings in the Jug: Black Politics in the Post-Segregation Era* (Minneapolis: University of Minnesota Press, 1999).

<sup>206</sup> Malcolm X, “Twenty Million Black People in a Political, Economic and Mental Prison,” in *Malcolm X: The Last Speeches*, ed., Bruce Perry (New York: Pathfinder Press, 1989), 25-57.

<sup>207</sup> The year after Malcolm’s “Message to the Grassroots” speech, the epithet “Uncle Tom” was actually the source of several libel suits in Chester, Pennsylvania and Akron, Ohio. See Herbert Hill, “Uncle Tom,” An Enduring American Myth, *The Crisis* (May 1965): 289-290.

person calls himself a Negro except those in America.” The passage in question stated that to “combat the Negro, convert him or annihilate him is the holiest task of the faithful.” To the defense, who interpreted the line literally, this sounded like clear evidence of condoning violence. As Malcolm clarified, the violence being performed was against the “stigma that makes this Negro a Negro. By converting him you annihilate . . . the ignorance and lethargy and immorality.”<sup>208</sup> By situating the word “Negro” as a metaphor for black Americans who were mentally dead, the NOI paved the way for its eventual extinction.

What was most remarkable about Malcolm’s testimony, is that his rhetorical arguments shifted the actual language within the courtroom. The judge himself noted an individual change in his understanding of the term. “I was taught in my early life that the word ‘Negro’ is a mark of respect to the black man,” he told the court. “I learned yesterday for the first time that there is a preferred name, the black man, I take it. I am not used to that and when I refer to the Negro in my discussions to you, I am not doing it with a mark of any disrespect . . . I want you [Malcolm] to understand that.”<sup>209</sup> Attorney Richard Griffin remembered that although Henderson was a conservative judge with a strong presence, he was “impressed by Malcolm and his testimony . . . [and] respected Malcolm for his clear statements and responses.”<sup>210</sup> Henderson continued to monitor himself throughout the trial so as not to offend Malcolm X and even the attorney general began employing the phrase the “American Black Man.”<sup>211</sup>

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<sup>208</sup> *SaMarion v. McGinnis* transcript, 147-150.

<sup>209</sup> *Ibid.*, 222.

<sup>210</sup> Griffin, letter to author.

<sup>211</sup> During Schacht’s testimony Judge Henderson said “the Negro people, the black man, as they prefer it.” See *SaMarion v. McGinnis* transcript, 853. Attorney General Bresnihan said earlier in the trial: “As I understand it from your answers, generally here, the mission of Elijah Muhammad is peculiarly for the American Black Man, and I am leaving the word ‘Negro’ there, because you said that was not a good word?” See pages 155-6.

Malcolm's testimony not only adequately established him as an expert on Islam in the eyes of the court, but radically expanded the scope of the case beyond the issues of religious counsel, correspondence, and access to literature. It brought forth the NOI's critique of moderate civil rights leadership and questions of self-determination and identity. In Malcolm's own intellectual development, scholars may have also underappreciated the role that trial testimonies played in developing his political ideas and speeches. Prior to the October 1962 trial, he frequently used "Uncle Toms" to deride civil rights spokesmen such as Martin Luther King, Jr., Bayard Rustin, and Roy Wilkins. After the trial, he developed the historical comparison between the "House" and "Field Negro" which drew parallels between slavery and the modern day in an equally-critical, but more historically-distant, analysis. Thus, the courtroom provided a space for the NOI to testify and develop its broader critiques of the civil rights movement and American liberalism. As Malcolm X's two days on the witness stand demonstrate, the prison activism of the Nation of Islam cannot be measured in legal victories alone, but should be seen as part of a wider arsenal of political strategies which ranged from fighting for constitutional rights through the law to direct-action protests such as sit-ins, hunger strikes, and takeovers of solitary confinement, all of which contributed to a widening and sharpening of the black freedom struggle during the 1960s.

## **Conclusion**

Although neither *Pierce* nor *SaMarion* resulted in securing the full legal protections that incarcerated Muslims in New York had hoped for, both succeeded in raising the curtain on the arbitrary and discriminatory practices of state prison officials. In a 2-1 decision, judges in *Pierce* ruled that relief could be sought under the Civil Rights Act of 1871. Under the unwritten "hands-

off” policy of the courts, even the constitution had failed to protect prisoners in matters of internal discipline. Edward Jacko noted that after *Pierce*, the court now “restrains prison authorities from interfering with the right of religion and worship, except where necessary to proper prison management and it opens the doors and smashes down the barriers to Federal judicial review of civil rights which have long been trampled in state prisons.”<sup>212</sup> In addition to establishing the right to petition under the Civil Rights Act, the cases also established the Nation of Islam as a religion in the eyes of the court. While Judge Henderson ruled in 1963 that it was not an orthodox Islamic group, the NOI was thereafter considered a religion with rights in prisons.<sup>213</sup> However, as Woodward concluded in a 1964 bulletin, there was still no “clear cut decision as to whether the Muslim [sic] is a *true* religion” (emphasis added).<sup>214</sup>

When Malcolm X split with the NOI in early 1964, *Cooper v. Pate* still hung in the balance. But its legal precedents had been established through the activism and prison litigation of Muslims at Clinton and Attica during the first half of the decade. The eventual intervention of the courts into the administration of prison discipline was a product of years of political strategies including writ writing, hunger strikes, sit-ins, and takeovers of solitary confinement. As Gottschalk concluded, the Nation of Islam “set in motion a radical transformation in how prisoners viewed themselves and how society viewed them. This had major consequences for the carceral state that lasted long after the Nation of Islam ceased to be a significant factor in penal politics by the mid-to-late 1960s.”<sup>215</sup> Muslim prisoners used conflicts with administrators to

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<sup>212</sup> George Barner, “Muslims Win Victory in U.S. Court,” *Amsterdam News*, September 23, 1961.

<sup>213</sup> “N.Y. Court Studies Muslims’ Rights Case,” *Daily Defender*, October 16, 1963. In court, Henderson asked the district attorney: “Let’s suppose that these people, the followers of Elijah Muhammad in America, do not square on all fours with the teachings of Mecca; does that deny they are a religion, that fact?” Bresnihan conceded: “No, no it does not, your Honor.” Henderson even made the argument that the NOI was no less orthodox than Shiites, a postulation with which Professor Schacht took issue. See *SaMarion v. McGinnis* transcript, 265 and 871.

<sup>214</sup> Richard Woodward to Richard Sampson, Memo, May 20, 1964, Box 24, Items 850-859, NCICF.

<sup>215</sup> Gottschalk, 174.

promote racial awareness and solidarity, and its membership base in prisons facilitated a network between prisons and beyond its walls.<sup>216</sup> In his study of Stateville prison, Jacobs found that even prisoners who were not formal members of the Nation “nonetheless come to define themselves as political prisoners.”<sup>217</sup> George Jackson would later call this the transformation from a “black criminal mentality into a black revolutionary mentality.”<sup>218</sup>

This process of politicization was joined by a broader shift in the very definition of what it meant to “do time.” Contrary to the social system of cliques outlined by Clemmer in *The Prison Community*, which emphasized the equality of all prisoners, doing one’s own time, and the idea that no prisoner could speak on behalf of another, the NOI ushered in a communal solidarity which stressed shared oppression.<sup>219</sup> “The Muslims’ definition of their situation as requiring organization, group participation, and communion challenged the basic tenets of traditional penal administration,” Jacobs wrote. Unlike the ethnic gangs of the 1940s and 1950s, the NOI “articulated their prison concerns in the vocabulary of political and social protest. Claiming that they were being discriminated against on the bases of race and religion, they invoked their ideology to resist ‘repression.’”<sup>220</sup> John Irwin argued that the “altered conception of the prisoner” was in fact the most significant legacy of the Nation’s prison litigation: “He started as part noncitizen, part nonentity, and part subhuman over whom prison administrators had unlimited power to treat as they saw fit . . . Now we have progressed to the conception of a prisoner as a citizen in a temporarily reduced legal status.”<sup>221</sup> Just as their flood of prison

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<sup>216</sup> Leo Carroll, *Hacks, Blacks, and Cons: Race Relations in a Maximum Security Prison* (Lexington, MA: Lexington Books, 1974), 10.

<sup>217</sup> Jacobs, *Stateville*, 10.

<sup>218</sup> Tad Szulc, “George Jackson Radicalizes the Brothers in Soledad and San Quentin,” *New York Times Magazine*, August 1, 1971, 16.

<sup>219</sup> James Jacobs makes this point in “The Prisoners’ Rights Movement,” 435.

<sup>220</sup> Jacobs, *Stateville*, 60-61.

<sup>221</sup> Irwin, 105.

litigation changed the relationship of the courts to prisons, Muslim activism also shaped the way that prisoners saw themselves in relationship to the people and places holding them captive.

Although the NOI is often framed as politically narrow or racially insular, its organizing in prisons went beyond a black/white binary and included Puerto Rican and Latino prisoners such as Sostre. According to Woodward's reports, over forty prisoners with Spanish surnames joined the NOI in during this period. In the early 1960s, with the overall number in the Muslim Brotherhood estimated at three hundred, this meant Latinos comprised over ten percent of NOI membership in state prisons.<sup>222</sup> These prisoners also addressed broader issues of labor and prison conditions, which affected all those incarcerated. In 1962, for example, black prisoners at Green Haven Prison launched a strike protesting the beating of several Muslims. Whites soon urged that the agenda be broadened to challenge poor food and good time practices. An interracial strike was born, and quickly spread to other prisons across New York.<sup>223</sup> Such demonstrations stand at odds with critiques of nationalist organizations as homogeneous and separatist, suggesting an expansive multiracial activism around an interlocking set of shared oppressions.

Although the civil rights movement and the prisoner rights movement grew out of the same fertile soil of midcentury black protest, scholars have only recently begun to recognize the shared origins of these movements and their relationship to one another. The recession of prisoners' rights from the agendas of traditional civil rights organizations should not be mistaken for the absence of the movement itself. While the NAACP showed concern for racial segregation in state prisons during the interwar years and federal prisons during World War II, its focus shifted in the 1950s toward school and housing desegregation. Historians have reproduced this omission of the prisoner rights movement from the larger stream of civil rights activism precisely

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<sup>222</sup> Richard E. Woodward, Bulletin, March 1961, Box 21, Items 336-339, NCICF.

<sup>223</sup> "Religious Persecution in New York Prisons," Box 11, Folder 19, MXC.

because of the absence of groups such as the NAACP, CORE, and SCLC. However, the issues brought forth by Muslim prisoners often concerned their civil rights. In cases such as *in re Ferguson*, prisoners at Folsom Prison brought forth a writ of habeas corpus appealing to the 14<sup>th</sup> Amendment. Other cases claimed religious discrimination under Section 1983 of the Civil Rights Act of 1871.<sup>224</sup> These explicit civil rights demands of NOI members from prison represented the origins of the modern prisoner rights movement and a significant but forgotten stream of black struggle.

We should also be attentive to the ways in which the state responded to prisoners' demands with increased surveillance and an expansion of carceral machinery. The dialectics of discipline which made up the daily interplay between prisoner activism and prison punishment demonstrate the entangled relationship between resistance to the state and its expansion and re-entrenchment. As James Jacobs reflected on the many legacies of the prisoners' rights movement, he concluded that undoubtedly, one was the "bureaucratization of the prison." In early prison litigation such as that brought forth by the Nation of Islam, prison officials were unable to justify and articulate institutional procedures.<sup>225</sup> Hence, many prison reforms targeted administrative efficiency rather than the principles of punishment. If prisons and policing could be administered more efficiently, professionally, and equitably (ie. colorblind), policymakers reasoned that they could quell more radical calls for criminal justice reform. But scholars have shown that efforts to standardize police and prisons often created greater autonomy for law enforcement, longer and harsher sentences for prisoners, and a more expansive carceral state.<sup>226</sup>

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<sup>224</sup> "Black Muslims in Prison: Of Muslim Rites and Constitutional Rights," *Columbia Law Review* 62, no. 8 (December 1962): 1492-1494 and Jacobs, "The Prisoners' Rights Movement," 434.

<sup>225</sup> Jacobs, "The Prisoners' Rights Movement," 458.

<sup>226</sup> Michael Brown argues that "professionalization has fostered the illusion of control over police discretion when in fact it has resulted in greater autonomy for the police." See Brown, *Working the Street: Police Discretion and the Dilemmas of Reform* (New York: Russell Sage Foundation, 1981), 290, cited in Naomi Murakawa, *First Civil Right: How Liberals Built Prison America* (New York: Oxford University Press, 2014), 90.

This was the carceral state at its most Foucauldian. Penal reform meant sharpening the tools and expanding the scope of punishment rather than reconsidering their purpose.

Finally, Muslim testimony broke through the long silence around prisoners' constitutional rights. Although the curtain drawn between the judicial branch and prisons would not be formally raised until the *Cooper v. Pate* decision in 1964, prisoners' testifying about solitary confinement, good time practices, and other discriminatory uses of prison discipline put substantial strain on the historically "hands-off" policy of the courts. Malcolm X and other Muslim prisoners used the courtroom as a political platform to make broader critiques of the civil rights movement, the criminal justice system, and American democracy. One in particular, the distinction between racial *segregation* and racial *separation*, was the linchpin of the Nation of Islam's critique of racial liberalism. It also became the framework for Malcolm X's lectures and debates delivered throughout the early 1960s at another venue far from New York state prisons: predominantly white universities and college campuses.

## Chapter 4

### Integration or Separation? The Nation of Islam's Challenge to Racial Liberalism

We are just as much against segregation as the most staunch integrationist . . . [Black people] don't want to be free any more; they want integration . . . They have confused their method with their objective.<sup>1</sup>

Malcolm X, Wesleyan University, 1962

When Malcolm X testified on behalf of Muslim prisoners in the case of *SaMarion v. McGinnis* in late 1962, he outlined the Nation of Islam's critique of racial integration through a single vignette. James Meredith had recently enrolled as the first black student in the University of Mississippi's history, and Malcolm X explained to the court that anytime a man "needs [an] escort of 15,000 troops to go to a college where he will be among people whose viciousness toward him is so deadly that he needs the Army there to protect him, why that Negro is foolish if he thinks that he is going to get an education." For Malcolm and the NOI, "token integration" was pointless when there were still "a couple million Negroes in Mississippi who haven't been allowed to go to the Kindergarten in a decent school."<sup>2</sup> His quip captured the Nation's critique of racial integration as the primary goal of the civil rights movement. When Deputy Attorney General William Bresnihan pressed him to explain the Nation of Islam's opposition to integration, Malcolm explained that "[s]egregation means to regulate or control . . . A *segregated*

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<sup>1</sup> "Black Muslim Malcolm X Calls for Racial Separation in US," *The Wesleyan Argus*, February 7, 1962.

<sup>2</sup> *SaMarion v. McGinnis* (9395), trial transcript, 229, in National Archives and Records at New York City.

community is that forced upon inferiors by superiors. A *separate* community is done voluntarily by two equals” (emphasis added).<sup>1</sup> His simultaneous rejection of the racial caste system of Jim Crow segregation and integration as the desired goal of the movement offered an important third path within a dichotomized political discourse which frequently juxtaposed southern Jim Crow with northern liberalism. Yet black nationalists like Malcolm pointed out that the idea of racial integration rested on an assumption of racial inferiority, a position which flipped the NAACP’s argument in *Brown v. Board* that racial separation was inherently unequal.<sup>2</sup> As Robin Kelley has argued, the “impulse toward separatism, defined broadly, is rooted in maroonage and the desire to leave the place of oppression for either a new land or some kind of peaceful coexistence.”<sup>3</sup> For the Nation of Islam, separatism meant lifting the veil on the hoax of integration and racial liberalism and embracing black social, political, and economic self-determination.

Just weeks before Malcolm testified in Buffalo, he canceled a lecture at the University of Bridgeport, citing throat problems that would force him to forego all upcoming college and university appearances.<sup>4</sup> Despite appearing with CORE’s James Farmer and journalist William Worthy at the invitation of the Wisconsin Socialist Club in Madison just days later, Malcolm “cancelled all future college appearances” in November at the urging of Elijah Muhammad, who felt that such engagements only offered an opportunity for the NOI to be “blasted” in public.<sup>5</sup> This was an abrupt shift from the previous year, when *Muhammad Speaks* reported that Elijah

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<sup>1</sup> Ibid., 172.

<sup>2</sup> A corollary argument to this distinction between racial segregation and racial separation, was Malcolm X’s dichotomy of the northern liberal and the southern white supremacist. Often using the allegory of the “fox” (liberals) and the “wolf” (southern racists), Malcolm translated the critique of integration as a goal of the civil rights movement into an equally searing criticism of the doublespeak of northern racial liberalism.

<sup>3</sup> Robin Kelley, *Freedom Dreams: The Black Radical Imagination* (Boston: Beacon Press, 2002), 17.

<sup>4</sup> Malcolm X FBI File, Summary Report, New York Office, November 16, 1962, 24 and Louis DeCaro, Jr., *On The Side of My People: A Religious Life of Malcolm X* (New York: New York University Press, 1996), 181-182.

<sup>5</sup> “Socialist Club Hears Tape on Discrimination,” *The Daily Cardinal*, October 9, 1962 and Malcolm X FBI File, Supplemental Correlation Summary, September 25, 1963, 19.

Muhammad has been “flooded with requests for speakers to leading universities and colleges, service clubs, forums, and debates. On occasions where these requests have indicated that some of our people would be present, Messenger Muhammad has sent a representative to speak.” The article even suggested that student organizations and clubs should send requests to the NOI’s “Speaker’s Bureau” for a guest minister.<sup>6</sup> Malcolm’s college lectures and debates have been documented in isolation, and often cited as another point of division between the Harlem minister and national leadership in Chicago. But taken collectively, they highlight the significance of the Nation of Islam’s ideas about racial separation and black self-determination to the radicalization of college campuses before the rise of the antiwar movement, the student Free Speech Movement, and what has been called the Black Student Movement.

Between February 1960 and November 1963, when he was suspended for his comments regarding President Kennedy’s assassination, Malcolm X participated in over thirty speaking engagements at colleges and universities as a spokesman for the Nation of Islam. His popularity on campuses - second only to Republican presidential candidate Barry Goldwater - coincided with a new epoch of civil rights struggle, as students became involved in record numbers through Freedom Rides and sit-in campaigns to desegregate lunch counters and interstate travel. Malcolm’s first major college lecture, arranged by C. Eric Lincoln at Boston University’s Human Relations Center, fortuitously coincided with the second week of sit-ins in Greensboro, North Carolina in early February 1960 that marked the beginning of the upsurge in student activism. Thus, as the most prominent black critic of the civil rights movement, Malcolm became representative not only of the Nation of Islam on college campuses, but of a broader militant black nationalism, which corresponded with the emergence of the student sit-in movement and

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<sup>6</sup> “The Muslim Goes to Universities in U.S.A.,” *Muhammad Speaks*, October-November 1961.

the rise of SNCC, CORE, and other civil rights student groups.<sup>7</sup> As Stephen Ward points out, a growing nationalist and radical sentiment which would “critique, challenge, and seek to uproot the racial liberalism of the civil rights movement” was institutionalized during this period through the formation of journals such as *Liberator*, *Freedomways*, and *Soulbook*.<sup>8</sup> Certainly *Muhammad Speaks*, which began national monthly circulation in 1960, must also be considered amongst this emergence.

Through these speaking engagements, most of which were debates pitting Malcolm X against an integrationist opponent, two interrelated themes emerged. First, whether at predominantly white Ivy League schools such as Yale, Harvard, MIT, and Columbia; major research institutions such as Michigan State University, University of Michigan, University of California - Berkeley, and University of Wisconsin; or historically black colleges and universities (HBCUs) such as Howard University, Morgan State University, and Clark College (now Clark Atlanta University), Malcolm generally faced an integrationist opponent on the topic of “Integration or Separation.” Although many students at majority white universities outside the South were sympathetic to nonviolent resistance and integration, others were drawn to Malcolm X’s criticisms of racial liberalism. For black students on these campuses, who often constituted a small and insular minority, Malcolm’s critique of integration as “tokenism” resonated strongly with their experiences on campus.<sup>9</sup> Malcolm’s speeches and their impact, as seen through student newspapers before and after his visits, reveal the importance that his critiques of integration and

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<sup>7</sup> See “Campuses Show New Interest in Political and Social Issues,” *New York Times*, May 14, 1962.

<sup>8</sup> Stephen Ward, *In Love and Struggle: The Revolutionary Lives of James and Grace Lee Boggs* (Chapel Hill: University of North Carolina Press, 2016), 280-283.

<sup>9</sup> According to Martha Biondi, “Black student enrollment in public or private white universities in the late 1960s was still small . . . In 1969, white universities in the South had an average Black enrollment of 1.76 percent; in the East, the figure was 1.84 percent, in the Midwest it was 2.98 percent, and in the West it was 1.34 percent – a strikingly homogenous national portrait.” See Biondi, *The Black Revolution on Campus* (Berkeley: University of California Press, 2012), 17.

racial liberalism, along with arguments for racial separation and self-determination carried for a generation of students entering the civil rights movement. Just as Malcolm's debates were sites of contestation between these ideologies, student newspapers were battlegrounds which extended these conversations in the days that followed. Even when students became more convinced of the importance of integration or their commitment to racial liberalism, they were compelled to publicly defend these positions.

Despite the rather narrow framework of "Integration or Separation" under which most debates and lectures were billed, the forceful censorship and overreactions by university administrations to these invitations often expanded the conversation to include still-embryonic ideas about student free speech and academic freedom. The draconian responses by administrators coincided with these early years of student involvement in the civil rights movement. It also resonated with the growing student free speech movement which challenged the *in loco parentis* structure of academic life which positioned the administration, in the words of the Port Huron Statement in 1962, "as the moral guardian of the young."<sup>10</sup> Thus, administrative repression politicized students and drew in an audience that might have otherwise opposed the tenets of black nationalism.

A second important theme was the sponsorship of Malcolm's visits by student chapters of the NAACP. Nearly a dozen youth and college invitations were extended by student chapters which had been revitalized and reinvigorated amidst the new flurry of student involvement in the early 1960s.<sup>11</sup> Years before the founding of the first Black Student Union (BSU) at San

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<sup>10</sup> Richard Fallenbaum, a student organizer at UC-Berkeley, noted that women in particular had their personal freedoms restricted by the doctrine of *in loco parentis*. Richard Fallenbaum email interview, October 30, 2014. See "Port Huron Statement," accessed May 22, 2016, <http://coursesa.matrix.msu.edu/~hst306/documents/huron.html>.

<sup>11</sup> These include (chronologically): Queens College (twice), Yale Law School, City College, Harvard Law School Forum, Yale University, Rutgers, Los Angeles State College, Michigan State University, Locust St. School (NJ), and Winchester high school (CT).

Francisco State, black students and antiracist whites joined or started NAACP chapters around an array of goals ranging from recruiting students of color to fighting discriminatory student housing. Many of the students responsible for bringing Malcolm to campus were primarily interested in catalyzing political discussions on campuses otherwise devoid of such activity. Michael Winston, who founded Project Awareness at Howard in an effort to promote campus dialogue, pointed out that the idea of getting more students politically engaged would have seemed ludicrous just several years later, an observation which highlighted the dramatic “difference between the campus of the *early* Sixties and the *late* Sixties” (emphasis added).<sup>12</sup> But, as Lucy Komisar, co-program chair of the Queens NAACP chapter explained at the time: “we were interested in what [Malcolm] had to say . . . we were curious.”<sup>13</sup>

This intellectual curiosity unintentionally spurred the first formal opposition to the NOI and other black nationalist groups by the NAACP’s national office. Like many hierarchal, centralized organizations, there were simmering hostilities between the national office and local chapters. These extended further when factoring in the condescension leadership held towards student organizers. Charles Black, a senior at Morehouse College whose organization, the Committee on Appeal for Human Rights, led a desegregation campaign at Atlanta drug and department stores in 1961, was also a member of the NAACP. But he noted that the “NAACP’s officers don’t seem to like direct-action programs. Their lawyers are usually available if we ask for them, but we try to avoid that. Take this restaurant thing, for instance. It might have taken ten years if we’d tried to push this through the national body.” The national office held much of the same contempt for youth organizers. As Roy Wilkins proclaimed, the “youth bring the fire and

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<sup>12</sup> Michael Winston, phone interview with author, November 2, 2015.

<sup>13</sup> Mitch Rothstein, “As I See It,” *Ken*, October 23, 1961.

drive that's necessary, but it is the adults who do most of the organizing, planning, and financing that are the backbone of this fight."<sup>14</sup>

Antagonisms also existed between local adult and student chapters within the same cities. When it came to working with adult members in organization, Black added that the "older folk in the NAACP have become set in their ways. Litigation is necessary, but it is not the *only* way. I hate to use the word 'conservative,' but they don't do things the way we would."<sup>15</sup> Ernest Green, president of the Michigan State University student chapter, remembered these tensions between the college branch's activities and the East Lansing branch.<sup>16</sup> And at Berkeley, the NAACP reported that members of the local branch "were very upset about the whole matter [of inviting Malcolm to campus] and said that they would not, under any conditions, sponsor Malcolm X."<sup>17</sup>

Although Malcolm X's debates may have expanded the political language of students beyond the constrictions of integration and segregation, this nuance was often lost when framed through a debate format which continued to pit "integrationists" against "separatists" and the NAACP against the NOI. That it was the influence of white members and donors which prompted the denunciation of the NAACP, however, further confirmed a central component of the NOI's critique of integration: that white participation in black organizations inevitably led to white control. Malcolm later explained how such interests jeopardized black unity: "It's not that there is no desire for unity, or that it is impossible, or that they might not agree with me behind closed doors. It's because most of the organizations are dependent on white money and they are afraid to lose it."<sup>18</sup> The NAACP's resolutions that came in response to the concerns of these

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<sup>14</sup> Ernest Dunbar, "The Negro in America," *Look Magazine* 26, no. 8 (April 10, 1962), 32.

<sup>15</sup> *Ibid.*, 32-33.

<sup>16</sup> Ernest Green, phone interview with author, October 19, 2014.

<sup>17</sup> Tarea Pittman to Gloster Current, May 9, 1961, 3-5, General Office File, Black Muslims, 1961-1965, Part 24: Special Subjects, 1956-1965, Series A: Africa-Films, Papers of the NAACP.

<sup>18</sup> Marlene Nadle, "Malcolm X: The Complexity of a Man in the Jungle," *Village Voice*, February 25, 1965

white donors would have dire consequences for future black united front coalitions at the local level.

Malcolm X's college visits between 1960 and 1963 introduced black nationalism to an entirely new, and broader, audience – sometimes bringing together strands of the civil rights and student free speech movement in unexpected and lasting ways. While these debates and lectures have often been discussed individually, it is important to look at their cumulative effect by situating them during the emergence of student radicalism and the growth of youth participation in the civil rights movement. Of course, the meanings of Malcolm's visits to students and the role of these debates in the development of the student movement varied by student and university. From demography, region, and class backgrounds of students, to the internal politics of student organizations and different administrations, each campus represented a unique social and political ecosystem. Only by accounting for these tensions on the ground are we able to tease out conclusions about the growth of student activism in the early 1960s and what Malcolm's college visits meant to students' political and intellectual development.

Although Malcolm was the primary draw for these debates and Elijah Muhammad had issued strong opposition to his college lectures by late 1962, it would be a mistake to see Malcolm as acting solely on his own accord or in spite of the NOI. At many speeches, caravans of Muslims traveled to college campuses to watch the debates and announce their presence. At Howard University, buses of Muslims from Mosque 7 in New York arrived to find the auditorium already full. Unable to enter, they sat on the buses and listened to the debate through loudspeakers.<sup>19</sup> After Malcolm's debate at Yale, "young men wearing blue suits and red ties" weaved through the crowd selling "Mr. Muhammad Speaks" and records of Louis Farrakhan's

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<sup>19</sup> Winston interview.

hit single: “A White Man’s Heaven is a Black Man’s Hell.”<sup>20</sup> As one student organizer recalled, the dozen FOI around the hall made “an impression on people.”<sup>21</sup> At Morgan State University, a group from Mosque No. 6 in Baltimore arrived to listen.<sup>22</sup> And when Malcolm spoke at MIT, John X of the Boston mosque received permission from the university to hand out literature at the auditorium.<sup>23</sup> Unlike recent historiography, which often position Malcolm as politically distinct from the Nation of Islam due to his split in 1964, college audiences during this period would have seen Malcolm as a representative of the larger movement. As the recently-appointed national spokesman of the NOI, Malcolm was perceived as the voice of the movement rather than in tension with it.<sup>24</sup> Ultimately, by attending to the individual climates of these campuses as well as the cumulative effect of the NOI’s critique of racial liberalism, we find that Malcolm’s college lectures meant more than developing tensions between national spokesman and Chicago leadership. The Nation’s insertion of racial separatism into the polarizing national discourse of integration and segregation shaped students’ involvement with, and ideas about, the civil rights movement, as well as their growing engagement with notions of academic freedom.

### **“Unfinished Revolution”**

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<sup>20</sup> Paul Torop, “NAACP Officer, Black Muslim Leader Clash in Debate on Negro’s Future,” *Yale Daily News*, October 21, 1960. Also see Manning Marable, *Malcolm X: A Life of Reinvention* (New York: Viking Press, 2011), 171.

<sup>21</sup> Charles Keil, phone interview with author, November 23, 2015.

<sup>22</sup> Malcolm X FBI File, Summary Report, New York Office, May 17, 1962, 23.

<sup>23</sup> N.J. Block to Malcolm X, September 26, 1962, Box 3, Folder 17, Malcolm X Collection (MXC), Schomburg Center for Research in Black Culture, New York Public Library.

<sup>24</sup> Indeed, much of the tension with Elijah Muhammad was precisely because Malcolm’s national stature had become so prominent that he was often described as Muhammad’s logical successor. Although he repeatedly told reporters that he was not the heir apparent, Muhammad reportedly reassured him in 1963 just before his silencing that he should “not deny that he is the number two man.” It is unclear whether or not this was a set up for his eventual suspension. See Malcolm X FBI File, Summary Report, New York Office, 15 November 1963, D.

The Negro is a catalyst in American politics precisely because, directly or indirectly, he challenges the liberal.<sup>25</sup>

Tom Kahn, 1960

On February 1, 1960, the civil rights struggle entered a new chapter when four students at North Carolina A&T College refused to move from a segregated Woolworth's lunch-counter in Greensboro, North Carolina. The sit-ins ushered thousands of young people into the civil rights movement and decisively ensnared campuses as sites of rebellion, protest, and most importantly, student organizing. William Chafe described the movement as a "watershed in the history of America."<sup>26</sup> The elderly socialist minister Norman Thomas wrote that "[f]ar and away, the most hopeful event on the American scene in the year 1960 has been the widespread student sit-in strikes against discrimination in lunchrooms."<sup>27</sup> Grace Lee Boggs and others in the Detroit-based radical group *Correspondence*, trumpeted this youthful uprising. "In years to come historians will tell and re-tell the story of the upheaval we are now living through in the U.S." she wrote optimistically, "No one, of whatever race, age, or class, in any section of the country, is untouched by the revolution now taking place."<sup>28</sup>

That same year, a young white college student at Howard University named Tom Kahn outlined the meaning of this new epoch in a pamphlet entitled the "Unfinished Revolution." He credited the inertia of the movement to black students in the South and described what he saw as the future of the civil rights struggle. It would be built around nonviolent direct action and voter registration drives, led by southern blacks with white allies, dismantling the old order of the

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<sup>25</sup> Tom Kahn, *Unfinished Revolution* (New York: Socialist Party-Social Democratic Federation, 1960), 44, in Box 1, Folder 121, American Left Ephemera Collection, Archives Service Center, University of Pittsburgh.

<sup>26</sup> William Chafe, *Civilities and Civil Rights: Greensboro, North Carolina, and the Black Struggle for Freedom* (New York: Oxford University Press, 1980), 71.

<sup>27</sup> Foreword by Norman Thomas in Kahn, 7.

<sup>28</sup> Ward, *In Love and Struggle*, 266.

Democratic Party to create a “*real second party* in the United States.”<sup>29</sup> Kahn argued that the movement should avoid getting stalled in litigation, challenging those who criticized the NAACP to get involved in making it into a more progressive organization. Finally, he highlighted the North’s role in the struggle and the everyday resistance which would prove crucial to its success. “The most fundamental way in which Northerners can help the Southern movement,” he stressed, “[is] by extending non-violent mass action here against housing and employment discrimination.”<sup>30</sup> Kahn’s pamphlet captured the essence and energy of the movement as it entered a new pivotal stage of nonviolent direct action, student involvement, and voter registration drives. He was also among the cohort of students who would invite Malcolm X to lecture or debate on their college campuses during these crucial years.

As the sit-in movement spread nationally, established civil rights organizations scrambled to harness its energy. As Constance Webb noted in *Correspondence*, this “unorganized, totally spontaneous move by the students was without leadership, as we commonly know it, and without the aid of any organizations. It moved so quickly no organization could have kept pace.”<sup>31</sup> The same spontaneity which encouraged *Correspondence*, whose political theory of revolution fundamentally center on the potential for young people, women, workers, and black Americans to self-activate and mobilize against their oppressors, caught other national organizations by surprise. Edward Warren of the Los Angeles NAACP stated frankly: “The current wave of sit-ins was not started by the NAACP. We saw them going, and then said, I’m your leader. Where are you going?”<sup>32</sup>

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<sup>29</sup> Kahn, 42.

<sup>30</sup> *Ibid.*, 50.

<sup>31</sup> Ward, *In Love and Struggle*, 265.

<sup>32</sup> Dunbar, “The Negro in America,” 33.

However, this did not prevent the Association from announcing a national drive for 100,000 new youth members. Youth secretary Herbert Wright recognized that “the sit-in demonstrations led by Negro youth in the South have aroused America’s young people as no other issue in recent years has” and urged students to write him regarding forming new chapters on their campuses.<sup>33</sup> At Yale, shortly after Wright had spoken to the Law School on the topic of “America’s Racial Malaise and the Student,” and just days after the Greensboro Sit-ins began, a group of undergraduates and law students revitalized a defunct NAACP chapter. Charles Keil, a white American Studies major from Connecticut, was named the temporary chairman of the group, which outlined a program focusing on education and recruiting more black students to the University. Keil pointed out that the progress in the South meant that “it was time for greater attention to be turned to northern universities in stimulating more Negro applications.”<sup>34</sup>

Elsewhere, at Duke and the University of Oklahoma, students formed the first NAACP chapters at predominately white southern schools since the end of World War II.<sup>35</sup> During the first two weeks of May, the organization set a record with 2,651 new youth members.<sup>36</sup> The success of these chapters carried into 1961 and the organization proudly announced that “[c]ivil rights activity by youth and college units of the Association reached an all-time high . . . During this time our youth and college units conducted sit-ins, stand-ins, mass demonstrations, protest marches, picket lines and withholding of patronage campaigns in ten states and twenty-one cities in the south and mid-west.”<sup>37</sup>

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<sup>33</sup> “NAACP Seeks 100,000 New Youth Members,” April 7, 1960, Press Releases, 1956-1964, Part 19: Youth File, Series D: Youth Department Files, 1956-1965, Papers of the NAACP, Library of Congress.

<sup>34</sup> “Keil Appointed Head of Group Revitalizing Yale NAACP Chapter,” *Yale Daily News*, February 5, 1960.

<sup>35</sup> Report on Youth and College Division, April 1-30, 1961, Rutgers University and Newark, NJ Youth Programs, 1957-1963, Part 19: Youth File, Series D: Youth Department Files, 1956-1965, Papers of the NAACP.

<sup>36</sup> “NAACP Youth Membership Campaign in High Gear,” May 19, 1960, Press Releases, 1956-1964, *ibid*.

<sup>37</sup> Report of the Youth and College Division, March 1-31<sup>st</sup>, 1961, Youth Programs Monthly Reports, 1960-1962, *ibid*.

Although most have dated Ibram Kendi calls the “Black Campus Movement” as a post-1965 phenomenon, its origins lay in the reinvigorated NAACP student chapters of the first half of the decade.<sup>38</sup> At a time when the Black Student Union (BSU) had not yet emerged on campuses, NAACP student chapters, along with the black fraternities and sororities, were often the only black social and political space on white campuses. During an era of increased student activism and a paucity of black student organizations on these campuses, NAACP chapters filled a significant cultural and political void. The nation’s oldest civil rights organization also positioned this injection of youth significant in combating its reputation for pursuing a moderate and middle-class agenda. By fall, the organization proudly reported that whatever “doubts the general public may have had about the Association’s role in the sit-ins, was dispelled by the legion of youth sit-in leaders at the National Convention.”<sup>39</sup> The role students played in shifting the public perception of the NAACP as the old guard in the movement also moved the typically-neglected youth division into a crucial role within the national organization. The youth department proudly noted that its program finally “gained recognition for the first time as a vitally important and effective instrument in the NAACP’s fight against racial injustice and second-class citizenship.”<sup>40</sup> With the advent of the sit-in movement and the re-energizing of student chapters, the NAACP came to appreciate this injection of youth and students enjoyed a new status within the organization.

As Herbert Wright’s youth program emerged as a valuable new asset, he also became the ideal candidate to debate the organization’s foremost critic. He met Malcolm on October 20,

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<sup>38</sup> For example, see Ibram Rogers (now Ibram X Kendi), “The Marginalization of the Black Campus Movement,” *Journal of Social History* 42, no. 1 (Fall, 2008): 175-182.

<sup>39</sup> Report of the Youth and College Division, June 1-August 31, 1960, Part 19: Youth File, Series D: Youth Department Files, 1956-1965, Papers of the NAACP.

<sup>40</sup> *Ibid.*

1960 at the Yale Law School to debate the effectiveness of the NAACP and other national leadership in the struggle for civil rights.<sup>41</sup> Before an overflow crowd which filled the hall three hours before the debate, Wright cited the progress of the NAACP and suggested continuing the fight for civil rights through legislation, litigation, and education. Nevertheless, he acknowledged that desegregation was moving too slowly and that this “leads to dissatisfaction and discouragement among our members,” some of whom become frustrated with the moderation of the NAACP and left to join more militant organizations. Yet, he encouraged the audience to become members of the NAACP and support its program if they were as disturbed “as they appeared to be with the program and philosophy of the followers of black Islam.” And, at least according to the NAACP, Wright’s speech was followed by a standing ovation from the audience “which indicated its overwhelming support for the NAACP’s position.”<sup>42</sup>

But despite this optimistic assessment of the debate, the NAACP’s initial membership boom following the sit-ins began to wane in the following years. By 1962, Wright noted that the place of college students in the NAACP was one of the most crucial facing the organization. “These are young people who are too old and too mature to be an integral part of our youth program,” a monthly report noted. “[O]n the other hand, [they are] too young and progressive to become easily assimilated in the branch programs.”<sup>43</sup> The early 1960s also witnessed the development of SNCC and the reinvigoration of the Congress of Racial Equality (CORE), a World War II-era civil rights group. The NAACP was thus forced to compete for this new youth membership. As both SNCC and CORE took part in the first Freedom Rides in spring of 1961, the NAACP youth division noted that “[i]n frustration, these are the young people who have

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<sup>41</sup> “NAACP Officer, Black Muslim Leader Clash in Debate on Negro’s Future,” *Yale Daily News*, October 21, 1960.

<sup>42</sup> Report of the Youth and College Division, October 1-31, 1960, 3, Youth Programs Monthly Reports, 1960-1962, Part 19: Youth File, Series D: Youth Department Files, 1956-1965, Papers of the NAACP.

<sup>43</sup> Report of the Youth and College Division, September 28-October 22, 1962, 2-3, *ibid*.

turned to or are ready to turn to other civil right[s] groups as an outlet for their abilities, dedication, and eagerness to be an integral part of a civil rights movement.”<sup>44</sup> By 1963, the organization was struggling to keep up with CORE, SNCC, and other more student-led organizations in the movement.<sup>45</sup>

### “A View from Further South”

When I came to Yale, I came as a Negro from the North heading South.<sup>46</sup>

Martel Davis, 1964

While it is significant that Malcolm X’s first major college lecture came during the height of the Student Sit-in movement amidst a kinetic energy on college campuses which brought unprecedented numbers of students into the civil rights struggle, it was also important that it was arranged by C. Eric Lincoln.<sup>47</sup> Malcolm later credited his college lecture popularity to Lincoln, recalling that “what had generated such college popularity for me was Dr. Lincoln’s book, *The Black Muslims in America*. It had been made required reading in numerous college courses.”<sup>48</sup> As Lincoln finished his manuscript that year, students wrote of their appetite for information on the Nation of Islam and Malcolm X. A Harlem police officer who was a student at Brooklyn

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<sup>44</sup> Pittman to Current, May 9, 1961, 3.

<sup>45</sup> Noting the demands for NAACP buttons similar to the “FREEDOM NOW!” buttons of CORE, the office manager for the NAACP youth division even began disturbing “Freedom Fighter” buttons. Report of the Youth and College Division, September 5-October 20, 1963, 7 and Report of the Youth and College Division, June 25-July 25, 1964, 2, in Youth Programs Monthly Reports, 1963-1964, Part 19: Youth File, Series D: Youth Department Files, 1956-1965, Papers of the NAACP.

<sup>46</sup> Martel Wellington Davis, “A View From Further South in the Ivy League: A Negro Goes to Yale,” *Esquire*, April 1964. Reprinted in *Harvard Journal of Negro Affairs*, 1, no. 1 (1965): 17-29.

<sup>47</sup> Although Malcolm appeared on campuses as early as March 1958, when he spoke at University of Southern California as a guest of the Pakistan Student Association, his lecture at Boston University’s Human Relations Center on February 15, 1960 marked the beginning of his popularity on campuses. See “Malcolm X Speaks at Univ. S. Cal.,” *Amsterdam News*, April 5, 1958 for more on his talk at USC.

<sup>48</sup> See Malcolm X and Alex Haley, *The Autobiography of Malcolm X* (New York: Ballantine Books, 1992), 324.

College was assigned a term paper on the movement. A graduate student in sociology at Kent State had begun observations of a local temple in Akron. And Haywood Burns at Harvard reported that his “interest is ravenous at this point.”<sup>49</sup>

After the book’s release, Lincoln began referring student requests to Malcolm X. And while some of these were academic, students also demonstrated a deeper engagement with – and attraction to – the ideas of black nationalism.<sup>50</sup> Leonard Simmons, a social worker studying at Western Reserve, wrote of his interest in the NOI’s social rehabilitation programs. James Turner at Central Michigan University reached out in an effort to get in touch with Malcolm’s brother Philbert in Lansing and facilitate his conversion to Islam.<sup>51</sup> Still other black students wrote about the isolation they felt on predominantly white campuses and their disillusionment with the direction of the civil rights movement. Lou Holland, a political science major at University of California – Berkeley, expressed her interest in joining the NOI. “I’m sure as I think more about much of what you said,” she wrote openly, “I can probably end this confusion I’ve lived in for a year and a half. It’s a very hopeless feeling.” Holland also spoke with sociology professor, Herbert Blumer, who wondered “what effect [Malcolm] had on the black students, especially since so many of us are alienated and are searching.”<sup>52</sup>

Martin Miller, likely a student at Colgate University, wrote that a group of ten black students “would like to organize into our own society – one apart from the whites – and we

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<sup>49</sup> Anthony Padula to C. Eric Lincoln, December 5, 1960; William Anderson to Lincoln, November 30, 1960; and Haywood Burns to Lincoln, December 6, 1960, all in Box 70, Folder 2, C. Eric Lincoln Collection (CELC), Robert W. Woodruff Library, Archives Research Center, Atlanta University Center.

<sup>50</sup> Judith Hummer, a religion student at Wells College writing her senior research paper on the NOI found Lincoln’s work to be too sociological. A Dartmouth student had his interest piqued by *The Black Muslims* but asked for more information from Malcolm. See Judith Hummer to Malcolm X, September 27, 1961, Box 4, Folder 7 and John Rose, Jr. to Malcolm X, no date, Box 3, Folder 17, both in MXC.

<sup>51</sup> Leonard Simmons to Malcolm X, October 21, 1963 and James Turner to Malcolm X, no date, Box 4, Folder 7, *ibid.*

<sup>52</sup> Lou Holland to Malcolm X, October 14, 1963, *ibid.*

thought that even if you wouldn't let us join the Nation of Islam, you could give us some ideas that would be helpful." Miller was from Montgomery, Alabama and wrote that he had expected to find that education was the solution to racism when moving north, but the "same resentment and the same hatred exists here [in New York] as it did in Montgomery." Miller echoed Malcolm's critique of integration as predicated on inferiority as well as the NOI's appeal to a global majority. "Why should we fit into the white society, why not form a society of our own and let the whites fight to get into it," he wrote. "Why do we constantly and consistently assume that we are inferior, especially when we make up 3/4 of the world's population." If the Nation of Islam "would like to extend the movement into the northern part of the state, we are waiting."<sup>53</sup>

Holland and Miller were just two examples of the many black students who came to universities outside the South looking for an education away from the racism of their upbringing only to find themselves alienated at predominantly white universities. These experiences were recounted in the early 1960s by black students across the country, none more candid than that of Martel Davis, who wrote a scathing essay in *Esquire* about his experiences as an undergraduate at Yale in 1964. Davis had studied at a private New England boarding school for two years before his college career, but wrote that when "I came to Yale, I came as a Negro from the North heading South." Unlike those who hopefully imagined finding a college community free of racism, Davis recalled coming to Yale "expecting the worst" and finding his fears confirmed.

His description of the particular brand of northern, liberal racism he faced mirrored Malcolm's speech delivered at Yale while Davis was enrolled at the university. "Patronization

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<sup>53</sup> Martin Miller to Malcolm X, December 3, 1963, *ibid.* Miller's timing was inopportune. The day after his letter, Malcolm was silenced by Elijah Muhammad and suspended for ninety days the day after his comments regarding President Kennedy's assassination. Nevertheless, he wrote Miller that it "would be easy for you to organize a Muslim society there on your campus. Our bylaws are the 'principles of Islam' . . . After this month I will be very happy to give you more information and also do whatever else is necessary to help get you started and organized." Malcolm X to Martin Miller, December 6, 1963, Box 3, Folder 4, *ibid.*

was the worst of it,” he wrote. “Acts of overt prejudice often came as a welcome relief, confronted as I was with people looking down the enormous distance of their pity or guilt or self-righteous beneficence.” This critique of white paternalism recalled Malcolm’s folk metaphor of the liberal fox and the segregationist wolf. Comparing President Kennedy to George Wallace, Malcolm argued that “neither one loves you . . . the only difference is that the fox will eat you with a smile instead of a scowl.”<sup>54</sup> Davis also echoed Malcolm’s criticism of token integration. “At an all-white cocktail party,” he wrote, “a Negro would hate any other Negro who walked in the door on sight. One meant integration, two meant an invasion.” Davis left Yale after his junior year, deeming himself another “casualty” of black students at white northern campuses. He remembered what he called the “final humiliation”: leaving Yale’s sequestered campus to bury his grandfather in a decrepit segregated cemetery in Maryland. “We’ve had sit-ins, and swim-ins, and pray-ins,” he wrote. “[O]ne day, perhaps, we’ll have bury-ins.”<sup>55</sup>

In 1963, Harvard students established the Association of African and Afro-American Students of Harvard and Radcliffe, also known as AFRO. The group identified as Pan-Africanist and granted automatic membership to all black students at the university. By 1965, it had begun publishing the *Journal of Negro Affairs*, and reprinted Davis’ essay in its inaugural issue. His story resonated with students across the Ivies and schools outside the South. One Howard University student recalled hearing similar stories of isolation at these institutions in 1961. “Some of my friends go to colleges where there are only a few Negroes,” she said. “They have no social life, no outlet. They definitely lose something. I feel a little sorry for them.”<sup>56</sup> Dean Georges May of Yale responded to Davis’ essay by claiming that attitudes towards black

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<sup>54</sup> “400 Hear Malcolm X Speak Here,” *Washington Post*, May 13, 1963.

<sup>55</sup> Davis, “A View From Further South.”

<sup>56</sup> Milton Viorst, “Howard University: Campus and Cause,” *Harpers*, November 1961, 57.

students at the university had changed since its writing. “Yale is no longer looking after freshman in a paternalistic way,” he wrote. “The only attitude the Administration should take toward social discrimination is to take no cognizance of the fact. It may sound callous but I will let Negroes at Yale take their chances; any special arrangements are an objectionable sort of protectiveness which men like Davis find insulting.” A white Yale student, John Garabedian, a well-known disc jockey at Boston’s WMEX, which frequently hosted Malcolm X, noted his “complete approval of [the Dean’s] intelligent policy.” It answered what he saw as the paradox of racism at Yale: “*the administration accomplishes the most by doing absolutely nothing*” (emphasis in original).<sup>57</sup> Both administrators and white students thus failed to imagine a university which offered anything outside white paternalism or benign neglect of black students. But letters from these students, as well as their writings and actions during the early 1960s, revealed that – contrary to Elijah Muhammad’s belief that these college lectures were directed at the wrong audience – there was a small-but-growing contingent of students drawn to black nationalism. The Nation’s critique of token integration and white liberals resonated with their own experiences of racism and isolation on campuses outside the South. Beginning in 1961, however, the decisions by university administrations to block or censor Malcolm X’s campus visits brought a wider contingent of students into the fold by highlighting issues of academic freedom and free speech.

## **The Ban Wave**

The recent wave of bannings of controversial political figures from various campuses of our City Universities has left us ‘speechless.’<sup>58</sup>

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<sup>57</sup> John H. Garabedian, “Racism’s Paradox: Personal and Polemical,” *Yale Daily News*, April 8, 1964.

<sup>58</sup> “The Ban Wave,” *Ken*, October 23, 1961.

A significant number of Malcolm X's invitations for college lectures and debates came from campus NAACP chapters. Malcolm's speeches at Yale, Howard, Berkeley, Rutgers, Queens College, and Michigan State were all initiated by students associated with the organization.<sup>59</sup> Many of these student organizers also had extensive and illustrious backgrounds in integrationist youth organizing. For example, Ernest Green at Michigan State was the eldest of the Arkansas "Little Rock Nine," responsible for desegregating Central High School in 1957. Green was admitted to MSU sight unseen after receiving a full scholarship anonymously donated by the university's president, John Hannah, who had become aware of Green while acting as chairman of the U.S. Commission on Civil Rights during the Eisenhower administration.<sup>60</sup> As Green later joked, "I bet sometimes he looked out his window [when I was picketing], and wished he could get his money back."<sup>61</sup> At Howard, Tom Kahn was a protégé of Bayard Rustin and worked as an organizer in the 1958 and 1959 Youth Marches for Integrated Schools in Washington, D.C. J. Herman Blake, a doctoral student at Berkeley responsible for inviting Malcolm to California, was the former head of his NAACP youth chapter in Mount Vernon, New York. While the scarcity of black student organizations in the early 1960s is at least a partial explanation for these invitations from NAACP chapters, these chapters also featured a wide ideological diversity which was often bound by a shared interest in student activism and intellectual inquiry, both of which attracted them to Malcolm X.

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<sup>59</sup> Elsewhere, his lectures were sponsored by student civil rights groups such as the Cornell Committee against Segregation, the Campus Civil Liberties and Civil Rights Commission (University of Rochester), or the Student Council on Civil Rights (University of Wisconsin). Less commonly, socialist groups at Wisconsin (the University Socialist Club) and Wayne State (the Independent Socialist Club) invited the minister.

<sup>60</sup> Green was only made aware of Hannah's identity as the donor when he received an honorary doctorate from university years later. Ernest Green interview.

<sup>61</sup> Thomas Bynum, *NAACP Youth and the Fight for Black Freedom, 1936-1965* (Knoxville: University of Tennessee Press, 2013), 86.

While some students may have been more drawn to Malcolm's politics than was outwardly evident, these debates were more often, in the words of Green, "information gathering."<sup>62</sup> As he recalled, "if you were a black student during the sixties, you were involved" and wanted to get as much information as you could on Malcolm X and Elijah Muhammad.<sup>63</sup> At Howard University, Michael Winston was the President of the Liberal Arts Student Council and a founder of Project Awareness, the forum responsible for Malcolm X's debate with Bayard Rustin. The Howard campus had become less radical after World War II despite its blossoming student enrollment from the GI Bill, and Winston remembered that the chief aim of the Project was to stimulate student activity and facilitate connections between faculty and students.<sup>64</sup> Hence, students were often as ideologically committed to ideals of campus activism, academic freedom, and intellectual debate as they were to the particular ideas within the debate itself. And it was these principles which were transgressed by university administrators as students attempted to bring Malcolm to their campuses.

Queens College student Gay Plair wrote Malcolm X on behalf of the Queens College NAACP branch in 1961 that "[o]ne of the main purposes of a campus group such as ours (Queens College Branch of the NAACP) is to try and present as many different views and approaches to the race problem as possible. While some of us may not agree with certain solutions, we nevertheless recognize and regard them as sincere efforts to answer a critical issue."<sup>65</sup> Like other student organizers, Plair and others at Queens College hoped to stimulate a debate on campus about civil rights strategies and the future direction of the movement. As

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<sup>62</sup> For example, Kahn argued that the "significance of 'Black Nationalism' needs sorely to be understood by students of Negro social movements." See Kahn, 62.

<sup>63</sup> Green interview.

<sup>64</sup> Winston interview.

<sup>65</sup> Gay E. Plair to Malcolm X, September 8, 1961, Box 3, Folder 17, MXC.

Malcolm's speech at approached in late October, the Dean of Student Activities canceled the engagement and deemed the minister's beliefs "potently abhorrent to anyone who subscribes to the basic tenets of American democracy." Dr. James Kreuzer defended the decision by claiming that Malcolm "violated[ed] the basic function of the college, namely, educating students in an atmosphere in which reason can be exercised in the pursuit of truth." In his estimation, Malcolm's ideas "will in no way contribute to the total educational function of college."<sup>66</sup> Malcolm responded simply: "If what I stand for is considered un-American, then America is lost."<sup>67</sup>

The cancellation was part of a larger pattern of free speech suppression by universities in the City University of New York (CUNY) system, which included invitations from student groups to Community Party USA leader Communist Benjamin Davis to speak at Queens College and to editor of the right-wing *National Review*, William F. Buckley, to speak at Hunter College.<sup>68</sup> Within a week of Malcolm's cancelled speech, the CUNY Administrative Council had banned all Communist speakers from its campuses.<sup>69</sup> Harlan Kleiman, the student body president at Hunter College, called for a student strike for academic freedom. Students gathered in early November for an all-night "read-in," at which students vowed they would not smoke, eat, or sleep all night for the "right of any speaker, no matter what his ideology, to speak on any campus of the City University."<sup>70</sup> On November 9, 1961, forty percent of the day students at Hunter, over fourteen hundred, boycotted classes and two-hundred picketed the campus gates. At City College, a third of its students joined the boycott at midday.<sup>71</sup> Although Queens College was the

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<sup>66</sup> "Statement by Dr. James Kreuzer Explaining Queens College Action," *Ken*, October 23, 1961, 10.

<sup>67</sup> Malcolm X FBI File, Summary Report, New York Office, November 17, 1961, 20.

<sup>68</sup> Marable, 176.

<sup>69</sup> Milton Bracker, "Ban on Reds Ended By City University," *New York Times*, December 17, 1961.

<sup>70</sup> McCandlish Phillips, "Student Protest Urged at Hunter," *New York Times*, November 9, 1961.

<sup>71</sup> McCandlish Phillips, "Student Strike at Two Colleges," *New York Times*, November 10, 1961.

site of Malcolm's cancellation, the fact that other New York campuses spearheaded the protests confirms Plair's recollection of the college as the most conservative of the four campuses.

Although she remembered picket lines around the quad on campus, she also noted that there "were hardly any black students there [at Queens]. There was no race consciousness whatsoever. And it was a very conservative environment in general."<sup>72</sup> The president of Queens responded to the protests by claiming that while academic freedom was important, "prize fights, burlesque shows and propagandizing are not proper college activities."<sup>73</sup>

In December, Malcolm X spoke at City College along with New York Assemblyman Mark Lane and William F. Buckley in a forum on "Academic Freedom and the Speaker's Ban," sponsored by the Student Peace Unit and the E.V. Debs Club.<sup>74</sup> And while acting City College president Harry Rivlin did not object to Malcolm's speaking on the topic of academic freedom, the college barred Marxist historian Herbert Aptheker soon thereafter.<sup>75</sup> Although Plair and other students had originally invited Malcolm out of intellectual curiosity and a desire to bring about a greater racial consciousness on campus, he had become a lightning rod for debates about academic freedom in the City University system, not only as a subject of debate, but also as a participant and theorist. As Malcolm put it, the cancellations are "like someone putting an alarm

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<sup>72</sup> Gay Plair, phone interview with author, November 20, 2015.

<sup>73</sup> Fred Hechinger, "Academic Freedom: Ban on Campus Speakers Raises Questions of Law and Ideas," *New York Times*, November 19, 1961.

<sup>74</sup> A similar forum on the same theme was held with Benjamin Davis Jr. at Columbia University and had drawn nearly five hundred students the previous month. See "Red Ban Decried at City College," *New York Times*, November 3, 1961. Although it appears that all three were invited to speak to the forum on academic freedom, Buckley eventually addressed two hundred students on "The Bearing of Liberal Ideology on American Foreign Policy" to the Government and Law Society, which may have siphoned away students from the much smaller gathering of thirty students who saw Lane and Malcolm speak.

<sup>75</sup> "3 in Speech-Ban Controversies Appear at City College Meetings," *New York Times*, December 8, 1961 and "Muslim Talk Approved," *New York Times*, November 23, 1961.

clock to wake him up in the morning, and then, when he is awakened, [he] gets angry and shuts it off.”<sup>76</sup> Students were waking up, and college administrations were frantic to silence the alarm.

The “ban wave” in New York elevated issues of student free speech and academic freedom years before the emergence of the Free Speech Movement in Berkeley. Donna Murch points out that histories of the 1964 Free Speech Movement at Berkeley have emphasized rupture over continuity when contrasted with the early part of the decade on campus, often missing the significance of a growing black student presence on campus and in the Bay Area.<sup>77</sup> In this vein, the focus on Berkeley and the Bay Area has also overshadowed the growth of student activism around campus free speech issues across the nation. Yet, one notable difference between the New York City campus protests in 1961 and the Free Speech Movement at Berkeley was the emergence of a right-left coalition on the West Coast linking student organizations such as the Young Americans for Freedom and Cal Students for Goldwater with left-leaning groups such as SDS and SLATE. By contrast, conservative students at Hunter College stood against the strike, claiming that “student liberals were grieved primarily over the ban on Communist speakers.” Peter Tobia and twenty other Young Americans for Freedom organized to push past the picket line, emphasizing that protesters did not represent the study body and calling for the impeachment of Kleiman.<sup>78</sup> But throughout 1961, administrative responses to Malcolm’s lectures politicized students around the question of academic freedom and the paternalistic role the university played in the life of students. In that year alone, Malcolm’s lectures were canceled at Howard University, University of California – Berkeley, and Queens College, galvanizing a

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<sup>76</sup> Stuart Bykofsky, “Malcolm X, Black Muslim Leader, Barred From Queens College Talk,” *Ken*, October 23, 1961.

<sup>77</sup> Donna Murch, *Living for the City: Migration, Education, and the Rise of the Black Panther Party in Oakland, California* (Chapel Hill: University of North Carolina Press, 2010), 72.

<sup>78</sup> Phillips, “Student Strike at Two Colleges.”

burgeoning student movement and positioning the Nation of Islam as an unlikely catalyst in the nascent free speech movement.

Although Gay Plair would not have found herself alone as a black student at Howard University, students at the historically black college recalled a similar dearth of student activity during the early 1960s. Michael Winston founded Project Awareness in an effort to promote campus dialogue. Project Awareness was a unique student council endeavor, distinct from both the student-led Nonviolent Action Group (NAG), which focused on organizing off-campus protests against segregation, and the university administration. Winston recalled the origins of the program: “I had the idea for Project Awareness because I thought the campus was simply not involved as much in the community and civic events [as it should have been].” Kahn, the chairman for the project, was on a committee along with NAG’s Stokely Carmichael, both of whom had been deeply influenced by Bayard Rustin.<sup>79</sup>

Although Winston later remembered the student NAACP chapter as “dormant,” the group was actually the first to try and bring Malcolm to campus. When it failed to clear their “Negro History Week” speaker with the Student Activities Office, chapter president Douglas Jones hurriedly tried arrange use of the New Bethel Baptist Church off campus. They ultimately decided that the space was too small given the amount of interest drawn. It still remains unclear whether or not the cancellation was a result of missed protocol or a more calculated attempt by the administration to block Malcolm’s visit. The *Pittsburgh Courier* insinuated that it was only when Howard officials learned that the guest speaker was to be the ‘controversial’ Mr. X., [that] the students were immediately notified that Malcolm X’s appearance had not, as prescribed, been

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<sup>79</sup> While recounts of the debate have focused on the influence it had on Stokely Carmichael, according to Winston, the person with “fingerprints on it was Tom Kahn.” Winston interview.

registered in advance with the Student Activities Office.”<sup>80</sup> Carl Anderson, the director of student activities maintained that the cancellation was simply a bureaucratic hiccup. The university does not “try to tell the students whom to invite or not to invite,” he said.<sup>81</sup>

However, renewed resistance from faculty and administration when Project Awareness suggested Malcolm as a debate speaker suggests that the censorship was ideological.<sup>82</sup> Winston recalled that history professor Rayford Logan “roundly denounced me directly while I was sitting in class, for inviting a ‘segregationist’ as far as he was concerned.” Armour Blackburn, the Dean of Students, denied Project Awareness’s initial request and it was only after a meeting with President James Nabrit during which Winston accused the president of believing that Howard students were inferior to white students (since Malcolm had been allowed to speak at prominent white institutions) that the university administration acquiesced. Even then, he made clear that the administration wanted nothing to do with the event. “This will be your project,” he told Winston.<sup>83</sup>

The fifteen-hundred seat Cramton Auditorium, which hosted the eventual debate between Malcolm X and Bayard Rustin, did not open until the summer of 1961, lending some credence to the shortage-of-facilities argument. Also, despite having had a reputation for limiting academic freedoms under President Mordecai Johnson, new Howard president James Nabrit, Jr. had made improvements since his induction the previous year. As one professor noted, “I knew things had changed . . . when Jim sent through a memorandum stating that the faculty would lead the

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<sup>80</sup> “Muslim Malcolm X Out as Howard U. History Speaker,” *Pittsburgh Courier*, February 25, 1961.

<sup>81</sup> Wallace Terry, “Howard Students’ Bid to Muslim Canceled,” *Washington Post*, February 14, 1961.

<sup>82</sup> It remains possible that Rustin’s recollections of his challenge to Malcolm X – “You’ll present your view, and I’ll present a view which says that you’re a fraud. You have no political, no social, no economic program for dealing with the black community and its problem” – are correct. But there is no evidence that he worked with the administration to parlay some type of arrangement. Bayard Rustin interviews with Ed Edwin, November 1984 – June 1987, Columbia University Oral History Library, 217.

<sup>83</sup> Winston interview.

academic procession at opening ceremonies last fall. Mordecai always put administrators first.”<sup>84</sup> Yet students saw it differently. Stokely Carmichael later argued that the administration had “stifled a lot of intellectual activity which could help to liberate the minds of the student.”<sup>85</sup> Peniel Joseph has also suggested that Howard professor E. Franklin Frazier worked a “behind-the-scenes maneuver” to secure Malcolm’s visit and acted as debate moderator, both of which are inaccurate.<sup>86</sup> As Winston noted, Frazier would have likewise believed that “Malcolm X was a segregationist and Howard had nothing to do with segregation.”<sup>87</sup> Unfortunately, this focus on faculty and administration has diminished the role that Howard students had in organizing the debate and the impact of the event and Project Awareness more broadly in politicizing the student body.

But, of the three major controversies in 1961, none played a more prominent role in the student movement than University of California – Berkeley. As at other institutions, Malcolm’s invitation emerged from campus debates between black students over the course of the black freedom struggle and the role of students within it. Third-year law student Donald Warden, who was drawn to the Nation of Islam, accused the Berkeley NAACP chapter of failing to live up to its “philosophical and intellectual duty on campus.” This sparked a debate with the president of the campus NAACP, sociology doctoral student J. Herman Blake.<sup>88</sup> On April 13, 1961, Warden and Blake squared off at Wheeler Auditorium to debate the programs of the NOI and the

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<sup>84</sup> Viorst, “Howard University: Campus and Cause,” 59.

<sup>85</sup> Stokely Carmichael interview with Judy Richardson, November 7, 1988, Washington University Libraries, Film and Media Archive, Henry Hampton Collection, accessed November 16, 2015, <http://digital.wustl.edu/e/eii/eiiweb/car5427.0967.029stokleycarmichael.html>.

<sup>86</sup> There is some confusion on this point, as Bayard Rustin claims he was the one who negotiated an arrangement with the president. See Rustin interviews with Ed Edwin. The debate moderator was in fact Howard professor Emmett Edward Dorsey according to Winston, who remembered having trouble finding a faculty member who would agree to participate. See Peniel Joseph, *Stokely: A Life* (New York: Basic Civitas, 2014).

<sup>87</sup> Winston interview.

<sup>88</sup> Murch, *Living for the City*, 76.

NAACP. Although it was Warden who represented the views of the Nation of Islam at the debate, Blake recalled that three members of the Oakland mosque approached him afterward and offered to arrange for Malcolm X to speak on campus during the minister's upcoming visit to the Bay Area.<sup>89</sup>

Just days before Malcolm's scheduled visit to the same hall in which Warden and Blake had debated the month before, Vice Chancellor Adrian Kragen cancelled the speech, citing its conflict with regulations covering student activities and the state constitution. According to the university's by-laws, its facilities "shall not be used for the purpose of religious worship, exercise or conversion," which Kragen claimed was the aim of Malcolm's upcoming speech. Blake immediately appealed the ruling but it was upheld by acting chief campus officer Edward Strong.<sup>90</sup> The ACLU called the ruling a perversion of the law and the student organization SLATE led a protest on campus.

SLATE was the most obvious antecedent to the 1964 Free Speech Movement (FSM) at Berkeley. The group began in 1957 as Toward an Active Student Community (TASC), designed to run candidates for student government on a single platform, or "slate," aimed at dismantling racial and religious discrimination in living groups.<sup>91</sup> The following school year, it was renamed SLATE and ran a full panel of candidates. When its candidate for student-body president defeated the fraternity-backed nominee, the "administration and the Greeks, who had long controlled the student government were alarmed."<sup>92</sup> UC system President and former Berkeley Chancellor Clark Kerr responded to this rise in campus activism with what became known as the

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<sup>89</sup> J. Herman Blake, phone interview with author, October 16, 2014.

<sup>90</sup> "UC Forbids Black Muslim to Give Scheduled Talk," *San Francisco Chronicle*, May 5, 1961.

<sup>91</sup> David Goines, ed., *The Free Speech Movement: Coming of Age in the 1960s* (Berkeley: Ten Speed Press, 1993), 65.

<sup>92</sup> *Ibid.*, 67.

“Kerr Directives.” Issued just months before the Greensboro Sit-ins began, the directives restricted student organizations from affiliating with political or religious groups; they also required all amendments to student government constitutions be vetted by the administration. But the directives withheld their strongest language for student political involvement. They mandated that groups “not have as one of their purposes the advocacy of positions on off-campus issues.”<sup>93</sup> The Kerr Directives and the ensuing student response they engendered, tilled the ground for the FSM years later.

By Malcolm’s invitation in May, SLATE had formed the Slate Racial Equality Committee as an action group which would sponsor speakers and forums on civil rights. The committee joined the Students for Racial Equality (SRE), the campus NAACP, and the off-campus CORE, as a coalition of interlocking, but distinct, groups all working for civil rights in the Bay Area. A coordinating committee was formed so the campus groups would not “duplicate or detract from each other’s effectiveness.” And although all four groups were committed to nonviolent direct action, they maintained fluid ideological and political affiliations.<sup>94</sup>

Unlike at Howard, where there was strong opposition by senior faculty to Malcolm’s invitation, Berkeley’s cancellation infuriated professors as well as students. Over one-hundred faculty members filed a petition challenging the Kerr administration with violating free speech on campus. The petition charged that the ruling was “contrary to the spirit and letter of the current University regulation on the use of University facilities . . . [and found it] particularly difficult to reconcile this decision with President Clark Kerr’s admirable Charter Day statements

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<sup>93</sup> Ibid., 60-70.

<sup>94</sup> It was also likely that there was overlap in membership, as SRE reported and the NAACP both reported fewer than thirty members in 1961. The racial makeup was likely different, however, as the NAACP was predominantly black and made maintaining relationships with African students on campus a primary goal. See Sachs, “SRE Works in North for Southern Negro Civil Rights.”

of University policy concerning freedom of discussion on campuses.” This was certainly fueled by the university’s long history of limiting faculty freedom, especially through the loyalty oaths of 1949, when the Board of Regents required that all Berkeley employees sign an oath supporting the state constitution and denying membership in Communist organizations and others which advocated overthrow of the U.S. government.

In a meeting with the NAACP’s faculty sponsor, Fred Stripp, and its two student leaders, J. Herman Blake and Cedric Robinson, Kragen insisted that Malcolm’s speech violated the separation of church and state.<sup>95</sup> Chancellor Edward Strong echoed this argument, claiming that Malcolm could have spoken on “non-religious subjects” but not on topics that involved religious worship or conversion. These claims rang hollow when Episcopal Bishop James Pike addressed students just four days later in Wheeler Auditorium.<sup>96</sup> Waldo Martin notes, “[t]he intention was clear: the on-campus agitation of controversial black civil rights leaders was to be avoided at all costs.”<sup>97</sup> At the same moment the NOI was disallowed from prisons on charges of acting as a political movement under the guise of religion, the University of California used the NOI’s religious beliefs to justify its censorship. And although Malcolm’s invitation grew out of a debate over the aims and strategies of the civil rights movement, the administration’s cancellation broadened the conversation to include issues of free speech and academic freedom.<sup>98</sup> In the end, the university’s decision to cancel Malcolm’s speech generated more

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<sup>95</sup> “Muslim Speech Approval Denied,” *Daily Californian*, May 5, 1961.

<sup>96</sup> Mike Several, “Pike Discusses Conservative, Liberal Ideals,” *Daily Californian*, May 9, 1961. SLATE vice chairman Richard Fallenbaum also pointed out that the ruling was arbitrary and discriminatory since the university allowed other religious figures such as Pike on campus. See Malcolm X FBI File, Memo, May 19, 1961.

<sup>97</sup> Waldo Martin, “Mario Savio and the Freedom Struggle in Mississippi and Berkeley,” in *The Free Speech Movement*, ed., David Goines, 98.

<sup>98</sup> “Profes Gather 161 Signatures Protesting Black Muslim Ban,” *Daily Californian*, May 16, 1961.

interest from students than the minister might have gathered on his own. As Murch points out, “the fight to have Malcolm X speak proved as important as his presence.”<sup>99</sup>

According to Blake, it was not the Kerr Directives or even Malcolm X’s radical politics which prompted the University’s censorship of his speech. Instead, it was the NAACP chapter’s challenge to the discriminatory hiring practices of United Airlines, which maintained a presence at the University’s Career Center. CORE and the NAACP had picketed local Kress and Woolworth stores and investigated discrimination in off-campus housing. But when not more than ten students and a few faculty marched in protest of United Airlines, Blake returned from the protest to a call from the administration saying they were canceling Malcolm’s visit.<sup>100</sup> The case was part of a much longer effort by the NAACP to integrate the airline industry. The “Airline Stewardess Project,” as Herbert Wright referred to it, began immediately after the *Brown v. Board* ruling as a way to publicly push for racial integration in desirable careers. The project recruited highly qualified white and black women to apply for airline positions and expose hiring discrimination. In a profession which was deeply gendered and misogynistic, many airlines continued to use stereotypes about black women’s sexuality and attractiveness to justify their maintenance of the color barrier.<sup>101</sup> Blake called on the chief campus officer to prevent university facilities from being used by companies maintaining discriminatory hiring

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<sup>99</sup> Murch, *Living for the City*, 71.

<sup>100</sup> Blake interview.

<sup>101</sup> It would take until the mid-1960s for a civil rights commissioner to conclude that “there has been an underlying ‘white esthetic’ in the evaluation of physical attractiveness by American industry . . . [against] dark skin complexions and certain hair textures.” Plaintiff Patricia Banks was even asked to give her bust, waist, and hip measurements on the stand in her testimony against the airlines in the late 1950s. Vicki Vantoch, *The Jet Sex: Airline Stewardesses and the Making of an American Icon* (Philadelphia: University of Pennsylvania Press, 2013), 74-75. When the *Daily Californian* asked the campus personnel recruiter about hiring, he claimed they had interviewed several black women, all of whom lacked the qualifications they were looking for: “a mature, well-poised, friendly, attractive individual who has a scintillating personality and likes people . . . not many girls have the qualities we’re looking for.” See “Students Charge Discrimination,” *Daily Californian*, April 28, 1961.

practices.<sup>102</sup> For Blake, the timing of Malcolm's canceled visit indicated a knee-jerk reaction by the university to its public embarrassment from the United Airlines protest.<sup>103</sup>

But most importantly, Malcolm's speech was part of a larger context of administrative repression which informed the responses by SLATE, the ACLU, and other students and faculty. For instance, an attempt to establish a committee of "Students Against Racial Discrimination" to help fund the southern student wing of the civil rights movement was forced to raise money off-campus to comply with the Kerr Directives. And although SLATE rhetorically supported on-campus issues such as a minimum wage campaign and the fight for affordable student housing, their protests against compulsory ROTC training and the HUAC hearings did not fall within the narrow scope of student activity envisioned by the Kerr administration. While most histories of the FSM have focused on the 1962 decisions at Berkeley to prohibit Nobel chemist Linus Pauling and former Communist Party USA leader Dorothy Healy from speaking on campus, Malcolm X's 1961 visit marked one of the first casualties of the Kerr Directives. It was just one month after SLATE protested the decision to cancel Malcolm's speech that the organization lost its student group status and became referred to as a "campus political party."

Howard, Berkeley, and Queens were only the most notable examples. Malcolm's visits caused consternation amongst many, if not most, university administrations. At MIT, where Malcolm had been invited by the college Civil Rights Committee, the administration barred outside students and reporters, and added a fifty cent admission fee in order to pay for additional security and crowd control. Student organizer Ned Block and the committee protested the restrictions, noting that since the committee's "purpose was to awaken people on racial problems in general, the group feels that the restriction on attendance does a disservice to other schools."

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<sup>102</sup> "Students Charge Discrimination," *Daily Californian*, April 28, 1961.

<sup>103</sup> Blake interview.

They also argued that the attendance fee “disregarded an important tradition – non-interference with student activities – and thereby established a dangerous precedent.”<sup>104</sup> At Rutgers, where Malcolm eventually debated Dr. William Neal Brown in November 1961, the slated speaker was a Law School professor who had just been appointed to the Superior Court. As Brown remembered, he was called to substitute when vice president Richard Nixon “asked the professor not to debate Malcolm X” and suggested it was “not in his best interest.”<sup>105</sup> For student NAACP chapters and other campus civil rights organizations, many of whom had invited Malcolm X with enthusiasm for intellectual debate, the suppression of academic freedom and free speech further politicized these events by raising the specter of administrative paternalism. The Nation of Islam, Malcolm X, and black student organizers, who have traditionally stood outside histories of the early free speech movement, were central in these emerging debates over the political liberties of students. And while some students found the “ban wave” to be more impactful on their political development than Malcolm’s notions of black separatism, his critiques of racial liberalism nevertheless reshaped the political discourse of the civil rights movement on campuses outside the South at the moment that students were becoming its new focus. This is best viewed through student newspapers, which acted as public forums in which debates over integration and separation were carried on long after Malcolm had left campus.

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<sup>104</sup> Dave Vanderwerff, “Malcolm X Talk Barred to Outside Reporters” and Ned Block and John Kramer, “To the Editor,” *The Tech*, November 7, 1962. Block wrote to Malcolm that “[w]e’ve been having a good deal of trouble with the Administration over your talk. They’ve indicated concern about rioting outside if there are a lot of people who can’t get in. In addition, they’re quite preoccupied with MIT’s ‘public image,’ and are interested in making it as non-controversial as possible.” N.J. Block to Malcolm X, October 26, 1962, Box 3, Folder 17, MXC. The Dean of Student Affairs responded in the student newspaper that in the “Malcolm X case, the problem involved a highly controversial person and cause, and it also involved MIT’s relations outside of the immediate MIT community. Consequently, to me there seems to be no violation of our traditions of student freedom in the actions taken.” See Kenneth Wadleigh, “Letters to the Tech,” *The Tech*, November 14, 1962.

<sup>105</sup> Interview with William Neal Brown, February 25, 2005, Rutgers Oral History Archives, [http://oralhistory.rutgers.edu/images/PDFs/brown\\_william\\_neal.pdf](http://oralhistory.rutgers.edu/images/PDFs/brown_william_neal.pdf) (accessed November 10, 2015).

## “Integration or Separation?”

“[B]etween the racists and the integrationists, I highly prefer the racists.”<sup>106</sup>

Malcolm X, 1963

When MIT philosophy student Ned Block wrote Malcolm in 1962 inviting him to speak on campus, he asked: “Would you object to debating an ‘integrationist’? If not, which one would you prefer to debate?” Block had spoken to Dr. Martin Luther King, Jr., who refused to debate Malcolm, saying he did not want to “give official recognition to the Muslims.” Although he was happy to have Malcolm speak alone, Block explained that the debate format promised to bring out the ideas of the NOI more clearly through a “high powered exchange of ideas.” Block’s views reflected the aims of many student invitations, which hoped to promote healthy debate over the aims and methods of the civil rights movement while encouraging student activism and involvement in the struggle.

Whether as Project Awareness at Howard or Operation Controversy at Morgan State University, most student organizations invited Malcolm X to debate under the oppositional framework of “Integration or Separation?” His debates with Herbert Wright at Yale, Willoughby Abner at the University of Chicago, Bayard Rustin at Howard, and William Neal Brown at Rutgers, were all billed this way. As Stokely Carmichael later pointed out of the Howard debate, “there were great divisions and Bayard Rustin and Malcolm X posed these divisions.”<sup>107</sup> Students often invited Malcolm to speak on a variety of topics individually, such as Audrey Johnson’s request for him to discuss the “reafriization movement” at NYU or Ronald Toby’s suggestion that he speak on the Albany Movement to Columbia College. But debates almost

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<sup>106</sup> “A Black Muslim Speaks Out,” *Chicago Daily Defender*, April 25, 1963.

<sup>107</sup> Carmichael interview.

invariably pitted Malcolm against an integrationist foe.<sup>108</sup> However, as his debate against James Farmer at Cornell on the topic “Which Way Civil Rights – Integration or *Segregation*?” and his talk at Rutgers in 1962 on “Integration, *Segregation*, or Separation?” indicate, there was still confusion and disagreement over whether or not the Nation of Islam prescribed racial *separation* or supported racial *segregation* (emphasis added).<sup>109</sup>

This confusion was not unique to college students. In 1963, the *New York Herald Tribune* ran a story entitled “Integrated Segregation,” satirizing what it perceived as the ironic similarities between white segregationists and black separatists. Things “seem a trifle confused on the racial front these days. The segregationists are getting integrated and the integrationists are getting segregated.” The author painted a scene in which segregationist George Wallace was explaining why racial segregation benefitted black Americans when “a Black Muslim popped up from behind, tapped him on the back and agreed with him.” Soon CORE would “start picketing the N.A.A.C.P., while the Black Muslims set up an all-Negro chapter of the Ku Klux Klan.”<sup>110</sup> In the midst of violent opposition to southern desegregation campaigns by the civil rights movement, the NOI’s proposal of racial separation was indiscernible from a promotion of racial segregation to most, and for some, it confirmed its similarity to the Klan and White Citizens’ Councils.

Michael Klarman notes that the Supreme Court’s ruling in *Brown v. Board of Education* in 1954 thrust the “desegregation issue onto the national agenda, searing the conscience of previously indifferent northern whites.”<sup>111</sup> Although only a little over half of the nation had

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<sup>108</sup> See Audrey Johnson to Malcolm X, August 31, 1962 and Ronald Toby to Malcolm X, September 18, 1962, Box 3, Folder 17, MXC. One rare instance of a debate that was not framed using integration and separation was Malcolm’s debate with Louis Lomax on the “Crisis in Modern Liberalism” at Yale on April 19, 1961.

<sup>109</sup> It is possible that the Cornell University talk was framed this way because the sponsoring group was called the Cornell Committee Against Segregation.

<sup>110</sup> “Integrated Segregation,” *New York Herald Tribune*, reprinted in *Chicago Tribune*, August 2, 1963.

<sup>111</sup> Michael Klarman, *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality* (New York: Oxford University Press, 2004), 81.

agreed with the ruling in 1954, over 63% favored school desegregation by the Little Rock Crisis three years later.<sup>112</sup> *Brown* also fomented southern backlash.<sup>113</sup> Polls show that despite a national shift favoring desegregation, southerners had grown more deeply entrenched in their beliefs. In 1958, Claude Sitton noted that although “hope for continued segregation is waning, the opposition to compliance with court orders to integrate has, it appears, stiffened in the Deep South states.”<sup>114</sup> Nearly three out of four southerners opposed desegregation throughout the remainder of the 1950s.<sup>115</sup> Polls also suggested little hope that these beliefs were a generational division which would fade with time. A 1962 study found that southerners between the ages of 18-29 were those most committed to racial segregation.<sup>116</sup> In addition to costing countless black activists and white allies their lives and withholding full citizenship rights from all black southerners, the doubling down of southern segregation also constricted the possibilities for alternative visions of the civil rights movement and its desired outcomes.

The codification of racial integration as the primary goal of the civil rights movement was one piece of the larger intellectual formation of Cold War racial liberalism. Particularly influenced by Swedish economist Gunnar Myrdal, racial liberalism emphasized the moral dimensions of racism as well as its American exceptionalism. Myrdal’s *An American Dilemma* was funded by the Carnegie Foundation with the idea that he offered a uniquely dispassionate foreign view on American race relations. He argued that for America to fully live up to its

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<sup>112</sup> George Gallup, “Racial Issue Stand Firm, Gallup Finds,” *Los Angeles Times*, June 23, 1961.

<sup>113</sup> Michael Klarman, “How Brown Changed Race Relations: The Backlash Thesis,” *The Journal of American History* 81, no. 1 (June 1994): 81-118.

<sup>114</sup> Claude Sitton, “Lines Hardening on Integration,” *New York Times*, October 19, 1958.

<sup>115</sup> The numbers ranged between 71% and 73% from 1954-1959. See George Gallup, “More Southerners in Survey Admit Integration is Coming,” *Los Angeles Times*, February 12, 1961.

<sup>116</sup> “18-29 Group Leads Segregationists,” *New York Times*, September 23, 1962.

democratic principles, white Americans must purge racism from their hearts.<sup>117</sup> One impact of Myrdal's work on American race relations was its individualization of racism as a moral, rather than structural, problem. And one outcome was that it confirmed the northern liberal view of the South as a backward, segregationist society which needed to modernize and fall in line with contemporary racial thought, thereby exonerating the North from culpability. Perhaps more importantly, racial liberalism failed to grapple with questions of political economy and whether or not capitalism could ever deliver full citizenship for those whose marginalization and exploitation it rested upon. As racial liberalism was codified, critiques of capitalism withered away, and the lines around segregation and integration became hardened, the NOI's distinction between racial segregation and racial separation offered a crucial counterdiscourse to the prevailing centrality of integration as the ultimate aim of the movement.

One of Malcolm's major debate points was his articulation of the difference between these two ideas. Northern liberal students understood integration through a national discourse which focused on the evils of Jim Crow. Southern desegregation was assumed to be the goal of the movement, and southern segregationists were the unquestioned enemy, conveniently leaving northern whites unscathed. As SLATE activist Jo Freeman noted, Berkeley's progressive students were focused on racist systems such as Jim Crow and South African apartheid. "Racial discrimination, where it existed, was challenged, but since racial minorities were less than 2 percent of the student body, and most of those were foreign students, such challenges had little real-world impact," she remembered. "Racial segregation was automatically assumed to be evil, but it was also seen as something *other* people did . . . . Racism as something other than racial

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<sup>117</sup> For the most comprehensive study of Myrdal's role in the development of racial liberalism, see Walter A. Johnson, *Gunnar Myrdal and America's Conscience: Social Engineering and Racial Liberalism, 1938-1987* (Chapel Hill: University of North Carolina Press, 1990).

segregation or discrimination was not part of our vocabulary. Conceptually, it did not exist.”<sup>118</sup>

However, Malcolm’s speeches punctured the immunity felt by northern whites for American racism. “[T]wo years ago you didn’t know that there were black people in this country who didn’t want to integrate with you,” Malcolm X told an audience at Cornell University. “[I]t has only been during the past year that the white public has begun to realize that the problem will never be solved unless a solution is devised acceptable to the black masses, as well as the black bourgeoisie.”<sup>119</sup>

Reactions to Malcolm’s message spilled into college newspapers in the days following his speeches, ranging from shock and outrage to passionate defenses of racial separatism and black nationalism. The aftermath of these debates were often as important as the evenings themselves. Many students saw the NOI in line with C. Eric Lincoln’s formulation as “Society’s Bitter Fruit,” interpreting its message as a challenge to whites to live up to the ideals of American democracy. A Wisconsin student called the “voice of the bitter and angry Negro” and the “call of the Muslims . . . a potent one; we must answer it.”<sup>120</sup> Although the majority of students came away from these debates still committed to integrationist politics, the alternative of the Nation of Islam often confirmed the urgency of integration and the southern civil rights movement. Lessons about free speech and academic freedom were never far beneath the surface.

When Malcolm finally spoke in Berkeley on May 8, 1961 at Stiles Hall – a former YMCA which was an off-campus community haven for free speech and underrepresented minority students – he wasted no time in shaming the university by invoking other universities

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<sup>118</sup> Quoted in Murch, *Living for the City*, 75.

<sup>119</sup> “Separation or Integration: A Debate,” *Dialogue*, 2, no. 3 (May 1962): 14-18, in *Black Protest Thought in the Twentieth Century*, 2<sup>nd</sup> edition, eds., August Meier, Elliott Rudwick, and Francis Broderick (Indianapolis: Bobbs-Merrill, 1971), 392.

<sup>120</sup> “The Message of Malcolm X...A Bitter Dose,” *The Daily Cardinal*, April 3, 1962.

he had successfully visited. Using a tactic not unlike Winston's appeal to President Nabrit at Howard, Malcolm charged that "[e]vidently the Chancellor has less respect for the intelligence of his students than the officers of Harvard, Yale, the City College of New York, Hunter, Queen's College [sic], Brown University and Columbia."<sup>121</sup> He compared his cancelled visit to protests in Japan over Eisenhower's trip to commemorate a Japan-U.S. Security Treaty. The "only difference was that [Eisenhower] was being protested by the younger generation. Here, it's the older generation trying to protect its system from young ideas." His depiction of the university administration as a parent sheltering its children dovetailed with the emerging ideas of the free speech movement and its condemnation of *in loco parentis*.

Richard Fallenbaum, a student organizer with SLATE, recalled that while most white students would have agreed with Malcolm that "measures adopted in response to the protest movement did not go nearly far enough . . . the ideas of separation and self-sufficiency that were propounded by the NOI had little impact, not least because they involved no political demands." Senior mechanical engineering major Nicholas Bevilacqua wrote in the *Daily Californian* that although he did not agree with the Nation of Islam, he was fortunate enough to "hear Malcolm X speak in that increasingly hallowed ground of free thought, Stiles Hall . . . What a shame that the University that will 'make students safe for ideas' cowers at the thought of presenting these various ideas."<sup>122</sup> Junior forestry major Jon Colombano sarcastically asked if it can be that "freedom of assembly of students on this campus is tolerated only when 'authorized' by our infallible administration?" Fallenbaum concluded that those in SLATE "recognized the cancellation as an attempt to repress radical ideas just as the barring of communist and other

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<sup>121</sup> "UC Forbids Black Muslim to Give Scheduled Talk." Little did he know that he would be banned from Queens College later that same year.

<sup>122</sup> Nicholas Bevilacqua, "ASUC," *Daily Californian*, May 11, 1961.

speakers had been. We were not particularly concerned about the details of the ideas that Malcolm and other speakers represented. The Kerr Directives was the general framework for the repression.”<sup>123</sup> And three years before Mario Savio gave his famous call for Berkeley students to throw their bodies upon the gears of an odious machine during the Free Speech Movement, Colombano wrote in the *Californian* that students must “not allow ourselves, like 99.9 per cent of the administration around here, to become such inhuman, bureaucratic machinery that our only concern is this regulation or that regulation.”<sup>124</sup> The week after Malcolm’s speech, the Associated Students of the University of California (ASUC) Executive Committee, passed a motion which claimed the censor was “an inconsistent application of University policy” and a “violation of fundamental civil liberties.”<sup>125</sup> Perhaps not coincidentally, former University of Illinois professor Leo Koch, who had recently been fired for promoting premarital sex, spoke in the same ballroom that Malcolm X had been scheduled in the week prior on the topic of “Academic Freedom.” The lecture was sponsored by SLATE.<sup>126</sup>

At Yale, even white liberals who disagreed vehemently with Malcolm’s views, found his arguments difficult to counteract. Teaching fellow Peter Garlock wrote in the *Yale Daily News* after Malcolm’s 1961 debate with Louis Lomax debate in 1961 that “one had the sinking feeling that a white man, as sincerely interested in achieving equality for the Negro as he might be, could not stand up and criticize Malcolm X for having expressed the indignation of the American Negro in such extreme terms. For the facts he related were largely true. The white liberal could only sit stunned.”<sup>127</sup> Charlie Keil remembered the impact on students as profound: “These events

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<sup>123</sup> Richard Fallenbaum, email interview, November 6, 2014.

<sup>124</sup> Jon Colombano, “Rallies,” *Daily Californian*, May 11, 1961.

<sup>125</sup> Mike Fischer, “Ex Com Censures Malcolm X Decision,” *Daily Californian*, May 10, 1961.

<sup>126</sup> Dave Lee, “Kock to Speak on ‘Freedom,’” *Daily Californian*, May 10, 1961.

<sup>127</sup> Peter D. Garlock, “Which Hate has Sown,” *Yale Daily News*, April 25, 1961.

changed people's mind and raised consciousness in the most amazing way." He recalled several men and women weeping at the end of Malcolm X's debate with Herb Wright. Malcolm's indictment of white liberalism had left many feeling – at least momentarily – paralyzed with frustration. As Keil later put it, the most impactful legacy of the debate was that “white people began to realize that they might not be saviors of the black race and feel good about themselves.”<sup>128</sup>

A similar transformation was evident at MIT, as those who were able to see Malcolm X speak came away with a marked shift in their understanding of racial separation versus segregation. On the eve of Malcolm's talk, *The Tech* ran an article with the headline: “‘We Want to be Segregated,’ Say Black Muslims.” Joseph Hanlon told readers that segregation was the “keystone of the Black Muslim plan.” He argued that the NOI was essentially a religious movement but focused on civil rights and economic growth. For success in either, he wrote, the NOI felt “segregation is an absolute necessity.”<sup>129</sup> Yet, after Malcolm's speech on November 8, 1962, Lyall Morrill wrote an article recapping Malcolm X's speech entitled: “Malcolm X Urges Racial *Separation* (emphasis added).” Perhaps aware of Hanlon's article before giving his talk, Malcolm X “began his talk by denying descriptions of his movement as ‘segregationist.’” He explained that while “segregation is forced on a group by its superiors . . . separation is a voluntary arrangement agreed to by equals.”<sup>130</sup> Over fifty years later, Ned Block recalled the delineation between separation and segregation as his primary message to students that evening. Myron Bloy, the school's chaplain and advisor to the Civil Rights Committee, reported that of all

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<sup>128</sup> Keil interview.

<sup>129</sup> It is unclear where Hanlon found his quotes, for he even reported that Elijah Muhammad demanded segregation: “We want to be segregated on some of this earth that we can call our own.” Joseph Hanlon, *The Tech*, November 7, 1962.

<sup>130</sup> Lyall Morrill, “Malcolm X Urges Racial ‘Separation,’” *The Tech*, November 14, 1962.

their guest speakers (which also included CORE's James Farmer), it was James Baldwin and Malcolm X who "helped me, a white man, to see for the first time in any depth the personal dilemma of the American Negro and its significance for all Americans, black or white."<sup>131</sup>

Even when students spoke out against Malcolm X after his visits, others offered rejoinders defending him and the NOI's program. In October 1963, Malcolm visited the University of Michigan at the joint invitation of the Michigan Union Special Projects Committee and the VOICE political party, an affiliate of SDS started by student-activist Tom Hayden. In response to an editorial by undergraduate Peter Eisinger, who charged Malcolm with anti-Semitism and described the NOI as a splinter group, senior Peter Signorelli defended the group as the "most conscious element of the black masses."<sup>132</sup> Drawing upon Malcolm's own critique of the black bourgeoisie, Signorelli wrote that the "so-called mainstream of the revolution that Mr. Eisinger would have us believe the Muslims splintered from, is nothing more than the petty bourgeois element within the black revolution. Led by Uncle Tom gradualists and white liberals, this tendency works for assimilation of black people into the anti-black machine, America." Signorelli also emphasized the difference between separation and segregation: "Malcolm X does not then say he wants segregation . . . Malcolm X only puts forward the program of separation. And this program will not be imposed but instead accepted by a majority of black people in America as they continue to see that equality and love between oppressed and oppressor can never exist."<sup>133</sup>

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<sup>131</sup> Myron B. Bloy, Jr., "Letters to the Tech," *The Tech*, November 14, 1962.

<sup>132</sup> See Peter Eisinger, "Nobody Has 'To Take It,'" *The Michigan Daily*, October 23, 1963 and Peter Signorelli, "The Nation of Islam Not a 'Splinter Group,'" *The Michigan Daily*, October 24, 1963. The exact dates of these editorials is not known, but Malcolm spoke on October 22<sup>nd</sup> and Signorelli responded to Eisinger, making these the most likely dates.

<sup>133</sup> Signorelli, "The Nation of Islam Not a 'Splinter Group.'" Signorelli later ran on the Socialist Workers ticket in Michigan and as a U.S. Labor candidate for governor and senator in the 1970s.

But for other students, Malcolm's black nationalism and the university's encroachments on free speech were less separable. UC-Berkeley law student Henry Ramsey Jr., charged that the "University does not permit the free expression of views before students. Mr. X will not speak on this campus because he is a leader of a Negro mass movement that is unpopular with the dominant white majority."<sup>134</sup> Peter Labrie, a junior political science major, laid bare the administration's specious claims regarding the separation of church and state. Its true concern, he wrote, was "the Black Muslims because they do not follow in the tradition of other Negro organizations . . . the administration is concerned because the Muslims are Negroes who refuse to behave as most white people want them to."<sup>135</sup> For Donald Warden and Ron Everett (later Maulana Karenga), Malcolm's visit prompted the formation of the all-black Afro-American Association (AAA). The group was formed around Friday book group sessions and had an intellectual component which the campus NAACP lacked.<sup>136</sup> Malcolm's influence extended for many of these students beyond his speech that May. In July 1966, Peter Labrie published his first article in *Negro Digest*, entitled "The New Breed." There, he connected the new sounds of protest in jazz such as Ornette Coleman, Albert Ayler, Archie Shepp, and Sun Ra with the emergence of the Nation of Islam. Echoing Malcolm's important point about a global majority of color, Labrie wrote that today "there are black nations in Africa and a powerful yellow nation in Asia. Moreover, militantly charismatic and popular leaders, such as Malcolm X, have revealed to the masses the responsibility of the white power structure for their downtrodden condition."<sup>137</sup>

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<sup>134</sup> Henry Ramsey, Jr. "Muslims," *Daily Californian*, May 11, 1961.

<sup>135</sup> Peter Labrie, "Muslims," *Daily Californian*, May 11, 1961.

<sup>136</sup> Donna Murch called Malcolm's visit "by far the most important event for the formation of the Afro-American Association." See Murch, *Living for the City*, 83 and Blake interview.

<sup>137</sup> Peter Labrie, "The New Breed," *Negro Digest*, July 1966, 9. Reprinted in *Black Fire: An Anthology of Afro-American Writing*, eds., LeRoi Jones and Larry Neal (New York: William Morrow, 1968), 64-77.

Another student who made similar linkages between the new jazz of the 1960s (often referred to as the “New Thing”) and Malcolm’s rhetoric was Keil. After participating in the Crossroads Africa program in the summer of 1960, he recalled, “Black nationhood was on my mind.” He set up an interview with Malcolm X at the Shabazz Luncheonette in Harlem that fall, the semester after revitalizing the Yale chapter of the NAACP and becoming its first chairman. As Keil later recalled, “far from feeling threatened or uncomfortable across the table from Malcolm, I felt clear and relieved of the burden of having to play a role or a game . . . the general feeling was one of basic equality.”<sup>138</sup> Those talks, along with the music of John Coltrane, profoundly changed his thinking.<sup>139</sup> Malcolm’s critique of integration and his emphasis on black self-determination in particular played an important role in Keil’s political development. In 1962, he became the first white writer for *Muhammad Speaks*, authoring over a half-dozen articles that year. Keil again invited Malcolm to University of Chicago as a graduate student in 1964. Malcolm responded that he would “be happy to appear at the University of Chicago and speak on the philosophy of Black Nationalism, the religion of Islam, and the part it must play in solving the present race crisis.”<sup>140</sup> Having considered writing a book on the Nation of Islam as a “revitalization movement” in the vein of A.F.C. Wallace’s sociological framework, Keil eventually published the influential book, *Urban Blues*, and dedicated it to Malcolm X.

While Malcolm’s visits often transformed white understandings of black nationalism through his distinction between racial segregation and racial separation, it is more difficult to distinguish his impact at the few HBCU’s he visited. In part, this may have been because of the

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<sup>138</sup> Louis DeCaro, Jr., *On the Side of My People: A Religious Life of Malcolm X* (New York: New York University Press, 1996), 175.

<sup>139</sup> Charles Keil and Steven Feld, *Music Grooves: Essays and Dialogues* (Chicago: University of Chicago Press, 1994), 14.

<sup>140</sup> Malcolm X to Charles Keil, March 21, 1964, Box 3, Folder 4, MXC.

broader political spectrum found at such schools. As Michael Winston remembered, there was “a great diversity of opinion” at Howard in the early 1960s. Ironically, the only white opponent that Malcolm debated, was at Morgan State College in March 1962 when he sparred with historian August Meier. Billed as a “highly insulting and vituperative” debate, the actual discussion was much less combative. Meier began his remarks by noting that the “Black Muslims are an exceedingly important movement which deserves careful analysis and discussion.” The historian argued that the student sit-in movement and the Nation of Islam actually shared more than they differed; both reflected a new image of black identity and international awareness, as well as a dissatisfaction with the limitations of traditional black Christianity. But he denounced Malcolm’s promotion of separation, arguing that “all Mr. X has done is adapt the idea of prejudiced whites and give it a new name.” Despite his criticisms of the NOI, Meier suggested very little in place of the black nationalism.<sup>141</sup> Meier was supported by an audience which booed Malcolm when he called President Kennedy a “political hypocrite in the worst order.”<sup>142</sup> According to most accounts, it seems as if the contingent of over one-thousand students were largely unmoved by Malcolm’s critiques of white liberals.<sup>143</sup>

When Malcolm X and Bayard Rustin finally took the stage at Howard University on October 30, 1961 at the new Cramton Auditorium, the hall was filled with fifteen hundred students and faculty, most of whom supported Rustin and his arguments. Organizer Tom Kahn was one such protégé. Another was Stokely Carmichael, who acknowledged that Rustin’s 1942 essay “The Negro and Nonviolence” had a profound impact on him as a nineteen-year-old

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<sup>141</sup> August Meier, “The Black Muslims: A Critique,” Box 4, Folder 3, MXC.

<sup>142</sup> “‘Black Muslim’ Leader, Morgan Teacher Clash,” *Evening Sun*, March 29, 1962. Malcolm X FBI File, Summary Report, New York Office, May 17, 1962, 23.

<sup>143</sup> Bayard Rustin, then an editor of *Liberation* magazine, suggested to Malcolm that the two speeches be published side-by-side. This was perhaps in the vein of the famous debate in *Liberation* between Robert F. Williams and Dr. Martin Luther King Jr., both of whom penned their famous treatises on self-defense and non-violence for the magazine in 1959. See Bayard Rustin to Malcolm X, September 13, 1962, Box 4, Folder 3, MXC.

freshman.<sup>144</sup> Winston recalled that the “students were very responsive to the format and were very attentive, but what they liked about Malcolm X was the forcefulness, but not the ideas. I mean the ideas, such as they were, just did not resonate. The integrationist ethos on the campus was just very well established.”<sup>145</sup>

The debate has been remembered largely for its influence on Carmichael, who would famously call for Black Power in Greenwood, Mississippi less than five years later. But his own recollections have varied dramatically. In some cases he agreed with Winston, the evening was Malcolm’s – “emotionally, rhetorically, and dramatically” – but he also insisted that Malcolm did not “‘convert’ me or anyone else in NAG that evening.”<sup>146</sup> Almost in spite of the NOI spokesman, who told the Howard audience that he did not believe the “Freedom Ride on Route 40 is going to solve anything,” Carmichael led two hundred students in a desegregation campaign down the highway just weeks after the debate.<sup>147</sup> But he would also later emphasize the importance of Malcolm’s visit, recalling telling the Project Awareness committee: “I will sweep floors. I will lick envelopes. But the night that Malcolm X comes here I am doing no work. I am sitting in the audience.” Indeed, in a photo of a crowd of students reprinted in *Muhammad Speaks*, one can clearly make out an enraptured Stokely Carmichael in the front rows.<sup>148</sup> He added that the debate had a “profound effect upon the nonviolent action group and consequently SNCC because of the role that nonviolent action played and of course consequently the country because of the role that SNCC played in the country.”<sup>149</sup> Carmichael’s distinction between the goals and methods of NAG at Howard even echoed Malcolm X’s critique of

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<sup>144</sup> Stokely Carmichael, *Ready for Revolution: The Life and Struggles of Stokely Carmichael* (New York: Scribner, 2003), 168.

<sup>145</sup> Winston interview.

<sup>146</sup> Carmichael, 258-259.

<sup>147</sup> Joseph, 42-43.

<sup>148</sup> “Truth Spellbinds Students,” *Muhammad Speaks*, January 1962.

<sup>149</sup> Carmichael interview.

integration as a goal of the civil rights movement nearly verbatim. “The stand is that our people want complete freedom, justice, and equality,” Carmichael wrote. “Some think that integration will bring this about. There are others who think that separation will bring it about. So integration is not the objective. Nor is separation the objective. The objective is complete respect as human beings.” The difference amongst black Americans, he concluded, “is not in the objective, but in the method through which this objective should be reached.”<sup>150</sup>

But rather than focus on Malcolm’s speech as a pivot point in the political development of one student, however influential he became, it is more useful to consider Carmichael’s trajectory as an example of the broader shift from the early 1960s development of student involvement in the civil rights movement to the emergence of a militant student activism which Martha Biondi has called the “Black Revolution on Campus.”<sup>151</sup> Carmichael was of course pivotal in this transition, and actually returned as an invitee of Project Awareness along with Floyd McKissick of CORE to debate Sterling Tucker of the Urban League and Reverend Walter Fauntroy on the question: “Can any good come out of Black Power”?<sup>152</sup> As Winston remembered, “it was an important period of transition . . . There was an ideological battle in the world and we were in the middle of it.”

## **“There Are Two Ways: Black Muslim and NAACP”**

[H]ow can a white head rule a black body?

Frank Jenkins, NAACP chapter president, 1959

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<sup>150</sup> Carmichael, 260-261.

<sup>151</sup> Biondi, *The Black Revolution on Campus*.

<sup>152</sup> Rayford Logan, *Howard University: The First Hundred Years, 1867-1967* (New York: New York University Press, 1969), 504.

In a 1963 radio interview in Washington, D.C., Malcolm X was handed a copy of the *New York Times* and asked to comment on an article entitled, “There Are Two Ways – Black Muslim and NAACP.” He responded that the “NAACP has done a job according to its own understanding. I imagine it was effective in its day. But we are living in a new day now and the black people on the scene now aren’t willing to wait around here for a white man to make up his mind that we are human beings.”<sup>153</sup> Even while students were able to take away more nuanced understandings from the college debates, the debates between Malcolm and NAACP representatives, as well as the “Integration or Separation” framing, often reinscribed a bipolar portrait of the organizations at the national level. More tragically, the publicity generated by student NAACP chapter invitations ultimately compelled the Association to issue an official resolution condemning the NOI at its annual convention in 1961. This national stance would strain the relationship between local NAACP activists and the NOI as they sought to work together on issues like police brutality in the coming years. The convention resolution regarding the NOI and black nationalism revealed the constraints of black activism during the height of the Cold War, a climate which limited the national NAACP’s willingness to allow more radical positions on self-defense and racial separation within its membership. As Martha Biondi has written, one “result of the domestic anticommunist movement had been to suppress more radical Black voices and elevate the NAACP as the exclusive political voice for Black America.”<sup>154</sup> Ultimately, however, it was white liberal patronage, not anticommunism, which prompted the NAACP’s firm public stance against black nationalist organizations, a fact which seemingly

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<sup>153</sup> Malcolm X FBI File, Memorandum, Washington, D.C. Office to the Director, May 23, 1963.

<sup>154</sup> Biondi, 216.

confirmed the Nation of Islam's critique of integration as a goal which could only breed accommodation and acquiescence.

Like many civil rights groups, the NAACP had first commented on the NOI following the "The Hate That Hate Produced" in 1959. Then, Roy Wilkins had explained that the NAACP opposed "any group, white or black, political or religious, that preaches hatred among men. Hatred destroys men – the haters and the hated."<sup>155</sup> Over the next several years, Wilkins' statement was forwarded to interested parties when asked about the relationship between the two organizations.<sup>156</sup> During these years, the NAACP responded to cases of support for the NOI within its ranks on a case-by-case basis. For instance, just a week after "The Hate That Hate Produced" aired, Director of Branches Gloster Current called the former president of the Troy, New York NAACP chapter, Frank Jenkins, who had reportedly made a financial contribution at a NOI rally at St. Nicholas Arena the night before. Malcolm X, aware that Jenkins was associated with the NAACP, made a comment at the rally which found its way back to Current. Although he was eventually satisfied with Jenkins' defense that he was no longer the acting president of the branch and had made a personal contribution, Current was concerned with Jenkins' responses about integration and the program of the NAACP. When asked if he believed in integration, Jenkins responded negatively: "I'll put it to you this way Mr. Current," he said,

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<sup>155</sup> Another interested party was scholar C. Eric Lincoln, who sent Wilkins a six-page questionnaire on the NOI as part of a mass mailing to over 125 other "leaders." While Wilkins responded that he would fill out the questionnaire, he passed along his August 5th statement in the meantime. The response to the questionnaire does not seem to exist. See Roy Wilkins, Statement on NOI, August 5, 1959 and C. Eric Lincoln to Roy Wilkins, January 16, 1960, General Office File, Black Muslims, 1958-1960, Part 24: Special Subjects, 1956-1965, Series A: Africa-Films, Papers of the NAACP.

<sup>156</sup> Wilkins' secretary sent her the August 1959 statement, noting that "[w]e have been sending this out to persons inquiring about our position on this group." Mabel Jackson to Tarea Pittman, January 26, 1961. Samuel Williams, President of the N.J. State Conference NAACP had asked for a similar statement in 1959 after he was contacted by the state Bureau of Correction. See Williams to Roy Wilkins, November 7, 1959 and Donald Goff to Williams, October 27, 1959. Fred Powell, a Professor at Union College, also asked Thurgood Marshall "if you could give me the attitude that the N.A.A.C.P. has toward the Muslim Movement." See Powell to Marshall, February 16, 1961, *ibid.*

“how can a white head rule a black body?” He added that black Americans were not citizens, because you either “are a citizen or you’re not a citizen.”<sup>157</sup>

Current’s conversation with Jenkins revealed the NAACP’s piecemeal strategy towards black nationalism within its ranks during the late 1950s. It also suggested that the NOI and other more militant groups held appeal for some within the organization. But a conversation the following day with a man who claimed to know friends who were members of the NAACP but were also interested in the NOI could not persuade Current that this issue was worth fretting about. “We cannot dissipate [sic] our energies,” the director said, “and [turn] on the people who represent nothing and have no program except emotionalism.” Current was also uncomfortable ferreting out NOI supporters among the Association’s ranks. Amidst the context of McCarthyism and the height of Cold War red-baiting, he described this process of finding out “what every member thinks, where he goes, what he does, [and] what he believes . . . [as] undemocratic, un-American.”<sup>158</sup> But, after the emergence of Malcolm’s college lectures and the student sit-in movement in 1960, Current and the NAACP would be forced to reassess the threat that the NOI posed.

Following the invitation for Malcolm to speak at Berkeley by Blake and the campus NAACP in early 1961, Tarea Pittman, the NAACP’s regional secretary from San Francisco, suggested to Roy Wilkins that the organization should compose a policy statement so “then we would all be making the same statement.”<sup>159</sup> The student and adult chapters in Berkeley were already at odds over sponsoring Malcolm’s speech when the media got wind of a possible connection between the NOI and NAACP. Pittman found herself in an uncomfortable position

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<sup>157</sup> Conversation of Gloster Current with Frank Jenkins, July 27, 1959, 3-4, *ibid.*

<sup>158</sup> Conversation of Gloster B. Current with Albert Herman, July 28, 1959, 3-5, *ibid.*

<sup>159</sup> Tarea Pittman to Roy Wilkins, January 24, 1961, General Office Files, Black Muslims, 1961-1965, *ibid.*

when a reporter from the *Oakland Tribune* asked for the NAACP's policy regarding the NOI in May 1961. She immediately reached out to Blake and Dr. Fred Strip, both of whom defended their decision by citing other instances of student chapters sponsoring Malcolm. But in terms of public perception, Pittman was adamant that the "publicity surrounding the U.C. Campus Ban of NAACP sponsoring Malcolm X has given an incorrect image of NAACP to the average public." "As I stated before," she wrote Current, "the great damage to NAACP is the belief that NAACP is *sponsoring the group* and is connected with them" (emphasis in original).<sup>160</sup> Current could only suggest that regional offices work with student units to assure that they have received permission before such commitments are arranged. But he hoped, like Pittman, that "some policy decision will be made at the Annual Convention."<sup>161</sup>

Behind the concern by NAACP officials was the organization's white interests. Edwin Lukas of the American Jewish Committee, wrote to the NAACP national office after reading a *Muhammad Speaks* article documenting Malcolm's speech at Queens College. "By itself that would not be newsworthy," Lukas conceded. "[W]hat makes it so is that according to that paper, the appearance of Malcolm X was said to be at the invitation of the Queens College Chapter of the NAACP. If true, I assume the invitation was issued for the purpose of providing the students with a clinical example of extremism."<sup>162</sup> College chapter presidents rarely had relationships with the national office, and only interacted with Herbert Wright or local adult chapters sporadically, if at all. But Pittman used the concerns of white patrons like Lukas as ammunition to push for a formal resolution, writing Current that an unnamed contributor to the Committee of

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<sup>160</sup> Tarea Pittman to Gloster Current, May 9, 1961, *ibid.*

<sup>161</sup> Gloster Current to Tarea Pittman, June 8, 1961, *ibid.*

<sup>162</sup> Edwin Lukas to John Morsell, July 27, 1960, General Office Files, Black Muslims, 1958-1960. For more on the relationship between the AJC and the NAACP, see Naomi W. Cohen, *Not Free to Desist: The American Jewish Committee, 1906-1966* (Philadelphia: The Jewish Publication Society of America, 1972), 383-389.

100, a fundraising group comprised largely of prominent white liberals who supported the Legal Defense Fund, threatened to withdraw her support since the NAACP seemed to be “sponsoring the Muslims.”<sup>163</sup> Senator Joseph Kennedy, Pittman added, felt “so strongly about the adverse newspaper publicity that he has told me he will write the National office about it. This will give you another point of view about the far reaching effects of [the Berkeley] incident.”<sup>164</sup>

Following the cancellation of Malcolm’s speech at Berkeley and the repeated calls from regional NAACP representatives for a standardized line on the organization’s policy, the national convention debated a formal resolution denouncing the Nation of Islam in Philadelphia during the summer of 1961. The five-paragraph resolution proclaimed that the NAACP stood “unalterably opposed to all separatist programs whether advocated by southern segregationists or espoused by non-white racist organizations.” It urged concerned parties to fully cooperate with the NAACP’s desegregation campaign, making it “more difficult for such [nationalist] groups to organize and flourish.” The resolution stressed the NOI’s separatism, comparing it with the likes of White Citizens’ Councils and the Ku Klux Klan in its proscription of “hate violence and separatism as instruments of social reform and racial progress.”<sup>165</sup> Only Oakland attorney Donald McCullum opposed the resolution. He offered dramatic changes to the language, suggesting the entire section be deleted with the exception of a general denunciation to all separatist programs and an urging for accelerated desegregation. McCollum even recommended that “Black Nationalist” and “Muslims” be replaced with “White Citizens Councils,” suggesting

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<sup>163</sup> For more on Committee of 100, see Gilbert Jonas, *Freedom’s Sword: The NAACP and the Struggle Against Racism in America, 1909-1969* (New York: Routledge, 2005), 47.

<sup>164</sup> Pittman to Current, May 9, 1961.

<sup>165</sup> Separatist Movements Disapproved by NAACP, July 16, 1961. Annual Convention, 1961, Publicity and Press Releases, Part 1: Supplement, 1961-1965, Papers of the NAACP.

some vast disagreement regarding whom the amendment targeted. After considerable debate, the fourteen-member panel defeated all of his suggestions and passed the resolution in full.<sup>166</sup>

The NAACP convention was not new to such debates. Its denouncement of the NOI recalled the suspension of Robert F. Williams two years earlier. Following a May 1959 article in the *New York Times* which quoted Williams suggesting meeting “violence with violence,” Roy Wilkins suspended the Monroe, North Carolina branch head. Williams appealed his suspension before delegates at the national convention but was met by a parade of condemnation from national leadership. As Louis Lomax noted, the “national office not only controlled the platform . . . they subjected the Williams forces to a heavy bombardment from the NAACP’s big guns.”<sup>167</sup> While Williams tried to broaden the case to include questions of free speech and self-defense, Wilkins boiled it down to the issue of violence. The president distributed a leaflet which stated unequivocally that the “single issue is: Shall the [NAACP] endorse the advocacy by a local NAACP officer of stopping ‘lynchings with lynchings’ or meeting ‘violence with violence?’”<sup>168</sup>

Tim Tyson argues that the NAACP’s decision at the 1959 convention reflected the sociopolitical landscape of the Cold War and the civil rights movement as much as it does the politics of the organization.<sup>169</sup> But it also highlighted the often-dramatic gap between national and local leadership. Both cases revealed the disconnection between militant chapters and moderate leadership. As Jenkins had told Current in their conversation about the NOI, “I’m not in accord with what you did to Robert Williams either.”<sup>170</sup> Just as the 1959 convention became a

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<sup>166</sup> Summary Minutes of the 52<sup>nd</sup> Annual Convention, July 10, 1961, 9, Annual Convention, 1961, Minutes, Part 1: Supplement, 1961-1965, *ibid*.

<sup>167</sup> Louis Lomax, *The Negro Revolt* (New York: Harper, 1962), 114, quoted in Timothy Tyson, *Radio Free Dixie: Robert F. Williams and the Roots of Black Power* (Chapel Hill: University of North Carolina Press, 1999), 163. For more on the ammunition brought before the national convention to censor Williams, see Ward, *In Love and Struggle*, 256-257.

<sup>168</sup> Roy Wilkins, “The Single Issue in the Robert Williams Case” July 1959. Also see Tyson, 163.

<sup>169</sup> Tyson, 155.

<sup>170</sup> Conversation of Current with Jenkins, 4.

place for the national leadership to discipline a renegade branch head, it was used as a space in 1961 to articulate a definitive line between the work of the NAACP and black nationalist programs. Ultimately, the convention resolution moved the NAACP from a case-by-case approach to an unflinching national stance. By 1962, it had developed a strict policy of non-engagement with black nationalist groups and figures. As Current wrote, the NAACP “does not participate in any meeting in which the Muslims or any other separatist group is involved.”<sup>171</sup> It framed these differences in the familiar language of integration and separation. John Morsell, Assistant to the Executive Secretary, explained that the “objectives of the two organizations are directly and irretrievably opposed. The NAACP seeks the complete integration of Negro Americans into their national life whereas the Black Muslims are seeking the establishment of a separate nation for black people.”<sup>172</sup> By the summer of 1963, Elijah Muhammad had joined this line of thinking and instructed Malcolm to stop taking part in any NAACP-sponsored events or demonstrations.<sup>173</sup>

The story behind the NAACP’s decision to renounce the NOI underscores how these debates over integration versus separation represented more than cosmetic differences. They indicated vast discrepancies over questions of race and power. The effect of white interests on the policies of the NAACP were at the core of the Nation of Islam’s critique of integration and racial liberalism. As Malcolm elaborated at Wesleyan University, the very “reason we have rejected integration in all forms is that wherever there is Negro-White integration, the Negroes

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<sup>171</sup> Gloster Current to Henry Lee Moon, August 8, 1962, General Office File, Black Muslims, 1961-1965, Papers of the NAACP. Louis Lomax also claimed that the “NAACP finally ordered a halt to the encounters.” See Louis Lomax, *When the Word is Given: A Report on Elijah Muhammad, Malcolm X, and the Black Muslim World* (Cleveland: World Publishing Co., 1963), 153.

<sup>172</sup> John Morsell to Joseph Muren, December 19, 1962, General Office File, Black Muslims, 1961-1965, Papers of the NAACP.

<sup>173</sup> Malcolm X FBI File, Summary Report, New York Office, November 15, 1963, 27.

always get run by the whites.”<sup>174</sup> NOI national secretary John Ali wrote to Roy Wilkins in 1960 that the NOI’s “greatest regret of your organization is that you do not have a blackman [sic] at its head.”<sup>175</sup> The NAACP and other civil rights organizations portrayed the NOI’s promotion of racial separation as synonymous with white racism, segregation, or what was sometimes referred to as “racialism.” But the NAACP also made real sacrifices to assuage white anxieties. The NOI’s advocacy of racial separation was both an early precursor to the idea of community control popularized during the Black Power Movement and part of a longer legacy of self-determination within the black nationalist tradition.

Despite his frustration that the NAACP was not headed by a black man, John Ali’s letter also demonstrated the NOI’s willingness to engage with the NAACP, an openness which was not frequently reciprocated. He emphasized to Wilkins in 1960 that public displays of animosity between the two groups would only be a “waste of time and joy to our enemies.”<sup>176</sup> Ali even claimed that many of its members also belonged to or contributed to the NAACP. In 1962, Maceo X, secretary of Mosque 7 in New York, sent Wilkins a ticket to an Afro-Asian Bazaar “compliments of Minister Malcolm X.”<sup>177</sup> But whether at the local or the national level, the NOI had less to lose by demonstrating support for the NAACP than vice versa. While some of this can be attributed to a Cold War logic which persecuted anything subversive under the charge of Communism, these stakes were also a product of the NAACP’s white patronage and financial support, a point which again reiterated, in the view of Nation of Islam officials, the strength of all-black political organizing and financial independence.

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<sup>174</sup> “Black Muslim Malcolm X Calls for Racial Separation in US.”

<sup>175</sup> John Ali to Roy Wilkins, June 30, 1960, General Office File, Black Muslims, 1958-1960, Papers of the NAACP.

<sup>176</sup> Ibid.

<sup>177</sup> Maceo X to “Dear friend,” March 1962, *ibid.*

While the growing enmity between the two groups did not play a decisive role for most activists in the civil rights struggle, there were nevertheless tangible consequences which grew more acute as they reverberated down to the local level. As the next chapter will demonstrate, civil rights groups worked to build black united fronts with the NOI and confront community issues such as police brutality, housing discrimination, education, and drug and alcohol addiction. Yet, NAACP organizers in places such as Rochester, New York were forced to protest cases of police brutality in their community while distancing themselves from the local mosque to stay in accordance with national policies forbidding such displays of unity. Such examples not only reveal the different conditions and relationships between local and national levels, but also the ripple effect that Malcolm X's college lectures had on the long-term organizational relationship between the NAACP and the NOI.

By late 1962, NOI leadership had joined the NAACP in seeing these debates as more harmful than good, and Muhammad demanded Malcolm stop taking any more speaking appointments at colleges and universities. The following year, national leadership forbade Malcolm's college visits and the NAACP developed a strict non-engagement policy with black nationalist groups. Both were reactionary decisions by the organizations' national officials which were prompted by invitations from student chapters of the NAACP looking to bring Malcolm X to their campuses for intellectual debates over the future contours of the civil rights movement. Despite the oppositional framing of these debates between "Integration or Separation," their spirit was best captured by Ned Block in his invitation to Malcolm X at MIT: "In a debate between a Muslim and an 'integrationist' there is no 'losing.'" With every point, the fundamental objective of both parties is hammered in. The disagreement is with regard to the means to the

end.”<sup>178</sup> Unfortunately, the decisions of national leadership in both organizations reinforced the framework suggested by the *New York Times*: “There Are Two Ways – Black Muslim and NAACP.”

## **Conclusion**

Several months after the NAACP formally resolved to denounce the Nation of Islam in 1961, John Morsell, delivered a position paper at the annual conference for the National Association of Intergroup Relations Officials (NAIRO) on the Nation of Islam. He argued that if black nationalists like the NOI were successful, they would “replace a remote, impregnable complexity with an apparently simple and direct line of attack; and second, they can use the established civil rights efforts as whipping boys for their failure to solve all the problems that happen to affect Negroes.”<sup>179</sup> While much of the Nation’s appeal did in fact lie in its simplicity and forthrightness, its critique of racial liberalism actually complicated the “apparently simple portrait” of the civil rights movement which pitted integration versus segregation in a Gordian knot. Malcolm X’s college lectures brought forth a counterdiscourse of racial separation which troubled the common sense logic of integration as the primary goal of the movement. His critique of “token integration” resonated in particular with black students isolated at colleges outside the south, many of whom were experiencing the same paradoxes wrought by racial liberalism that Malcolm described in his campus speeches.

Malcolm X’s college debates have most often been discussed individually, and their importance is often couched in Malcolm’s developing public stature or as emblematic of the

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<sup>178</sup> N.J. Block to Malcolm X September 26, 1962, Box 3, Folder 17, MXC.

<sup>179</sup> John A. Morsell, “Black Nationalism: A Position Paper,” Presented at the NAIRO Conference in San Francisco, November 8, 1961, General Office File, Black Muslims, 1961-1965, Papers of the NAACP.

surging tensions with the NOI's leadership. But situating his lectures during the emergence of student radicalism and the growth of youth participation in the civil rights movement is important to understanding the ways in which black nationalism shaped the discourse of the movement and the rise of Black Power in the latter half of the decade. The meanings of Malcolm's debates to students and the role of his visits in the development of the student movement varied dramatically according to the students and university administrations. Histories of the free speech movement tend to focus on Berkeley as its origin point, those focusing on black campus activism often draw national conclusions without focusing on the internal politics of each campus.

One of the most profound and well-documented effects of Malcolm's speeches was amongst those students who eventually became – in the words of University of Pennsylvania student Wayne Glasker – the “ideological children of Malcolm X.”<sup>180</sup> This included students who participated in the formation of Black Studies programs and Black Student Unions in the late 1960s, as well as those who had seen Malcolm X speak and became active in the Black Power Movement. As Stokely Carmichael explained, the debate between Rustin and Malcolm at Howard “helped to clarify for all of us, all of these issue[s] and drive a clear line between those of us who really became clear nationalists as opposed to non-nationalists.” Malcolm's clear articulation of the Nation of Islam's critique of integration as a goal of the civil rights movement offered students the conceptual tools to break with the dominant discourse of the movement. For Carmichael and others in SNCC, Malcolm “gave us all the intellectual arguments and opened up the way for us to show clearly an intellectual basis for a nationalism and an ability to smash all ideas that were in contradiction to it.”<sup>181</sup> As Kendi points out, Malcolm's impact on these

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<sup>180</sup> Quoted in Rogers, “People All Over the World Are Supporting You,” 15.

<sup>181</sup> Carmichael interview.

students has been acknowledged with very little investigation into the specific ideas and outcomes that these interactions produced.<sup>182</sup>

However, focusing on how Malcolm's ideas contributed to the rise of black campus radicalism and Black Power in the late 1960s has buried the important role that his university lectures provided *during* the pivotal moment of student activism following the Greensboro Sit-ins. Martha Biondi argues that there were two important moments when black students took the lead in the black freedom struggle: the lunch-counter sit-ins and the creation of SNCC; and the campus activism which emerged in 1968.<sup>183</sup> But this narrative emphasizes black students off campus in the early 1960s and on campus in the latter half of the decade. The attention given to the rise of SNCC and the Freedom Rides has obfuscated the resurgence of campus NAACP chapters during the first several years of the sit-in movement. These chapters were far more ideologically diverse and active than their forbearers, and often invited Malcolm X to speak out a commitment to students' rights to free speech and academic freedom. Debates between Malcolm X and prominent civil rights figures were a part of the early challenge to academic paternalism. When administrations blocked his campus visits, charged admission, or disciplined sponsoring groups, students on campus became politicized around issues of student liberties, thereby situating the Nation of Islam and Malcolm X at the nexus of early debates within the student free speech movement.

The insertion of racial separatism into the polarizing discourse of racial liberalism, which positioned integration as an unquestioned aim of the civil rights movement, pushed students outside the South to question and defend their own understandings of liberalism. And no message was more central to challenging the liberal than that by the Nation of Islam.

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<sup>182</sup> Rogers, "People All Over the World Are Supporting You," 15.

<sup>183</sup> Biondi, 2.

Unfortunately, the efforts by students to broaden the intellectual scope and ideological boundaries of the civil rights movement met the embankment of national leadership in both the NOI and the NAACP. The response of the NAACP to the invitations by its student chapters was driven by concessions to white liberals rather than a commitment to intellectual debate. When a young Helen Edelstein, now a Supreme Court Justice, wrote to Roy Wilkins in 1961 on behalf of the Smith College Political Association and NAACP chapter with interest in bringing Malcolm X to campus, he replied: “There is nothing to debate with the Muslims, as we see it.”<sup>184</sup> Elijah Muhammad also came to see Malcolm’s college lectures as unnecessary opportunities for public scrutiny and put an end to his campus visits. The consequence of these national leadership decisions was most dire in its effect on local movements for black unity. Throughout the early 1960s, the Nation of Islam was at the forefront of efforts to build black coalitions across the political spectrum around core community issues. It is there that these policies were the most devastating.

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<sup>184</sup> Helen Edelstein to Roy Wilkins, August 31, 1961 and Roy Wilkins to Helen Edelstein, September 6, 1961, General Office File, Black Muslims, 1961-1965, Papers of the NAACP.

## Chapter 5

### “You’re Brutalized Because You’re Black” Building a Black United Front against Police Brutality

If there is one thing that our community stands united on, it stands united against unlawful police violence and abuse of police power.<sup>1</sup>

Wendell Green, Citizens Protest Committee, 1962

Soon after the struggle between police and Muslims at Los Angeles’ Mosque 27 ended with seven wounded and mosque secretary Ronald X Stokes killed at close range, Malcolm X addressed a protest rally sponsored by the County Civic League. He reminded the thousand community members gathered at the Park Manor Auditorium: “You’re brutalized because you’re black and when they lay a club on the side of your head, they do not ask your religion. You’re black, that’s enough.”<sup>2</sup> He urged the heads of local organizations to close ranks and organize a unified front: “police brutality must end before something happens that can’t be stopped. We must come together against the common enemy. Remember all of us are black. It’s not a Muslim fight. It’s a black man’s fight.”<sup>3</sup> Elijah Muhammad outlined a similar appeal in *Muhammad Speaks* that summer. “In these crucial times,” he wrote, “we must not think in terms of one’s religion, but in terms of justice for us poor black people. This means a United Black Front for

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<sup>1</sup> Keynote speech by Wendell Green, May 13, 1962, Box 25, Folder 1, Loren Miller Papers (LMP), The Huntington Library.

<sup>2</sup> Malcolm X FBI File, Summary Report, New York Office, November 16, 1962. Also see “Second Mass Protest Rally . . . To Eliminate Police Brutality,” May 20, 1962, Box 11, Folder 18, Malcolm X Collection (MXC), Schomburg Center for Research in Black Culture, New York Public Library.

<sup>3</sup> Malcolm X FBI File, Summary Report, New York Office, November 16, 1962.

justice in America.”<sup>1</sup> Although the NOI is often portrayed as either divisive within, and distinct from, the black freedom struggle, attempts at building black unity across religious and political lines such as this complicate such narratives. These efforts were part of a larger all-black political organizing strategy by the NOI on both coasts in the early 1960s, one which demonstrated both the promises and perils of black united fronts against police brutality in catalyzing and sustaining political coalitions.

The Nation of Islam’s attempts at building these coalitions suggests that refusing to organize with whites was not a politically narrow agenda, but one which recognized the common struggles of all black people under a shared oppressor. When viewed from the national level, the NOI and most civil rights organizations appeared at irreconcilable odds with one another. As Roy Wilkins had said the previous year: “There is nothing to debate with the Muslims, as we see it.”<sup>2</sup> Nor was the Nation of Islam without blame for these poor relations. A flyer inviting community members to a Harlem Freedom Rally quoted Malcolm challenging Wilkins and other civil rights leaders: “You parrot the white man’s false charges against Mr. Muhammad!! You are invited to this Freedom Rally as our guests so you can prove Mr. Muhammad is wrong and that you, not he, speak for the Black Masses!!!”<sup>3</sup> Such invitations were more provocations than genuine attempts at coalition building. Yet, despite this bleak national picture, the Nation of Islam worked with the NAACP, CORE, and other local civil rights groups within black communities. Most expressions of black united fronts, therefore, came at the local level in response to community concerns about police violence, racial profiling, and law enforcement accountability. Even when they did not necessarily agree, the NOI actively debated its position

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<sup>1</sup> “Muhammad Calls For United Black Front!” *Muhammad Speaks*, June 1962.

<sup>2</sup> Roy Wilkins to Helen Edelstein, September 6, 1961, General Office File, Black Muslims, 1961-1965, Papers of the NAACP.

<sup>3</sup> Harlem Freedom Rally, May 13, 1961, *ibid*.

alongside these groups at community forums and united front meetings, suggesting a much more nuanced portrait of black political organizing and cooperation at the community level than has been recognized.

Black united front politics have often been associated with the Black Power movement, when nationalist ideas of self-determination, community control, and critiques of integration had moved from the margins to the center of political discourse. The first Black Power Conference in Newark, New Jersey in 1967, the Gary Convention of 1972, the formation of the Black Women's United Front in 1974, and the National Black United Front in Brooklyn, are just some of the most visible examples of united front politics during this period. However, the NOI was a primary engine behind all-black political organizing over a decade earlier. In fact, the first documented use of the phrase "Black United Front," came in 1958 when Elijah Muhammad spoke at the annual Saviour's Day Convention at Tabernacle Baptist Church in Chicago.<sup>4</sup> In 1960, Malcolm X began hosting massive six-hour Harlem Freedom Rallies in Harlem which emphasized unity between black leadership around shared community concerns such as law enforcement, housing, and employment.

The Nation of Islam's model for black unity was internationalist first. Central to both its religious and political beliefs, was the idea that believers were not part of a domestic minority, but rather a global majority. As shown in previous chapters, the strength of a world community of Islam was echoed throughout individual conversion narratives of Muslims in the Nation. Likewise, the NOI's political model for building such coalitions was the Third World anticolonialism of the nonaligned movement. The Harlem Freedom Rallies of the early 1960s were an extension of the "Bandung conference in Harlem" that Malcolm had orchestrated with

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<sup>4</sup> Lee Blackwell, "Off the Record," *Chicago Daily Defender*, February 19, 1958.

Nasser, Castro, Nkrumah, and Nehru following his trip to Africa and the Middle East in 1959.<sup>5</sup> Before the first rally on May 28, 1960, he argued that just as the “diverse-thinking non-white nations at Bandung increased the stride toward freedom for the Dark People of Africa and Asia, the leaders of America’s 20 million so-called Negroes should be able to accomplish the same fete [sic], with the same display of unity.”<sup>6</sup> While the NOI’s model for black unity was internationalist, the organization applied these lessons locally, nowhere more forcefully than in Los Angeles in the years surrounding the Stokes shooting.

The Stokes trial lasted from April until June 1963, a year after the shooting, and set a Los Angeles record for longest jury deliberation. The organization’s activism surrounding the trial represented a coalescence of the political strategies that the NOI had been cultivating for years at the local level. First, the NOI used the courtroom to stage political theater and put the state on trial. Despite killing Ronald X Stokes and paralyzing William X Rogers, no police officers were indicted following the shooting. Instead, the trial of *People v. Buice* brought fourteen Muslim defendants forward to face forty counts of assault and resisting arrest. Mosque 27 members flooded the court each day with men selling *Muhammad Speaks* and women in flowing gowns demanding separate seating from whites. Flyers and newspaper advertisements publicized the trial like playbills, urging the public to demand justice at the courthouse. Although civil rights historiography has largely focused on the role of courts in producing federal jurisprudence, the NOI used the courtroom as a political arena to build black unity on the issue of police violence and across religious and political fault lines within the black community. Legal scholar Malachi Crawford argues that the “courts became a primary site within which the NOI sought to advance

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<sup>5</sup> Edward Curtis, “Islamism and Its African American Muslims Critics: Black Muslims in the Era of the Arab Cold War,” *American Quarterly* 59, no. 3 (2007): 687.

<sup>6</sup> “Muslims Plan 6-Hour Freedom Rally May 28,” *Amsterdam News*, May 21, 1961.

its civil rights initiative.”<sup>7</sup> But unlike the efforts of the Legal Defense Fund (LDF) or the cases brought forth by Muslim prisoners, these trials did not seek policy changes or civil rights legislation. These strategies sought to shift the terms of the trial through political theater and community organizing around a united platform against police brutality. Attorney Johnnie Cochran, fresh out of law school and working as an assistant on the Stokes case, remembered the lesson of his own first police brutality case several years later: “Those were extremely difficult cases to win in those days. But what [it] confirmed for me was that this issue of police abuse really galvanized the minority community. It taught me that these cases could really get attention.”<sup>8</sup>

In addition to courtroom political theater, the NOI secured a legal defense team of NAACP attorneys Earl Broady and Loren Miller, both of whom had impressive local credentials and would engender broad support in Los Angeles. Instead of simply using its longtime attorney, Edward Jacko, in cases of police brutality in New York City, Monroe, Louisiana, and Los Angeles, the Nation employed, or partnered Jacko with, local attorneys. In the 1957 case of Johnson X Hinton, dramatically retold in Malcolm X’s autobiography, Jacko partnered with New York attorney Jawn Sandifer to win the largest damage settlement ever paid by the city in a police brutality case.<sup>9</sup> In 1961, after a mosque invasion by police in Monroe, the NOI hired the controversial interracial legal team of James Sharpe Jr. and James Venable. The latter was a white attorney who defended the Ku Klux Klan and whose family owned Stone Mountain, a longtime meeting place for the KKK. In Los Angeles, Loren Miller was nearing the end of his

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<sup>7</sup> Malachi Crawford, *Black Muslims and the Law: Civil Liberties from Elijah Muhammad to Muhammad Ali* (Lanham, MD: Lexington Books, 2015), xii.

<sup>8</sup> Sara Pendergast, *Contemporary Black Biography: Profiles from the International Black Community* (Detroit: Gale Press, 2006), 48.

<sup>9</sup> “City Gives Muslim \$70,000 Award,” *Amsterdam News*, July 1, 1961.

career when he tried the Stokes case. He occupied a number of significant civil rights offices, including the California Advisory Committee to the Civil Rights Commission and the NAACP West Coast legal committee, was named a California Superior Court Justice the following year, and had passed away by 1967. Although he is best known for his role in the pivotal housing case of *Shelley v. Kraemer* (1948), which outlawed court-enforced segregation in housing, he also had a longstanding interest in reforming policing in Los Angeles. Miller's critique of Chief William Parker's racial crime statistics in particular, represented an important counterdiscourse to the department's overpolicing of communities of color. Perhaps most importantly, Miller owned one of Los Angeles' preeminent black newspapers, the *California Eagle*. Along with the Nation of Islam's partner, the *Los Angeles Herald-Dispatch*, the *Eagle* brought the most sympathetic and comprehensive coverage of the Stokes trial and the Nation of Islam to black Angelenos.

The NOI understood that courtrooms offered little justice to black people, and that the full weight of local communities would have to be on the side of the defendants. By hosting rallies which submerged religious, class, and political differences, the Nation underscored the shared experiences of police violence and racial profiling in communities such as South Central Los Angeles. They also linked local conditions to the ongoing struggle for civil rights in the south. As the Stokes trial unfolded, the desegregation campaign in Birmingham, Alabama was making national headlines. This context elevated the significance of *People v. Buice* and enabled activists to draw direct lines between the two movements. The violence of police chief Bull Connor's forces against nonviolent demonstrators and children exposed the brutality of the South, broadcasting it live to televisions across the nation. Meanwhile, the Nation of Islam and other Los Angeles activists used analogies to lay bare the myth of southern exceptionalism and draw attention to police violence outside the South. As Jeanne Theoharis notes, the "parallels

between the racial politics of Birmingham and Los Angeles . . . have been lost to a strict binary between a nonviolent black movement in the South and the rise of black frustration and violence in the North.”<sup>10</sup> Although historians may have too often have bifurcated the two, the tactical deployment of southern analogies by northern activists during the movement reveals the ways in which these struggles were often synergistic.

By the time of the Stokes trial, a similar clash between police and the NOI took place in Rochester, New York. There, a parallel effort for black unity against police brutality emerged. As Laura Warren Hill outlines, Rochester provided another important model for black coalition building on issues of police brutality. Twice in early 1963, Rochester police attempted to enter the local mosque without permission or a warrant. On January 6, police responded to an anonymous call that a man at the mosque had a gun and arrested two Muslims without ever searching for the gun. A month later, thirteen members, including Minister Robert X Williams, were arrested following another attempted mosque invasion by police and charged with third-degree assault and inciting a riot.<sup>11</sup> Local organizations such as the Rochester NAACP, CORE, Monroe County Non-Partisan League, Committee for Rufus Farewell, and the Rochester Civil Rights Committee joined Rochester minister Robert X Williams and Malcolm X at a community meeting following the mosque invasion. Reuben Davis of the Rochester NAACP Executive Committee was secured as the defense attorney. And, just as Malcolm called for the primacy of race over religion in Los Angeles, Mildred Johnson, the vice president of the Negro Business and Professional Women, stressed that “we are black folks first!”<sup>12</sup>

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<sup>10</sup> Jeanne Theoharis, “Hidden in Plain Sight: The Civil Rights Movement Outside the South,” *The Myth of Southern Exceptionalism*, eds., Matthew Lassiter and Joseph Crespino (New York: Oxford University Press, 2010), 51.

<sup>11</sup> See “13 Black Muslims,” *Chicago Defender*, February 16, 1963 and “Rochester NAACP,” *Chicago Daily Defender*, February 19, 1963.

<sup>12</sup> Laura Warren Hill, “‘We Are Black Folks First’: The Black Freedom Struggle in Rochester NY and the Making of Malcolm X,” *The Sixties: A Journal of History, Politics and Culture* 3, no. 2 (December 2010): 164.

The moment when it seemed that local black coalitions spearheaded by black nationalists might sustain organizing around core community issues such as police violence, had passed by the time Watts erupted in the summer of 1965. In response to the united front emerging in Rochester, the NAACP issued an official edict to local chapters which prohibited organizers from supporting the NOI or calling for a “common front.” By the end of the Stokes trial in 1963, other attempts at all-black political organizing had given way to more integrationist agendas – the March on Washington for Jobs and Freedom on the east coast, and the United Civil Rights Committee (UCRC) in Los Angeles. These coalitions drew from various labor, civil rights, religious, and ethnic groups, but were rooted in an integrationist politics which excluded the nationalist groups that were crucial to these previous, if fleeting, iterations. In doing so, they also often submerged police brutality under issues of employment, education, and housing.

As the fiftieth anniversary of the Watts rebellion was commemorated, the Stokes case was frequently cited as an example of the pervasive police violence which preceded the uprising in 1965.<sup>13</sup> But, as Frederick Knight pointed out two decades ago, the “assault on the Los Angeles Muslims had even deeper roots and wider implications that any single scholar has suggested.”<sup>14</sup> Although the significance of the Stokes case in Los Angeles history has become almost axiomatic, its relationship to local black united fronts and the national civil rights struggle have been undertheorized. Historians have made obligatory gestures to its role as a precursor to the Watts rebellion without fully excavating the reasons for its significance. Most importantly, the years immediately surrounding the Stokes case represented a moment of opportunity for the

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<sup>13</sup> See Jeanne Theoharis, “50 Years Later, We Still Haven’t Learned From Watts,” *New York Times*, August 11, 2015 and Robin D.G. Kelley, “Remember What They Built, Not What They Burned,” *Los Angeles Times*, August 11, 2015.

<sup>14</sup> Frederick Knight, “Justifiable Homicide, Police Brutality, or Governmental Repression? The 1962 Los Angeles Police Shooting of Seven Members of the Nation of Islam,” *The Journal of Negro History* 79, no. 2 (Spring 1994): 183.

Nation of Islam and other local groups to build a black united front around core issues facing black communities, particularly police violence. The black united front efforts of the early 1960s were tenuous and short-lived. But, borrowing from Robin Kelley's insight that the importance of freedom struggles is not in their success or failures, but in the questions they raise and the intellectual legacies they leave, black united front coalitions of the civil rights era between black nationalists and integrationists raise serious and lasting questions about postwar black social movements. These include: the primacy and scope of organizing against police brutality within the broader black freedom struggle; the potential for acts of police violence to catalyze black unity and mobilize communities of color; the long history of simultaneous calls for both more *and* better policing; the centrality of black nationalism to social movements prior to the emergence of Black Power; and the fault lines and limitations of these unity efforts by contributing to the advanced marginalization of women and other oppressed groups by foregrounding racial solidarity.

## **The Thin Blue Line**

Police brutality . . . is a serious problem in the United States [and] statistics suggest that Negroes feel the brunt of official brutality proportionately more than any other group in American society.<sup>15</sup>

United States Commission on Civil Rights, 1961

Los Angeles Police Chief William Parker sat in the law office of George Vaughn in 1957 to give his deposition. His department was facing a \$500,000 lawsuit for 10 cases of police brutality filed by the NAACP Legal Redress Committee. Yet Parker was unfazed by the charges and accused Vaughn with "evil intent in this whole situation." He blamed the committee of

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<sup>15</sup> *Justice*, United States Commission on Civil Rights Report (Washington: Government Print Office, 1961), 26-28.

trying to “drive the whole Police Department out of the city of Los Angeles” and claimed that this sort of “unholy harassment” underscored the very necessity for police officers. “We have been getting along fine until you got here,” he concluded.<sup>16</sup> Parker’s response was indicative of a police department which acted with almost complete impunity. Despite attempts by the NAACP and other civil rights groups to address the pervasiveness of police brutality, Parker remained insulated from legal scrutiny throughout the postwar period. By the time of Stokes’ murder in 1962, he had become the city’s “preeminent symbol of white power.”<sup>17</sup> Meanwhile, attorney Loren Miller spent most of the decade fighting against local housing desegregation. After his role in the seminal case of *Shelley v. Kraemer*, Miller made a name for himself in local politics by purchasing the *California Eagle* in 1951 from activist Charlotta Bass. As Scott Kurashige writes, it was one of the “most historic . . . shift[s] in Black community leadership.” Miller had “used the *Eagle* to stake a claim to the political center of postwar Black Los Angeles.”<sup>18</sup> Soon after Parker’s deposition before the NAACP, the Nation of Islam established the first mosque in the coast’s largest metropolis, one which it hoped would act as a base of expansion to the west coast.

While Parker, Malcolm X, and Miller spent most of the 1950s operating in different circles, they would converge in 1962 as key players in the struggle over police reform in Los Angeles. The following section explores the roles of these three discrete forces in Los Angeles during the decade prior: the efforts by civil rights groups such as the NAACP Legal Redress Committee to establish citizen review boards and Loren Miller’s own developing political

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<sup>16</sup> “Police Chief Parker Appears, Refuses Some Questions,” *NAACP Newsletter* 3, no. 1 (September 1957) and “Policemen, Chief Parker Sued for Half Million,” *NAACP Newsletter* 2, no. 12 (August 1957), Printed Matter, Newsletters, Part 25: Branch Department Files, Series C: Branch Newsletters and Printed Materials, 1956-1965, Papers of the NAACP.

<sup>17</sup> Scott Kurashige, *Shifting Grounds of Race: Black and Japanese Americans in the Making of Multiethnic Los Angeles* (Princeton, N.J.: Princeton University Press, 2008), 271.

<sup>18</sup> *Ibid.*, 208, 214-216.

critique of racial crime statistics; William Parker's police department, which came to epitomize the "professionalization" of postwar policing in America despite repeated acts of brutality against African Americans and Latinos; and finally, Malcolm X's efforts to build a base of black unity in the first major effort by the Nation of Islam to establish a presence on the west coast.

During World War II, Los Angeles witnessed the rise to a "Negro Victory" movement similar to "Double V" campaigns around the country which were demanding full citizenship as a condition of supporting the war abroad. Following the war, however, the NAACP and other civil rights organizations as well as the labor-civil rights alliance that had begun to flourish in the 1930s were hamstrung by the red scare and anticommunist purges. And while police violence remained prevalent, rapid postwar growth driven by the defense industry put housing segregation and job discrimination at the top of most civil rights groups' agendas.<sup>19</sup> Kurashige notes that the "whereas the common struggle against *segregation* had unified Black leadership in the Negro Victory movement, African American leaders would clash sharply over competing visions of racial *integration* in postwar Los Angeles" (emphasis in original).<sup>20</sup> These competing visions would come to characterize postwar black political leadership in Los Angeles.

Loren Miller was among the most prominent figures in the postwar fight for racial integration in the city. Described by biographer Kenneth Mack as one of several black lawyers "well known in their own time but who have been largely lost to history," there is little in Miller's early career that would seem to connect him to the NAACP or the Nation of Islam.<sup>21</sup> He was skeptical of law as an engine of social change, believing that it had little effect on race and

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<sup>19</sup> Between 1949 and 1968, urban renewal had removed 425,000 low-income housing units and only added 125,000. And, despite over 300,000 jobs being added in "durable goods" from 1950-1960, whites were still almost 50 percent more likely to be employed in that sector by the end of the decade. Ibid., 208-209, 228.

<sup>20</sup> Ibid., 205.

<sup>21</sup> Kenneth Mack, *Representing the Race: The Creation of the Civil Rights Lawyer* (Cambridge: Harvard University Press, 2012), 9. For a more comprehensive look at Miller's political life, see Amina Hassan, *Loren Miller: Civil Rights Attorney and Journalist* (Norman, OK: University of Oklahoma Press, 2015).

class inequalities. His interest in journalism brought him from Kansas to California to work for Charlotta Bass at the *California Eagle*. Miller also traveled to the Soviet Union with friend Langston Hughes in 1932, leaving the states disillusioned with the NAACP's reluctance to represent the Scottsboro Boys. Instead, Miller was drawn to the International Labor Defense (ILD) and was an outspoken critic of prominent NAACP attorney, Charles Hamilton Houston. As he wrote one colleague, the ILD should continue to struggle against the Association for "constant and vigorous attacks on the NAACP will do much to root out its rapidly vanishing influence." Miller bristled in particular at Houston's courtroom theatrics, complaining that the attorney planned to push the new NAACP program "into a mandate for a new orgy of legalistic performances."<sup>22</sup>

Meanwhile, Miller made a name for himself in Los Angeles through his representation of black celebrities in the 1945 "Sugar Hill" housing case in which white residents tried unsuccessfully to oust their black neighbors in the West Adams neighborhood by citing turn-of-the-century racial covenants. He then worked with Thurgood Marshall on twenty cases of restrictive covenants which built the foundation for the Supreme Court's decision in *Shelley v. Kraemer*.<sup>23</sup> It was through such legal victories in the 1930s and 1940s that Thurgood Marshall and the NAACP regained some of its standing among skeptical black attorneys such as Miller. As Mack notes, an organization which had "come under fire from a younger generation of blacks who questioned its lawyers' representativeness, once again became a place for lawyers to dream of bigger things."<sup>24</sup>

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<sup>22</sup> Mack, 9, 181-182, 186, and 201.

<sup>23</sup> Kurashige, 232.

<sup>24</sup> Mack, 189, 204, and 206.

Despite his early admiration for the ILD, Miller and the Los Angeles NAACP adopted a strong anticommunist position in the postwar period. The 1950s also saw a precipitous drop in membership and activity in Los Angeles. Meanwhile, the city's black population soared above 200,000, drawn largely from the South, especially Texas and Louisiana. Between 1940 and 1960, the black population in Los Angeles grew from 63,774 to 334,916. And by 1960, one in eight residents of Los Angeles were black.<sup>25</sup> When Thomas Neusom became NAACP branch president, he credited the communist purges as one source of the organization's revitalization. Miller, perhaps compensating for his own background, brought this anticommunism to the front of his publishing of the *California Eagle*. The paper outlined two issues on which it stood unalterably opposed on its front page: "Jim Crow in all forms" and "Communists and all other enemies of democracy."<sup>26</sup>

As the NAACP slowly regained its footing and the city's labor-civil rights coalition faltered under the force of McCarthyism, another key transition in postwar Los Angeles took hold: the appointment of William Parker as chief of the Los Angeles Police Department. Parker's sixteen-year tenure was the longest in the department's history despite being characterized by frequent cases of police brutality against blacks and Latinos. As Kurashige argues, by midcentury, "subduing crime and delinquency among communities of color became [the department's] primary rationale for asserting power."<sup>27</sup> Parker was one of the earliest police chiefs to militarize his force, borrowing strategies from his experiences working with local police in Germany and Italy during World War II. These strategies included proactive policing and the use of force in securing areas. Another staple of Parker's department was its autonomy. Although

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<sup>25</sup> Dan Berger, *Captive Nation: Black Prison Organizing in the Civil Rights Era* (Chapel Hill: University of North Carolina Press, 2014), 16.

<sup>26</sup> See editorial page, *California Eagle*, February 14, 1957.

<sup>27</sup> Kurashige, 271.

he frequently closed ranks with white politicians during times of crisis, Parker remained insulated from public and government scrutiny despite longstanding cries for a civilian review board. Thus, the omnipresence of police violence in Los Angeles was masked by an aggressive public relations strategy which promoted a professional image of the department. Parker is credited with creating the television program *The Thin Blue Line* as well as the motto “To Serve and Protect.”<sup>28</sup>

As Naomi Murakawa has demonstrated, modernization and professionalization of police departments in the postwar U.S. were often spurred by liberal efforts to protect citizens from state violence. For example, Truman’s Committee on Civil Rights in 1947 suggested a host of solutions to police brutality, including “increased professionalization of state and local police forces” and an indoctrination of “officers with an awareness of civil rights problems.”<sup>29</sup> The LAPD under Chief Parker was one of the first to undergo this modernization process. However, often bundled in this liberal package of community relations training and diversification of the force was a reliance on crime statistics to buttress policing and surveillance. While communities of color denounced the use of crime data to justify overpolicing, it was seen by those outside these communities as evidence of modernized and efficient (read: fair and colorblind) law enforcement. While Murakawa notes that threats to the “state’s monopoly on legitimate violence . . . came from multiple, conflicting racial coalitions,” her work focuses on these sources of state violence rather than the coalitions opposing them.<sup>30</sup> Yet both the NAACP’s push for civilian

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<sup>28</sup> Jeffrey Kraus, “William Parker,” in *The Social History of Crime and Punishment*, ed., Wilbur Miller (Thousand Oaks, CA: SAGE Foundation, 2012), 1321-1323.

<sup>29</sup> Naomi Murakawa, *First Civil Right: How Liberals Built Prison America* (New York: Oxford University Press, 2014), 45-47.

<sup>30</sup> *Ibid.*, 105.

review boards and Loren Miller's critique of crime statistics provided an important counterdiscourse which challenged this legitimation of state violence.

William Parker laid forth his blueprint for the role of the police force in community relations at the 1955 Annual Conference of the International Association of Chiefs of Police. Proudly noting that "*Los Angeles has not experienced an instance of organized group violence in the past twelve years,*" Parker attributed this largely to the "professionalization of its police department" (emphasis in original).<sup>31</sup> His address framed policing through a racial liberal logic in which diversity was articulated as everyone's "*right to be different*" (emphasis in original). "[W]e are all minority group members," he told the audience, "any one of which can be, and often has been discriminated against." Still, crime statistics remained the linchpin of Parker's approach to police professionalization. He explained that reason behind the heavy deployment of police in neighborhoods concentrated with people of color was "statistical - it is a fact that certain racial groups, at the present time, commit a disproportionate share of the total crime." His speech simultaneously defended overpolicing in black and Latino communities through crime statistics while upholding the pretense of colorblind law enforcement which disregarded race as a meaningful category of analysis.

Parker closed his address by offering an anecdote which embodied his professionalization argument: human relations and community training could eradicate racist *policing*, if not racist police. He described an "old school" officer ("recruited long before psychiatric examinations were instituted") who walks a beat in this new "racial melting pot" of Los Angeles. Despite carrying with him "the maximum number of racial and religious prejudices [that] one mind can hold," this officer has "memorized every maxim, every scientific fact, every theory relating to

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<sup>31</sup> W.H. Parker, "The Police Role in Community Relations," Annual Conference of the International Association of Chiefs of Police, October 3, 1955, 6, 13, and 22, Box 24, Folder 14, LMP.

human equality.”<sup>32</sup> The punchline to Parker’s story was that, for this “old school” officer, his “intolerance has become a victim of enforced order – habit has won out over belief.”<sup>33</sup> Parker’s theories of professionalization as a means to eradicate racist policing were also reproduced in LAPD training bulletins such as the one below. Satirical cartoons illustrated Parker’s points, teaching officers that police brutality was not relegated to the use of force, but that “complaints of so-called ‘police brutality’ are frequently found to be complaints concerning offensive language or improper attitude.”<sup>34</sup> Building on the idea that any member of a group can experience discrimination, the bulletin used slang directed at police to demonstrate the ways that it could be received as hostile when used by outsiders. Parker’s outline of human relations training as a means of professionalizing police practices dislodged the specificity of police violence against communities of color and used a racial liberal discourse to demonstrate that anyone could be a victim of police brutality, even police.

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<sup>32</sup> Ibid., 17.

<sup>33</sup> Parker, “The Police Role in Community Relations,” 17.

<sup>34</sup> “The Officer and the Public – III,” *Daily Training Bulletin* 5, no. 7 (October 22, 1962): 11.



Figure 1: Cartoon, *Daily Training Bulletin*, Los Angeles Police Department, October 22, 1962.

Parker’s ideas nevertheless shared some commonalities with community groups calling for law enforcement reform. His focus on human relations training and a racially diverse police force which could maintain better relations with communities of color reflected many of the demands from those fighting for police reform. But, when packaged with surveillance and unassailable crime statistics, liberal calls for professionalization of police often resulted simply in more police. As Michael Brown has argued, “professionalization has fostered the illusion of control over police discretion when in fact it has resulted in greater autonomy for the police.”<sup>35</sup> Murakawa adds that modern police departments and liberal reforms further cemented the notion

<sup>35</sup> Michael Brown, *Working the Street: Police Discretion and the Dilemmas of Reform* (New York: Russell Sage Foundation, 1981), 290, cited in Murakawa, 90.

that police brutality could be solved through more procedures and training, framing “racial violence as an administrative deficiency,” rather than a structured and intended outcome.<sup>36</sup> As Parker noted in his 1955 address, “we are not interested in *why* a certain group tends toward crime, we are interested in maintaining order . . . Police deployment is concerned with *effect*, not cause” (emphasis in original).<sup>37</sup> Setting aside disparities in opportunity and the possible origins of crime, Parker was content to content to continue a self-fulfilling cycle of overpolicing and crime statistics, each reinforcing the other. Quoting the Scottish author Andrew Lang before the California Advisory Committee on the U.S. Commission on Civil Rights in the summer following the Stokes murder, sociologist Gilbert Geis advised against using “statistics as a drunken man uses lampposts – for support rather than for illumination.”<sup>38</sup>

The effect of these strategies was evidenced the following year when the NAACP Legal Redress Committee recorded thirty-six citizen complaints of police brutality within the first quarter of 1956. The Committee, which was composed of over thirty Los Angeles attorneys, was encouraged that the number of complaints had dropped to two by the last quarter as a result of its report to the Internal Affairs Bureau. But while a vigilant eye may have produced fewer cases in the short term, the committee was unsuccessful in actually securing redress through the legal system. Its recommendations for future organizing against police brutality focused on the establishment of an independent commission by an amendment to the city charter to investigate police brutality and an active pathway for securing damages.<sup>39</sup> The notion of a civilian review board became one of the most contested reforms sought by activists in the years leading up to the

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<sup>36</sup> Murakawa, 18.

<sup>37</sup> Parker, “The Police Role in Community Relations,” 23.

<sup>38</sup> Gilbert Geis, “Statistics Concerning Race and Crime,” 20, September 13, 1962, Box 63, Folder 8, American Civil Liberties Union of Southern California Records, Charles E. Young Research Library, UCLA.

<sup>39</sup> “Toward Freedom,” Annual Report of the Los Angeles Branch, 1956, 32-36, Printed Matter, Newsletters, Part 25: Branch Department Files, Series C: Branch Newsletters and Printed Materials, 1956-1965, Papers of the NAACP.

Watts rebellion in 1965. Because Parker's defense against an outside review board relied on his use of racial crime statistics, these became two key areas of concern for the NAACP, ACLU, and other reformers. Nevertheless, the Redress Committee remained optimistic in 1957 that the "groundwork has been laid for much more adequate redress in all future police cases."<sup>40</sup>

However, in 1960, after the death of a sixteen-year-old boy at the hands of police, another proposal for a police review board set off a polarizing debate in Los Angeles. The effort was the product of a multiracial coalition which brought together the ACLU, NAACP, California Democratic Council, and what the *Los Angeles Times* referred to as "several Latin or Spanish groups."<sup>41</sup> It called for a five-person board appointed by the mayor with approval from the city council and allotted \$500 to citizens harmed by police misconduct.<sup>42</sup> While the idea of a police review board had been percolating for years, it benefited from a renewed vigor as Parker again faced an onslaught of criticism for maintaining a department rife with discrimination, violence, and racial profiling.

Parker's defense again rested on a combination of crime statistics, anti-immigration rhetoric, and social-scientific notions of race and criminality. "[F]lanked by a battery of aides carrying charts," he argued that African Americans, Latinos, and Asians all committed crimes at disproportionate numbers compared to their white counterparts (11 times, 5 times, and 3 times respectively), all while sidestepping the possibility that disproportionate policing of these neighborhoods caused these results. Rather than suggest retrograde notions of innate criminality, he instead called this a "conflict of cultures."<sup>43</sup> Khalil Muhammad has persuasively shown how

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<sup>40</sup> "Report to the Membership," *NAACP Newsletter* 3, no. 2 (October 1957), *ibid.*

<sup>41</sup> Gene Hunter, "Police, Fire League Hits at Proposed Review Board," *Los Angeles Times*, April 19, 1960. Although it was unclear if the Japanese American Citizens League (JACL) was a part of this coalition, the group had worked alongside the Legal Redress Committee throughout the 1950s. See "Legal Committee Program Working," *Los Angeles Branch NAACP Newsletter*, undated, *ibid.*

<sup>42</sup> Hunter, "Police, Fire League Hits at Proposed Review Board."

<sup>43</sup> "Parker Angrily Denies Racial Discrimination," *Los Angeles Times*, January 27, 1960.

the language of biological racism was replaced with cultural determinism following the findings of anthropologist Franz Boas decades earlier. Using crime statistics, criminologists and other law enforcement refashioned blackness into a “more stable racial category in relation to whiteness through racial criminalization.”<sup>44</sup> Parker’s comments before the Federal Commission on Civil Rights demonstrate the ways in which cultural notions of race and criminality successfully replaced biological ones, all while leaving racialized policing unscathed. Rather than see housing segregation as one cause of these disproportionate statistics, the police chief deemed these “dislocations” primarily a problem of “assimilation.”<sup>45</sup> In language reminiscent of Progressive-era anti-immigration rhetoric, Parker claimed that the city had been plagued by people “shipped here by officials of other localities who want to get rid of them.”<sup>46</sup> He moved seamlessly between a postwar liberal discourse on policing which emphasized human relations training and modern administrative efficiencies and antiquated assumptions about race, ethnicity, and criminality. The ease with which Parker moved between “empirical” social science data and notions of deterministic criminality underscores Muhammad’s point about how the “shift from a racial biological frame to a racial culture frame kept *race* at the heart of the discourse.”<sup>47</sup>

The responses of civil rights leaders to Parker’s package of social-scientific racism and crime statistics also reveals important role that combatting racist policing played in countering narratives of black criminality. “Policing racism in the northern criminal justice system,” Muhammad argues, “became an effective rebuttal to the statistical arguments of earlier white social scientists that the ‘numbers speak for themselves.’”<sup>48</sup> Loren Miller was among those at

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<sup>44</sup> Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America* (Cambridge, MA: Harvard University Press, 2011), 5.

<sup>45</sup> Bill Becker, “Police Brutality on Coast Denied,” *New York Times*, January 27, 1960.

<sup>46</sup> “Parker Angrily Denies Racial Discrimination.”

<sup>47</sup> Muhammad, *The Condemnation of Blackness*, 9.

<sup>48</sup> *Ibid.*, 229 and 269.

this 1960 meeting, pointing out the “underlying policy” of discrimination carried by Los Angeles police.<sup>49</sup> At one hearing, he even remembered Parker adding that “you’ve got to take genes into account.”<sup>50</sup> As Miller pointed out in a letter to the editor several years later, “I cannot escape the uneasy feeling that the Police Department has assumed the stance taken by the man who announced that he was able to prove that ginger ale was the cause of intoxication. He had, he said, mixed whiskey, rum, gin, vodka and sake with ginger ale and added that in each instance he had become drunk. Since it was the only common factor in the drinks, he said, it stood to reason that ginger ale was the cause of his intoxication.”<sup>51</sup>

Despite community pressure to reexamine Parker’s department, the possibility of a citizen review board was met with overwhelming opposition. The Fire and Police Protective League compared it to a similar board in Philadelphia, which it hyperbolized, “seems to have assumed the powers of a revolutionary tribunal or junta.”<sup>52</sup> The City Council quickly followed suit, unanimously passing a resolution in support of the department. Mayor Norris Poulson seconded the council, arguing that the board would hinder law enforcement and tax the budget through excessive court cases. Even black newspapers were skeptical. While acknowledging the presence of police misconduct, the *Los Angeles Sentinel* insisted that investigations into police brutality remained outside the bounds of civilian duty and under the purview of the existing Police Commission.<sup>53</sup> Opposition to the proposed board became so vociferous that one officer

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<sup>49</sup> “Parker Angrily Denies Racial Discrimination” and Becker, “Police Brutality on Coast Denied.”

<sup>50</sup> Arnold Trebach, notes from informal conference at Los Angeles County Conference on Community Relations, July 27, 1962, 9-11, 27, Records of the U.S. Commission on Civil Rights (Record Group 453), Police-Community Relations in Urban Areas, 1954-1966, National Archives, College Park, Maryland.

<sup>51</sup> “To the Editor,” undated (c. 1962), Box 11, Folder 4, LMP.

<sup>52</sup> Hunter, “Police, Fire League Hits at Proposed Review Board.”

<sup>53</sup> “Policing Policeman,” *Los Angeles Sentinel*, June 16, 1960.

even launched a nationwide counter-campaign to monitor organizations attempting to establish similar civilian review boards.<sup>54</sup>

But a year later, a tense mayoral election again brought the issue of police brutality to the fore. It also marked the first major conflict between the NOI and police. Three months after a Memorial Day barbeque at Griffith Park at which seventy-five police officers surrounded two hundred black picnickers, police officers accosted Muslims selling *Muhammad Speaks* outside a Safeway supermarket. The officers claimed that they had been having problems for almost a year with Muslims blocking the doorways of the grocery store to sell their paper. When the case went to trial, the store manager signed an affidavit claiming he had given his permission to the defendants. The six men arrested were acquitted by an all-white jury and the NOI filed a million dollar lawsuit against the grocery store chain.<sup>55</sup>

The Nation of Islam had been in Los Angeles four years by the time of the Safeway incident. When Malcolm X first arrived in Los Angeles in the summer of 1957 to establish Temple 27, he immediately set about embedding the NOI within the political life of the community. At Elks Hall on South Central Avenue, he outlined the work and aims of Muhammad's program and extended a special invitation to "fraternal, civil, political, and religious leaders." The FBI reported that the theme of the lecture "was unity among the so-called Negro." However, Malcolm also made quick enemies of black ministers by urging them to build businesses instead of "so many unnecessary churches." Like Loren Miller, Malcolm understood the value of the black press and urged black Angelenos to "keep this weapon in good condition, strong, well-loaded, independent, alert and ready."<sup>56</sup> The following week, his serialized column,

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<sup>54</sup> George Garrigues, "L.A. Officer Heads Nationwide Police War on Review Boards," *Los Angeles Times*, August 7, 1960.

<sup>55</sup> Knight, 185.

<sup>56</sup> Malcolm X FBI File, Summary Report, New York Office, April 30, 1958, 49-51.

“God’s Angry Men,” debuted in the *Los Angeles Herald-Dispatch*. Many Los Angeles residents and prisoners across the country would become acquainted with Malcolm X through this weekly column. In a letter, Malcolm would explain the Nation’s close relationship with the *Herald-Dispatch* as follows: “The paper in Los Angeles is a very outspoken one,” he wrote. “Mr. Alexander, the publisher, has been converted, thanks to ALLAH . . . That area out there in the West is very fertile territory; we only need some laborers to work it.”<sup>57</sup>

The following year, Malcolm would return to Los Angeles with several aides from the New York temple. By his return in early 1958, “God’s Angry Men” had been successfully running for six months, and he set up an office at the *Herald-Dispatch*, even securing use of a secretary from the paper. He then began a series of popular lectures on Friday evenings and Sunday afternoons at Normandie Hall.<sup>58</sup> And while his primary purpose in Los Angeles was to grow the nascent temple, he spoke to a wide swath of religious and political groups in an effort to build black unity. In an interview with the *Herald-Dispatch*, he declared that the first principle of Islam was “trying to unite the so-called Negroes of America.” He addressed college students as well, warning them to not “think because you are studying at UCLA that they won’t hang you.”<sup>59</sup> He even attended a dinner honoring Ralph Bunche sponsored by the Board of Education and students from Los Angeles City College.<sup>60</sup>

While Malcolm continued to stress black unity, his repeated attacks on Christianity and the black church alienated prominent clergy. Three preachers stormed out of a meeting at Normandie after Malcolm challenged black churches to put their congregations’ money to work “for the members” instead of for themselves and white interests. He charged that the money

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<sup>57</sup> Malcolm X to Beatrice X Clomax, December 22, 1957, Box 3, Folder 3, MXC.

<sup>58</sup> Malcolm X FBI File, Summary Report, New York Office, November 19, 1958, 7 and 9.

<sup>59</sup> *Ibid.*, 45 and 54.

<sup>60</sup> *Ibid.*, 27, 45-46.

raised by churches was “dead capital” being used on segregated housing and loans to white businessmen.<sup>61</sup> Shortly after the incident at Safeway in 1961, the minister returned to Los Angeles for another fundraising drive and two weeks of classes and lectures. Continuing the theme of his college debates, he held a series of talks at the Garden of Prayer Baptist Church in late November on the question of “Integration or Separation.” In November, he debated Los Angeles NAACP president Edward Warren at Los Angeles State College.<sup>62</sup> The success of the Nation’s organizing in Los Angeles is difficult to determine. Although one historian estimates membership at around 300 in the late 1950s, police estimated there were 3,500 members in Southern California by 1962.<sup>63</sup> Malcolm himself stated that his second visit had not “been the success he had thought it would be” and proclaimed “Los Angeles . . . one of the worst places in the United States to convert people to Islam.”<sup>64</sup> Whatever its successes or shortcomings, it was clear from the scope and content of the NOI’s organizing efforts in Los Angeles that building unity within black communities and leadership was one of its central goals.

That fall, national NAACP leadership joined the struggle against police brutality in Los Angeles. Despite speaking from notes and appearing fatigued before what the *Los Angeles Sentinel* called a “disappointing crowd of 3,000,” Roy Wilkins made national headlines by comparing the Los Angeles police as “next to those in Birmingham, Alabama.” He scored Chief Parker for acting as a rogue force without oversight from the mayor and other elected officials. “This system,” he claimed, “allows the Police Department to be the judge and jury of its own personnel without having to pay any attention to the public.”<sup>65</sup> Just months before Ronald Stokes

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<sup>61</sup> “Christians Walk Out On Moslems,” *Amsterdam News*, April 26, 1958.

<sup>62</sup> Malcolm X FBI File, Summary Report, New York Office, May 17, 1962, 11 and 19-20.

<sup>63</sup> Claude Andrew Clegg, III, *An Original Man: The Life and Times of Elijah Muhammad* (New York: St. Martin’s Press, 1997), 114 and “Black Muslims’ Fight Coast Police,” *Washington Post*, April 29, 1962.

<sup>64</sup> Malcolm X FBI File, Summary Report, New York Office, November 19, 1958, 13.

<sup>65</sup> “Los Angeles Police Called Next Worst to Birmingham’s,” October 6, 1961, 2, General Office File, Police Brutality – California, Colorado, and Connecticut, Part 24: Special Subjects, 1956-1965, Series C: Life

was killed, the NAACP fired another volley at Parker and his department. A twelve-page report on police violence compiled by the Legal Redress Committee documented ten major cases of harassment and brutality. “Abuse of Police Authority of the Negro Community in Los Angeles,” as the document was titled, argued that black residents “never know where or at what hour may come blows from the guardians of the law who are supposed to protect them but from whom they are helplessly unprotected.”<sup>66</sup> Yet a national report on police brutality by the United States Commission on Civil Rights that same year mentioned Los Angeles only in passing, praising its psychological tests for incoming officers and citing its police review board.<sup>67</sup>

The story of policing in Los Angeles was as segregated as the city itself. The LAPD enjoyed a national reputation as the modernized, professional force that Parker outlined in his 1955 remarks. Public relations campaigns, training bulletins, and crime statistics all masked the police’s role as an occupying army in Los Angeles’ largely black and Latino communities. Meanwhile, these communities repeatedly called for reform, and advocacy groups such as the ACLU and NAACP published scathing reports condemning the racialized policing and violence of Chief Parker’s department. And while both the NOI and Loren Miller stood largely outside of these battles throughout the 1950s, the Stokes case brought both fully into the fight against police brutality in Los Angeles. And the city, which had enjoyed, promoted, and benefited from the myth of northern racial exceptionalism, quickly found itself in the midst of the national civil rights movement.

## **A Black United Front**

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Memberships-Zangrando, Papers of the NAACP. Also see “NAACP Civil Rights Rally Disappointing,” *Los Angeles Sentinel*, October 5, 1961.

<sup>66</sup> “NAACP Claims Brutality by Police in L.A.,” *Los Angeles Times*, February 19, 1962, *ibid.*

<sup>67</sup> *Justice*, 84 and 239.

The Stokes case has often also been narrated through the lens of charismatic leadership, as a decisive moment in the break between Malcolm X and Elijah Muhammad. Journalist Peter Goldman called the crisis “a sort of volte-face version of the Johnson [Hinton] parable.”<sup>68</sup> Rather than confront police as the NOI had done in Johnson Hinton’s case, Malcolm X’s delivery of Elijah Muhammad’s message to remain “cool, calm, and collected [and] leave it in the hands of God” to a Harlem audience in 1962 did not resound with the same militancy as his protest outside the 28<sup>th</sup> Precinct in 1957.<sup>69</sup> Journalist James Hicks, who had covered the Hinton case, noted that “they lost face out there [in Los Angeles] – they hadn’t fought back, and that aura of don’t-touch-a-Muslim diminished a bit. Malcolm withstood it, but it got pretty rough.”<sup>70</sup> Many believed that Malcolm’s public swallowing of pride created an irreparable division. Malcolm himself even later claimed that the NOI’s tepid response “caused the Black Muslim movement to be split. Some of our brothers got hurt, and nothing was done about it, and those of us who wanted to do something about it were kept from doing something about it. So we split.”<sup>71</sup>

However, this focus on fractured leadership has obscured the significance that Stokes’ murder had on racial politics in Los Angeles and its larger place in the civil rights struggle outside the South. Malcolm X rushed to Los Angeles and set about a torrid schedule of speaking engagements and political rallies, emphasizing unity over division and race over religion. There, he encountered an obstinate white power structure in Mayor Yorty and Chief Parker which was quickly closing ranks and black leadership that was attempting to delicately balance its protest of

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<sup>68</sup> Peter Goldman, *The Death and Life of Malcolm X*, 2nd edition (Urbana: University of Illinois Press, 1979), 97.

<sup>69</sup> *Malcolm X: Make it Plain*, Video (DVD), directed by Orlando Bagwell (1994; Alexandria, VA: PBS Video).

<sup>70</sup> Goldman, 100.

<sup>71</sup> George Breitman, *The Last Year of Malcolm X: The Evolution of a Revolutionary* (New York: Pathfinder Press, 1967), 17. Others, such as Hakim Jamal, also split from the NOI over its response to the Stokes case. See Hakim Jamal, *From the Dead Level* (New York: Random House, 1972).

police brutality with its continued opposition to what was known as the “Black Muslim movement.”

As Ronald Stokes was laid to rest, Loren Miller offered his own eulogy of sorts in the *California Eagle*. He compared the lives of Ronald Stokes (he and Miller had been a part of the same college fraternity) and Benjamin Davis, a black former city councilman from Harlem who was serving a five-year sentence for violation of the Smith Act for his membership in the Communist Party. Miller noted that despite the “long distance between Muslim belief and Communist thinking,” two middle-class men from educated backgrounds had rejected the moderation and reform expected of their standing. Perhaps reflecting more on his own life, Miller invoked a Du Boisian double consciousness in which one must go “to war with himself” and decide whether to pledge allegiance to a “political system which condones discrimination, and to organizations, such as the NAACP, designed to reform that system . . . [while at] the other extreme another Negro rebels and embraces [a] hostile doctrine which declares there is no hope within the framework of American democracy.”<sup>72</sup> For Miller, who was once enamored with the work of the ILD and the nationalism of the Communist Party’s “black belt” thesis, his eulogy of Stokes was a personal reflection on a path not taken. The “double life” of reforming American democracy or revolting against it also embodied the struggle that moderate black leadership in Los Angeles would soon face as it was tasked with condemning police brutality while distancing itself from the Nation of Islam.

Despite Miller’s longtime affiliation with the NAACP and his tendency toward an integrationist bent, his writings from the year of the Stokes case display a developing critique of liberalism and support for all-black political organizing. In particular, his article in *The Nation*,

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<sup>72</sup> Loren Miller, “Loren Miller Says... Tale of Two Men,” *California Eagle*, May 10, 1962.

“Farewell to Liberals,” illuminated the frustration of many black leaders with the slow pace of reform. Miller argued that white liberals would never cede control in the struggle for black freedom and suggested that a new militancy within the movement called for nothing short of black-led political parties and organizations. “Rejection of liberal leadership does not mean that Negroes do not want, and expect, continued liberal aid,” Miller clarified. “But they want it on their own terms and they are too sophisticated to believe that liberals can resign a battle involving fundamental equalitarian issues out of pique at the rejection of their leadership.” He noted that Muslims were “drawing substantial urban support” through a similar critique of liberalism and concluded that it was time for white supporters to re-enlist in the struggle as “foot soldiers and subordinates in a Negro-led, Negro-officered army under the banner of Freedom Now.”<sup>73</sup>

Miller’s article was well received among both moderate and more radical civil rights activists. Robert Carter of the NAACP wrote him that the essay “aptly describes what I regard as the realistic position of the Negro vis-à-vis white northern liberals today. Everyone to whom I have shown the article is similarly delighted.”<sup>74</sup> Derrick Bell, whose radio broadcast several years early had outlined the reasons the NAACP should not disassociate, but rather should simply ignore, the Nation of Islam, wrote to Miller that now “all of us will more easily recognize the liberal in our midst who is not truly in our family but in our way.”<sup>75</sup> The NAACP even reproduced and distributed the article.<sup>76</sup> Attorney John Thorne, who later defended prison activist George Jackson and the American Indian Movement’s occupation at Wounded Knee, wrote Miller that the “‘liberal’ just isn’t what he used to be . . . it seems clear that the liberal swings

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<sup>73</sup> Loren Miller, “Farewell to Liberals: A Negro View,” *The Nation*, October 20, 1962.

<sup>74</sup> Robert Carter to Loren Miller, November 8, 1962, Box 10, Folder 5, LMP.

<sup>75</sup> Derrick Bell Jr. to Loren Miller, November 9, 1962, *ibid.*

<sup>76</sup> Carter to Miller, *ibid.*

along and moves to the more conservative positions of ‘educate,’ ‘negotiate,’ and ‘smooth over.’”<sup>77</sup> The editor of *The Nation*, journalist Carey McWilliams, was so pleased with the piece that he began promoting Miller to publishers as a candidate to write a book on the civil rights movement.<sup>78</sup> One of the article’s harshest critiques, however, came from an unlikely source. Stokely Carmichael, then a recent Howard University graduate and young SNCC organizer, called the essay “ridiculous” and condemned Miller as being “hopped up with this Black Nationalism.” He suggested that rather than reprint and distribute the essay, the NAACP should have stood its ground when Malcolm X attacked them. Years before he would call for Black Power in Greenwood, Mississippi in 1966, Carmichael said: “Everybody is afraid to attack [Malcolm]. You know, people just jump on bandwagons.”<sup>79</sup>

But Carmichael underestimated the coalition being forged in Los Angeles. The first to come to the aid of the NOI in the aftermath of the Stokes killing was Celes King III, a special consultant for the NAACP’s Legal Redress Committee since the 1950s. King put up over \$160,000 in bail bonds to secure the release of all fourteen Muslims.<sup>80</sup> Perhaps emboldened by his remarks about police brutality in Los Angeles the previous year, Roy Wilkins offered a show of solidarity from the national office. In a telegram which was reprinted in *Muhammad Speaks*, Wilkins urged the Los Angeles branch to stay involved. “Never in its history has the NAACP withheld condemnation of and action against police brutality because of race or religion,” he wrote, “and it will not do so now.”<sup>81</sup> The NAACP even demanded an investigation be launched by California Attorney General Stanley Mosk and U.S. Attorney General Robert F. Kennedy.<sup>82</sup>

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<sup>77</sup> John E. Thorne to Loren Miller, October 31, 1962, *ibid*.

<sup>78</sup> See Box 12, Folder 4, LMP.

<sup>79</sup> Robert Penn Warren, “Two for SNCC,” *Commentary Magazine*, April 1, 1965. The article was excerpted from Warren’s not-yet-released *Who Speaks for the Negro?* (New York: Random House, 1965).

<sup>80</sup> Press release, undated, Box 12, Folder 1, MXC. Also see “Makes Bail,” *California Eagle*, May 10, 1962.

<sup>81</sup> Telegram from Roy Wilkins, *Muhammad Speaks*, June 1962, 5

<sup>82</sup> “Los Angeles Tensions Up Over Police Brutality,” *Pittsburgh Courier*, May 19, 1962.

“[P]aced by a strong statement from Roy Wilkins,” the *California Eagle* reported that the black community “is coming down overwhelmingly on the side of the Muslims.”<sup>83</sup>

At a meeting called by the District Attorney, a group of over thirty black leaders grew restless when the state’s tactic of pitting the black community against the Nation of Islam became apparent. With representatives from the Citizens Committee for a Police Practices Review Board and the NAACP Legal Redress Committee present, NAACP chapter president Edward Warren finally rose and spoke for many when he concluded: “I don’t think we’re facing the problem we came here to solve.”<sup>84</sup> The refusal of black leadership to condemn the NOI signaled to the mayor that the local branch needed to be severed from national leadership. Mayor Yorty, “his voice trembling with anger at times, scored local officials . . . [w]hile he praised the NAACP on the national level.” Local leaders, he claimed, “are bringing about the very condition they are complaining about.”<sup>85</sup>

Efforts by city leaders to scapegoat the NOI only fueled its argument for the necessity of a black united front. For two consecutive Sundays in May 1962, unity prevailed in Los Angeles. The first was a Citizens Protest Rally on May 13 at the Second Baptist Church.<sup>86</sup> Although the church made it clear that it was opposed to the NOI (even comparing it to the KKK and White Citizens’ Councils), the rally was co-sponsored by the Nation of Islam, Community Civic League, and the Citizens Protest Committee, and featured many of the disgruntled leaders from the meeting with the District Attorney. The rally explicitly called for the national office of the

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<sup>83</sup> Grace Simons, “Chief Parker Called ‘Drunk With Power,’ Muslims Supported,” *California Eagle*, May 10, 1962.

<sup>84</sup> “Don’t Make Muslims Scapegoats for Police Brutality,” *Los Angeles Times*, May 9, 1962.

<sup>85</sup> Gene Hunter, “Yorty Calls Racial Situation Tense, Asks Federal Help,” *Los Angeles Times*, May 10, 1963.

<sup>86</sup> Grace E. Simons, “I Killed Stokes, Says Officer,” *California Eagle*, May 17, 1962.

NAACP to continue to support the local branch's efforts and "disregard the efforts of those who would drive a wedge between the local branch and the national office."<sup>87</sup>

Wendell Green of the recently-formed Citizens Protest Committee, echoed the NOI's call for a united front. "This is not a political rally. Neither is it a religious rally," he told 1,200 concerned citizens. "If there is one thing that our community stands united on, it stands united against unlawful police violence and abuse of police power." Noting that it could have just as easily happened in front of the Elks lodge or Shriners auditorium, Green argued that on the night of April 27, all you had to be "was black and moving within sight and range of a shooting policeman's weapon." He also condemned the department's reliance on crime statistics to justify violence in black communities. "The Negro community is over-policed. Why? The Los Angeles Department is statistic happy . . . These unnecessary arrests build the statistics that the police department uses to poison the minds of the public and the policemen giving a gross misrepresentation of our community."<sup>88</sup> Although he was not scheduled to speak, Malcolm X seconded the call for black unity, stating since the NAACP had backed them up, the police department was now mad at both organizations.<sup>89</sup>

The following Sunday, Malcolm delivered another rousing call for black unity at the Park Manor Auditorium before another crowd of over 1,000. The minister called for a mass protest march on city hall and the congratulated black leaders, in particular the NAACP, for coming together on the issue of police brutality.<sup>90</sup> But just as in the cases of student chapters inviting Malcolm to college campuses the previous year, there was a growing concern amongst NAACP

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<sup>87</sup> Dr. J. Raymond Henderson, Press Release for Mass Meeting, May 12, 1962, Box 12, Folder 1, MXC.

<sup>88</sup> Keynote speech by Wendell Green, May 13, 1962, Box 25, Folder 1, LMP.

<sup>89</sup> Telephone account from Althea Simmons, May 15, 1962, Geographical File, Los Angeles, 1962. Part 27: Selected Branch Files, 1956-1965, Series D: The West, Papers of the NAACP.

<sup>90</sup> "Digest of News Account of Muslims-Police Riot in Los Angeles," May 18-25, 1962, General Office File, Police Brutality – California, Colorado, and Connecticut, Part 24: Special Subjects, 1956-1965, Series C: Life Memberships-Zangrando, *ibid.*

officials over what this budding coalition meant for the organization. That “the NAACP is supporting the rights of the Muslim[s], without embracing their doctrine is shaking everybody up,” a report noted. “[Field secretary Althea Simmons] is getting a considerable amount of calls about it.” Simmons wrote to Gloster Current: “I feel that the Muslim situation has almost gotten out of hand as far as NAACP is concerned in that in Mr. Warren’s T.V. appearances and statements to the press the NAACP’s participation has not been clearly confined to the issue of police brutality and therefore, we now have the Muslims embracing the NAACP and stating that NAACP supports the Muslims unqualifiedly.” She asked Current to send along any new releases from the national office so that “we would know the details of the position of the National Office.”<sup>91</sup>

The NAACP was not alone in its discomfort. The unity of early May began to falter when Reverend H.H. Brookins and other black clergymen came away from protest rallies feeling that Malcolm had made “irresponsible statements” and that the black unity espoused by the NOI did not adequately distinguish between the group and their churches.<sup>92</sup> More than two hundred ministers from all denominations thus gathered in late May at the First AME Church to draft what became known as the “Ministers’ Manifesto.” The ministerial alliance was unconvinced by Malcolm’s appeal at Second Baptist Church several weeks earlier that this was “an attack on the black people, who incidentally were Muslims, but who were Negroes first.”<sup>93</sup> Frustrated with these calls for unity, the President of the Western Christian Leadership Conference complained that a “handful of Muslims is attempting to represent themselves as spokesmen for 500,000 Negroes in the Los Angeles community.”<sup>94</sup> The Ministers’ Manifesto denounced the issue of

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<sup>91</sup> Althea Simmons to Gloster Current, May 23, 1962, *ibid.*

<sup>92</sup> Trebach, notes from informal conference, 13.

<sup>93</sup> L.I. Brockenbury, “Negro Ministers Blast Muslims as Hate Group,” *Pittsburgh Courier*, June 2, 1962.

<sup>94</sup> “Digest of News Account of Muslims-Police Riot in Los Angeles.”

police brutality while calling the Nation of Islam “separate and distinct” from this struggle. Brookins called the group “anti-law, anti-race and anti-God.” The meeting was even halted at one point to ferret out and remove suspected Muslims. The Manifesto used language eerily close to the state in prisoners’ rights cases: “We suspect the Muslim movement wears the garb of religion, but in reality is just another nationalistic movement.”<sup>95</sup>

For Parker and Yorty, this division between the NOI and black churches was opportune. The mayor quickly offered his approval, thanking the ministers for the “sturdy, realistic – and Christian – statement of their position.”<sup>96</sup> Brookins later remembered that the praise of the mayor quickly dissipated as soon as they again raised the issue of police brutality. “[W]hen we came back to articulate the issue of police brutality,” he said, “we were then called . . . irresponsible leaders, these preachers catering to the big Communist lie, and that you cannot trust these few people out here who propose to speak for their people”<sup>97</sup> Some in the black community saw the Manifesto as a sellout for breaking ranks with the united front. At another mass rally at Garden of Prayer Baptist Church, spectators called the ministers “Uncle Toms” and “handkerchief heads.” Earl Walter, chairman of Los Angeles CORE, argued that it was “unwise and unprofitable for segments of the minority community to begin attacking each other at this time.”<sup>98</sup>

The Ministers’ Manifesto was a product of old resentments and new political liabilities. Poor relations with black clergy long preceded the Stokes case. Malcolm’s Los Angeles lectures in the late 1950s had criticized the black church for wasting financial resources and providing promises of heaven after death while offering few solutions in life. When the People’s

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<sup>95</sup> “Ministers Disown Muslims: Also Hit Police Brutality,” *Los Angeles Sentinel*, May 24, 1962.

<sup>96</sup> “Pastors Accused of Splitting Ranks in Fight on Brutality,” *California Eagle*, May 31, 1962.

<sup>97</sup> Trebach, notes from informal conference, 14 and 17.

<sup>98</sup> “Pastors Accused of Splitting Ranks in Fight on Brutality.”

Independent Church of Christ refused to let the NOI use its facilities for an anti-police brutality rally, it cited a vote it had made two years earlier forbidding the organization from renting the building.<sup>99</sup> Any show of support for the Nation of Islam also brought risk. Local and state agencies were already culling together surveillance of the NOI and the group was thoroughly infiltrated by the FBI. In the aftermath of the Stokes killing, Chief Parker revealed that the department had been monitoring the Nation of Islam for months. In an interview with the Center for the Study of Democratic Institutions, Parker commented that he was “reading a book now dealing with an organization of one of these minorities which is totally anti-Caucasian. We have been watching it with concern for a long time.”<sup>100</sup>

In nearby San Diego, a police academy training bulletin also outlined law enforcement’s targeting of the Nation of Islam. It promised to deal “with a problem that you are going to hear a lot more about in the months ahead” and claimed that many mosques had gun clubs. The bulletin hysterically predicted that although there had been few incidents, “any organization that advocates racial hatred must provide violence and action to satisfy the appetite of its members and to stimulate its program.” Most importantly, it predicted violent encounters with police, suggesting that “attack on law enforcement officers may be expected” despite also noting that there is “no way to combat the organization as a whole as it has not violated any of the various sedition laws.”<sup>101</sup> Law enforcement surveillance prepared police officers for the eventuality of clashes. It prescribed racial profiling, outlining the way that members would be dressed and carry themselves, and offered certainty that these encounters would end violently.

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<sup>99</sup> “Muslim Rally Denied Use of Church,” *Los Angeles Herald Examiner*, May 23, 1962.

<sup>100</sup> “The Police,” an interview by Donald McDonald with William Parker, 1962, Box 12, Folder 1, MXC.

<sup>101</sup> “The Muslims!!!!!!” San Diego Police Academic Training Bulletin, undated, Box 12, Folder 1, MXC.

In June 1962, excerpts from the San Diego police bulletin appeared in *Muhammad Speaks*. Both the training bulletin and an annotated copy of Chief Parker's interview on the Nation of Islam are a part of Malcolm X's personal papers, revealing the ways in which policing law enforcement continued to act as a crucial counterdiscourse to notions of black criminality. Like the reformers of the Progressive Era who had worked to redefine moral and cultural arguments about criminality as social problems and reframed excessive crime rates as issues of policing rather than crime, the Nation of Islam exposed the targeting and surveillance of law enforcement.<sup>102</sup> In Boston, where Ronald Stokes had grown up, minister Louis X Walcott (later Farrakhan), warned of a similar situation brewing between police and the black community. Citing the San Diego bulletin, he wrote that "Negroes from all walks of [life] live as potential criminals." The result of this indoctrination, Farrakhan wrote, was that "police are so filled with hatred and fear of Black men that they can no longer perform their duties in a normal manner, they are instilled with the constant fear that they are under imminent threat from All members of the Negro community" (emphasis in original).<sup>103</sup> As Boston prepared for a fundraiser for Stokes' family at Boston Arena in late July, flyers drew parallels between Algeria and Los Angeles and quoted from the recent Civil Rights Commission Report on police brutality.<sup>104</sup>

Malcolm and the NOI continued to emphasize the importance of a united front in Los Angeles. The same day of the mass protest at Second Baptist Church, the NOI went to a meeting at UCLA to build support among students.<sup>105</sup> Following the setback of the Ministers' Manifesto, Mosque 27 minister John Shabazz personally invited all of the ministers to the second mass

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<sup>102</sup> Khalil Muhammad demonstrates how this worked in the Progressive Era. See Muhammad, *The Condemnation of Blackness*, 232 and 235.

<sup>103</sup> Louis X, "Proposed Letter to the Governor of the Commonwealth, the Mayor of Boston, and the Police Commission," July 18, 1962, Box 12, Folder 3, MXC.

<sup>104</sup> See Box 12, Folder 3, MXC.

<sup>105</sup> Telephone account from Althea Simmons, May 15, 1962.

protest at Park Manor in the “interest of Community Solidarity and [with] complete understanding.”<sup>106</sup> At the national level, Malcolm wrote an open letter to the five black congressman and urged that a “united front by the five Negro Congressman against the injustice of police brutality . . . would go far towards creating a United Front of 20 million black people behind the ‘example’ set by your ‘congressional’ unity.” He stressed that the public outcry against Jim Crow atrocities in the South would “mean nothing so long as the *HUMAN RIGHTS* of Negroes here in the North also can be trampled underfoot by white savages disguised as police officers.”<sup>107</sup> Although the Ministers’ Manifesto revealed a fissure in efforts to promote black unity, the *Pittsburgh Courier* maintained that the Nation received “a good deal of sympathy in the Negro community despite the public denouncement by the ministers.”<sup>108</sup>

Following an all-white grand jury decision not to indict any of the officers in Los Angeles, the Nation of Islam, defense attorneys Earl Broady and Loren Miller, and fourteen defendants stared down forty counts of assault and resisting arrest. Yet the goals of reforming law enforcement and pushing for police accountability remained. Los Angeles activists had both local and national models that they drew upon in the aftermath of the Stokes murder, many of which were decade-old calls for civilian review boards and changes to the city charter. For example, future California Congressman, Mervyn Dymally, won his campaign as Assemblyman from the 53<sup>rd</sup> District on a five-point anti-police brutality program which called for the firing of Chief Parker and a change in the city charter to make the police chief an elected office. Parker’s poor reputation within communities of color was equally strong in majority-white communities. As long as the chief of police and police commission remained political appointments rather than

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<sup>106</sup> Dr. J. Raymond Henderson, Press Release for Mass Meeting, May 12, 1962, Box 12, Folder 1, MXC.

<sup>107</sup> Malcolm X, “An Open Letter to America’s Five Negro Congressmen,” undated, *ibid.*

<sup>108</sup> L.I. Brockenbury, “Negro Ministers Blast Muslims as Hate Group,” *Pittsburgh Courier*, June 2, 1962.

elected offices open to independent civilian review, Dymally reasoned, there was little promise for law enforcement accountability. He also suggested bonding police officers so victims could collect damages from insurance policies and demanded that the state and U.S. attorney generals investigate police malpractice. And finally, there was the decades-old call for the Police Commission to be replaced with a civilian equivalent.

Another model for the NOI's organizing against police brutality came from Malcolm's own experiences in Harlem in 1961. That fall, Evelyn Cunningham remarked upon an "unprecedented move to rally the opposing forces of the Harlem community."<sup>109</sup> Civil rights veteran A. Philip Randolph telegraphed Malcolm and others in August, appointing them to an "ad hoc working committee" on black unity. The group became known as the Emergency Committee for Unity on Economic and Social Problems and was comprised a wide range of the Harlem activist community, including Bayard Rustin, Anna Arnold Hedgeman, attorneys Cora Walker and Percy Sutton, and black nationalists such as Malcolm X, Lewis Michaux, and street-corner orator Edward "Pork Chop" Davis. The group laid forth an organization which acted on "the principle of unity which allows for the widest variety of participation and action."<sup>110</sup> Its three action programs were unemployment, law and order enforcement, and housing; Malcolm X was assigned to the sub-committee monitoring law enforcement, along with Rustin, Davis, and Clarence Scott of the NAACP.

The Emergency Committee has been mentioned in passing by several historians. Manning Marable's biography of Malcolm X naturally interprets the organization's significance through the book's principal character. "The importance of Malcolm's role on the Emergency

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<sup>109</sup> Evelyn Cunningham, "Randolph, Muslims Cooperate on Curbing Riots," *Pittsburgh Courier*, August 12, 1961.

<sup>110</sup> Jim Haughton, Planning Committee Report, Subject Files, Emergency Committee for Unity on Social and Economic Problems, A. Philip Randolph Papers (APRP), Library of Congress.

Committee,” he wrote, “is central to interpreting what happened to him after he broke with the NOI in 1964.”<sup>111</sup> Michael Fortner briefly cites the group as an outlier whose “positions on drugs and crime did not represent the views of working- and middle-class African Americans.” Despite “enlist[ing] some of the most influential figures in the black rights struggle, it is important not to overstate its significance,” he concluded.<sup>112</sup> Although the group’s name and basic structure indicated a temporary coalition which would be put into action around community issues in Harlem, the Emergency Committee also pursued more lasting goals. A largely nationalist contingent which again included Malcolm X, Davis, Michaux, and James Lawson, drafted a proposal for a “Forum on Black Liberation” which would meet every second Sunday at Abyssinian Community House.<sup>113</sup> The forum was meant to address what organizers called the “intellectual anarchy” of American society. The list of proposed speakers represented a range and pedigree that would make the March on Washington several years later blush by comparison. It included: W.E.B. Du Bois, A. Philip Randolph, John Hope Franklin, Kenneth Clark, Elijah Muhammad, Roy Wilkins, Thurgood Marshall, Ralph Bunch, Adam Clayton Powell, Martin Luther King, Mordecai Johnson, James Baldwin, J.A. Rogers, and Leo Hansberry, along with “Three African Leaders.”<sup>114</sup>

Despite the forum’s lofty goals, there were other indications of the group’s fragility. The intrusive hand of an editor who crossed out “Black” and replaced it with “Negro,” revealed the deep political divisions lying just beneath the surface of the coalition. And, despite the leadership of Anna Arnold Hedgeman and Cora Walker, the male-dominated program anticipated the fight

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<sup>111</sup> Manning Marable, *Malcolm X: A Life of Reinvention* (New York: Viking Press, 2011), 193.

<sup>112</sup> Michael Fortner, *Black Silent Majority: The Rockefeller Drug Laws and the Politics of Punishment* (Cambridge: Harvard University Press, 2015), 112.

<sup>113</sup> Agenda, Emergency Committee for Unity on Social and Economic Problems, September 22, 1961, *ibid.* In the proposal to call these discussions a “Forum on Black Liberation,” the word “Black” was crossed out and replaced with “Negro,” already demonstrating some of the ideological differences within the coalition.

<sup>114</sup> “Draft Proposal for a Forum on Black/Negro Liberation,” undated, *ibid.*

Hedgeman would wage several years later against the all-male March on Washington speakers' list. That fight resulted in the paltry "Tribute to Negro Women" in which Randolph introduced Myrlie Evers despite her not being present and stumbled through his tributes to Rosa Parks and Gloria Richardson, before the wives of male civil rights leaders marched separately behind the men. As King gave his "I have a dream" address, Hedgeman scribbled on her program: "We have a dream."<sup>115</sup> The marginalization of women's voices, and the black nationalist politics which originally prompted the Black Liberation Forum, spoke to the limitations of elevating racial solidarity above other forms of identity and oppression in the early 1960s.

By late August, Mayor Wagner, Attorney General Louis Lefkowitz, and State Comptroller Arthur Levitt had approved the "basic themes" of the economic and social program proposed by the Emergency Committee.<sup>116</sup> The group was seen as a potential "beacon of light for other communities." But observers noted that it was a "finely drawn blueprint which leaves little margin for error."<sup>117</sup> Just weeks later, these margins took center stage when the sub-committee on police brutality expressed frustration with the priorities of the Committee. After a meeting at Lewis Michaux's bookstore in October, the sub-committee resolved that the problems of police brutality and its "many complex and far reaching implications" were too pressing. It resolved that it would disband immediately and demanded that the organization set about forming an Emergency Committee on Law Enforcement that would become its primary project. Organizers suggested that Randolph "call a temporary halt to the work of other committees and have UNITY act in concert as a temporary law enforcement committee."<sup>118</sup>

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<sup>115</sup> Jennifer Scanlon, "Where Were the Women in the March on Washington?" *New Republic*, March 16, 2016, accessed February 17, 2017, <https://newrepublic.com/article/131587/women-march-washington>.

<sup>116</sup> "3 Mayoral Candidates Agree on Harlem Move to Aid City's Negroes," *New York Times*, August 30, 1961.

<sup>117</sup> Harold Keith, "Leaders Bury Differences, Merge," *Pittsburgh Courier*, October 7, 1961.

<sup>118</sup> Minutes, sub-committee on police brutality, October 20, 1961, Box 11, Folder 18, MXC.

Likely due to his experience in the Johnson Hinton case and his own home invasion in Queens the following year, Malcolm was one of those tasked with creating a statement on law enforcement abuses.<sup>119</sup> Among the solutions suggested was a revision of the “Civilian Complaint Review Board” to include “true representatives of the community.” The committee noted that this should be modeled after the Philadelphia Police Advisory Board which was composed of “lay leaders who will hear grievances or citizen complaints.” The group suggested greater representation of blacks and Puerto Ricans in various positions within law enforcement. Despite other recommendations directed at the police department itself, the committee recognized that it “is the people, acting as a unified force, who can and must create a social and political climate that will provide for an effective, justice and constructive system of law and order enforcement in, as well as without, the black communities of the Greater New York area.”<sup>120</sup>

The Emergency Committee offered a glimpse at the possibilities and fault lines for black unity in contentious political communities such as Harlem. Its meetings not only featured representatives from different political and religious groups, but even allowed space for the NAACP and NOI to present their programs alongside one another.<sup>121</sup> Yet by the following summer, with Malcolm X in Los Angeles attempting to build a similar black united front following the murder of Ronald Stokes, divisions overtook the Emergency Committee when a white-owned steakhouse revealed plans to open near the Apollo. Lewis Michaux and the Harlem Consumers Committee began picketing the site when they felt that the Emergency Committee

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<sup>119</sup> Harriet Pickens, Minutes, Meeting of Sub-Committee on Law and Order Enforcement, October 23, 1961, Subject File, Emergency Committee for Unity on Social and Economic Problems, APRP.

<sup>120</sup> Program for Correcting and Preventing the Breakdown of Law and Order Enforcement in the Black Community, undated, Box 11, Folder 18, MXC.

<sup>121</sup> Agenda, Meeting – Emergency Committee for Unity on Social and Economic Problems, October 20, 1961, Subject Files, Emergency Committee for Unity on Social and Economic Problems, APRP. At this meeting, the NALC presented its philosophy and program. The next meeting promised to have the NAACP and NOI present and offer literature.

had become ineffective in its negotiations. And although the white business owner eventually sold out his interest in the steakhouse, Randolph was dismayed at the divisions created by the picketing. He publicly condemned Michaux's group for its "provocative, inflammatory" comments (such as "Jew go away – Black man stay"), but Michaux vowed to continue the protests.<sup>122</sup>

Nevertheless, when Malcolm returned from Los Angeles in the summer of 1962, he continued to promote black unity in the Harlem community. He wrote to black leaders inviting them to a mass rally at Harlem Square on July 21, 1962, urging the same united front he had outlined in Los Angeles: "We must cast aside our religious and political differences and come together in a UNITED FRONT on these serious issues affecting our community" (emphasis in original).<sup>123</sup> The next day, he also appeared on the speaker's platform at a labor rally sponsored by the Committee for Justice to Hospital Workers and attended by over 250 Muslims from Mosque 7.<sup>124</sup> Yet, as in Los Angeles, working alongside Malcolm and the NOI was seen as a political liability by many observers. The socialist minister, Norman Thomas, wrote to Randolph that "while I thought you were right in letting Malcolm X speak on the platform at the outdoor meeting, I think it would hurt, not help, the case if Negro segregationists desiring a separate lot of states should be conspicuous in a case in which the issues are constitutional."<sup>125</sup> On a WCBS program in New York, Randolph equivocated when asked if Malcolm was a part of the movement: "Well, he's not a member of our Committee on Justice for Hospital Workers, but he

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<sup>122</sup> "Harlem Business Yields in Dispute," *New York Times*, July 13, 1962. Also see Telegram, Lewis Michaux to A. Philip Randolph, July 2, 1962 and A. Philip Randolph to Lewis Michaux, July 9, 1962, *ibid*.

<sup>123</sup> Malcolm X to "Dear Fellow Leader," July 1962. Also see "Mass Rally at Harlem Square" flyer, July 21, 1962, *ibid*.

<sup>124</sup> Malcolm X FBI File, Summary Report, New York Office, November 16, 1962, 23.

<sup>125</sup> Norman Thomas to A. Philip Randolph, July 30, 1962, General Correspondence, B-W, 1962, APRP.

attended the meeting which was called in Harlem by our committee in as much as we wanted to show a united front back of the fight for the hospital workers.”<sup>126</sup>

Malcolm’s experiences with the Emergency Committee not only became a model for the Nation of Islam’s efforts in Los Angeles and Rochester the following year, but they also likely informed Randolph’s organizing of the March on Washington. Randolph had first conceived of an all-black march on the nation’s capital through his 1941 March on Washington Movement which prompted President Truman’s signing of Executive Order 8802, prohibiting discrimination in the defense industry and establishing the first Fair Employment Practices Committee (FEPC). However, in May 1962, as Randolph worked feverishly with the Emergency Committee in Harlem, he also wrote a letter to Stewart Udall with the Department of the Interior on behalf of the NALC, SCLC, CORE, and SNCC, asking for permission to march on the Lincoln Memorial.<sup>127</sup> As the historic March on Washington approached and the nationalist groups which had been central to Randolph’s Harlem committee became increasingly critical of the inclusion of whites and the intervening hand of the Kennedy administration, Randolph rejoined: “I must also observe that Mr. X’s charges are hardly conducive to the unity of Negro leadership that he and other Black Muslims profess to desire.”<sup>128</sup> The experience of the Emergency Committee in Harlem during 1961-1962 held different lessons for the two leaders. For Malcolm and other black nationalists, unity was sacrificed in favor of moderation and acquiescence to white interests. For Randolph, white allies were crucial for reform and black nationalists posed a threat to interracial cooperation.

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<sup>126</sup> “New York Forum” transcript, WCBS, July 15, 1962, 10-11, Speeches and Writings, January 17 – July 15, 1962, APRP.

<sup>127</sup> “March on Washington for Jobs and Freedom,” accessed May 23, 2016, [http://kingencyclopedia.stanford.edu/encyclopedia/encyclopedia/enc\\_march\\_on\\_washington\\_for\\_jobs\\_and\\_freedom/](http://kingencyclopedia.stanford.edu/encyclopedia/encyclopedia/enc_march_on_washington_for_jobs_and_freedom/).

<sup>128</sup> Statement by A. Philip Randolph on the Black Muslims, August 12, 1963, Speeches and Statements, APRP.

## The Trial

I charge the white man with being the greatest liar on earth. I charge the white man with being the greatest drunkard on earth. I charge the white man with being the greatest swine-eater on earth. Yet, the Bible forbids it. I charge the white man with being the greatest gambler on earth. I charge the white man, ladies and gentlemen of the jury, with being the greatest murderer on earth. I charge the white man with being the greatest peace-breaker on earth. I charge the white man with being the greatest adulterer on earth. I charge the white man being the greatest robber on earth. I charge the white man with being the deceiver on earth. I charge the white man with being greatest trouble-maker on earth. So therefore, ladies and gentlemen of the jury, I ask you, bring back a verdict of guilty as charged.<sup>129</sup>

Louis X Walcott, "The Trial," 1960

This litany of charges was delivered before a packed hall of more than 2,000 on Christmas Eve 1960. In the crowd, Muslim women dressed in all-white and men wore suits and bowties. But this was no ordinary court of law. The jury and the judge were black. The prosecutor was 27-year old Louis X Walcott, and the venue was Carnegie Hall. "The Trial," was the second act of the minister's play, *Orgena* ("A Negro" spelled backwards), and was performed at Afro-Asian bazaars and other venues throughout the early 1960s before making its way to Seventh Avenue. The first witness called in the trial was an African character named Jomo Nkrumo.<sup>130</sup> Likely a composite of independence leaders Jomo Kenyatta of Kenya and Kwame Nkrumah of Ghana, the character described the process of European colonization and missionizing, chattel slavery, and plunder of natural resources. The second witness called by the prosecution was the American Indian, Charlie Strongbow, who testified to the genocide of Native Americans through disease and food source decimation, before

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<sup>129</sup> "The Hate That Hate Produced" transcript, July 23, 1959, 1-2, Box 6, Louis E. Lomax Papers (LLP), Ethnicity and Race Manuscript Collection, University of Nevada at Reno.

<sup>130</sup> The name is sometimes recorded as Jomo Nkrumwah. See "Meet 'The Devil' and 'Bishop Green,'" *Muhammad Speaks*, Special Edition 1, no. 6 (1961).

eventually herding “us into reservations to live cooped up like cattle.” The star witness was a character named Thelma X Griffen, who gave accounts of the middle passage, raping of black women, auctioning of slaves, and lynching of black men.

But the play was more than a condemnation of white supremacy. It also excoriated the black middle class and its moderate leadership. The character Miss Sadie Culpepper of the NAACP and Urban League was a college graduate who worked as a maid for some “real good white folks” and reminded the jury that the struggle for integration would be won with patience. In a lightly-veiled critique of Martin Luther King and other black clergymen, the character Bishop Greene was brought forth as the white man’s key apologist. Described as “smug and full of self-righteousness,” Greene was broken down by the prosecutor and revealed as a sell-out and “religious bag of wind.” The play reached its climactic verdict when an African-Asian jury recommended that “Mr. White-Man [is] guilty, with no recommendation for mercy.” He was then flung into a lake of fire with shouts of “kill the beast, kill the beast” resonating throughout the court.<sup>131</sup>

The play flipped the script of the judicial system by bringing a symbolic white man before an international court of law to be sentenced for his crimes. It framed the struggle of black Americans through a Pan-Africanist lens and several African diplomats even attended the performance at Carnegie Hall that evening. Its internationalism, down to the African-Asian jury, placed it within a longer history of anticolonial politics and drew upon the language of the Civil Rights Congress’ 1951 petition to the United Nations: “We Charge Genocide.” It positioned black Americans in a settler-colonial state in dialogue with the

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<sup>131</sup> “The Trial Becomes Broadway Smash Hit,” *Muhammad Speaks*, December 1960. According to *Muhammad Speaks*, the “white man/Devil” was played by Frank X of the Boston mosque, who did “such a superb job imitating the white man throughout ORGENA, most of the audience believe the Black Muslims have hired a white actor to play this part.” See “Meet ‘The Devil’ and ‘Bishop Green,’” *Muhammad Speaks*.

nonaligned movement, envisioning a world court not unlike the UN Genocide Convention which would prosecute the United States for human rights violations. What is often seen as Malcolm X's important transition from "civil rights" to "human rights" the year after he left the Nation of Islam, was already at the discursive center of the NOI half a decade earlier.

While "The Trial" represents an important cultural politics which metaphorically reconfigured the courtroom from a space of legalized lynching to black justice, the Nation of Islam also used theatrical politics in actual courtrooms to challenge and highlight police brutality.<sup>132</sup> By the Stokes trial in 1963, the NOI had experienced police brutality in at least five major cases, almost all of which resulted with Muslims on trial. The most well-known is the beating of Johnson X Hinton by New York police in 1957, which led to a dramatic protest outside the 28<sup>th</sup> Precinct. When Malcolm had been reassured that Hinton would receive proper medical attention, he gave a signal and the crowd silently dispersed. One observer described it as "eerie, because these people just faded into the night. It was the most orderly movement of four thousand to five thousand people I've ever seen in my life – they just simply disappeared – right before our eyes." The scene is powerfully rendered in Malcolm's autobiography, punctuated by a policeman's comment to newspaperman James Hicks: "This is too much power for one man to have."<sup>133</sup> The Hinton case launched both Malcolm X and the Nation of Islam into the local spotlight. Harlemites began to recognize the Muslims as a significant force and the Bureau of

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<sup>132</sup> The NOI was certainly not the first to use the courtroom in this way, and drew upon the theatrical politics of the Communist Party and the NNC decades earlier. Erik Gellman writes of a mock trial on police brutality which demonstrated this "new-style tactics of the NNC: with the theatrics in front of a large public audience, the mock trial showed how the District ought to protect citizenship rights through democratic governance." See Gellman, *Death Blow to Jim Crow: The National Negro Congress and the Rise of Militant Civil Rights* (Chapel Hill: University of North Carolina Press, 2012), 119.

<sup>133</sup> Louis A. DeCaro, Jr., *On the Side of My People: A Religious Life of Malcolm X* (New York: New York University Press, 1996), 113.

Special Services and Investigation (BOSSI) opened its surveillance file immediately following the case.

The following year, while Malcolm X spoke in Boston, two New York police detectives falsely identified themselves as FBI agents and tried to force their way into the East Elmhurst home that he and his wife shared with two other Muslim couples. When the officers were turned away and failed to produce a search warrant, they entered by force and fired shots into a home occupied by women and children. With his wife Betty pregnant with their first daughter, Attallah, and seventeen-year-old resident Audrey Rice also six months pregnant, Malcolm X and the NOI framed the violence as a violation of black womanhood and religious sanctity. “Officers had fired their guns, not intended to kill criminals, thieves or bandits,” Malcolm told the press, “but to kill our innocent black women, children and babies.”<sup>134</sup> In his interview with police, he emphasized that Betty was pregnant and unable to “put on adequate clothing (it was raining at the time) to be transported to the 114<sup>th</sup> Pct. Station House.” This appeal to protection of black womanhood was part of what Farah Griffin called the “promise of protection.” Malcolm’s “sincere concern for [black women’s] emotional, psychic, and physical safety” was also “reflective of the power struggle between black and white men and black men and women.” While Griffin emphasizes the reinscription of patriarchy that this promise holds, the case in Queens also demonstrated its appeal for black women who were denied the basic security of traditional patriarchal protections given to white middle-class women.

However, incidents between police and the NOI were not confined to New York, or even the North. In 1957, two men were arrested in the small town of Flomaton, Alabama for interfering when a white police officer asked two black women to move from a “whites only”

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<sup>134</sup> Malcolm X FBI File, Summary Report, New York Office, May 19, 1959, 48.

section of the train station. Despite the Supreme Court ruling in *Morgan v. Virginia* (1946) which struck down state racial segregation on interstate travel, Flomaton had a reputation for maintaining Jim Crow practices on its railway lines. Ernestine Scott and Louise Dunlap were sitting at a “whites only” bench outside the station when local police chief “Red” Hemby asked that they move. The two men they were traveling with, Joe X Allen and George X White, asked Hemby who he was talking to. When he replied that he was speaking to the women, they shot back: “No you’re not, you’re talking to us.”<sup>135</sup> Allen and White then disarmed the chief, took his billyjack club, and beat him with it until being subdued by police. The men were arrested and held on \$2,000 bonds, charged with assault and battery and resisting arrest. Malcolm X soon received an urgent call and rushed south.<sup>136</sup> The extra-legal violence of the Deep South made it all the more remarkable when Allen and White were released after paying fines of \$226 each, paid for the Nation of Islam’s Chicago headquarters.<sup>137</sup>

By the opening of *People v. Buice* in 1963, the Nation of Islam’s legal strategy had been informed and shaped by these violent encounters and trials. Following a police raid of the Mosque in Monroe, Louisiana in which minister Troy X Cade was beaten and imprisoned

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<sup>135</sup> “2 Negroes Maul Chief in Flomaton,” *Pensacola Journal*, February 23, 1957.

<sup>136</sup> Malcolm X FBI File, Summary Report, New York Office, April 30, 1958, 2-3, 14.

<sup>137</sup> There was perhaps no more dangerous place for African Americans than Alabama in the aftermath of the Montgomery Bus Boycott. Police violence in Montgomery had become a common retribution for black agitation. “Is Justice Possible?” the *Chicago Defender* wondered aloud after an all-white jury in Montgomery acquitted two men of bombing black homes and churches. The defense appealed to the jury to “preserve our sacred tradition” and bring back a verdict which “will go down in history as saying to the Negroes that you shall not pass.” In a single night, a cab driver with a broken down hunting rifle in his backseat was beaten to death while another man was stopped by a police officer and shot in the neck when the officer reported he may have been carrying a weapon.<sup>137</sup> Alabama’s extralegal violence was buttressed by an organized legal attack on black activism as well. In 1956, the Alabama attorney general filed a successful injunction against the NAACP for not registering as an outside corporation. As scholar Aldon Morris noted, “[T]he attack on the NAACP left an organizational and protest vacuum in many Southern black communities. The NAACP was forced by law to close shop in many areas while at the same time it was losing branches in others because of intense terror and pressure.” See “Is Justice Possible in Dixie?” *Chicago Defender*, June 6, 1957; “Police Terrorizing Montgomery,” *Pittsburgh Courier*, December 8, 1956; and Aldon Morris, *The Origins of the Civil Rights Movement: Black Communities Organizing for Change* (New York: Free Press, 1984), 34.

for criminal anarchy and desecration of the American flag, the NOI employed KKK attorney James Venable as its defense lawyer. Like Chief Parker in Los Angeles, the police chief in Monroe had been targeting and surveilling the NOI. In an interview with the Louisiana Joint Legislative Committee on Un-American Activities, Chief Kelly replied that the department had done “quite a deal” of investigating after receiving a tip from a man whose black maid reported “some unusual goings on.” After Kelly’s extensive report, the Committee labeled the NOI a subversive organization, but noted that enforcement was outside its purview.<sup>138</sup> The selection of Venable, who told one newspaper that he was “interested in keeping the white race white and the colored race black,” may have appeared to share little with NAACP attorneys such as Edward Jacko in New York or Loren Miller in Los Angeles.<sup>139</sup> But in all three cases, the NOI chose representatives for their local reputations.

The NOI had also developed a performative politics in the courtroom which turned these trials into public spectacles and recentered the issue of police brutality in cases which legally charged Muslims with assault. In Queens, the NOI controlled all of the courtroom with a mass of spectators whose “diligence in court . . . has kept all that attend the hearings, both curious and confused.”<sup>140</sup> Doormen, ushers, and guards maintained control of the entrances and exits. In one case, a white man was intercepted by a member of the FOI who turned him away by telling him it was not a public trial. In Monroe, newspapers were struck by the number of courtroom observers who came from cities as far as Atlanta and Chicago, accusing

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<sup>138</sup> Hearing, Joint Legislative Committee on Un-America Activities, State of Louisiana, November 27, 1962, Box 23, Folder 10, 5 and 32, Margaret Meier Collection of Extreme Right Ephemeral Materials, Department of Special Collections, Stanford University.

<sup>139</sup> The NOI also sent Malcolm X to meet with the Klan in preparation for the purchase of farmland in the South in what Louis DeCaro referred to as a “mutual nonaggression pact.” Manning Marable has called this moment in Malcolm’s politics “an ugly dead end.” See DeCaro, *On the Side of My People*, 180-181 and Marable, *Malcolm X*, 179.

<sup>140</sup> Al Nall, “Moslems Accuse Cops; Bring Their Own Steno to Court,” *Amsterdam News*, March 14, 1959.

the judge of “trying to throw the blame” on the NOI and excuse the police.<sup>141</sup> Another strategy was the use of photography. Anyone entering the first floor corridor in Queens had their photo taken by three “roving Muslim photographers [who] patrolled the streets in the immediate area of the court, snapping pictures of any one who met their fancy.”<sup>142</sup> The NOI even brought their own stenographer and gave dramatic testimonies which included bringing in the gun-riddled door of the home as evidence. The group’s orderly presence was so captivating that one white court attendant remarked: “we should put their officers on our payroll. They do a better job tha[n] we do.”<sup>143</sup>

The NOI used the courtroom as a political stage which could help its efforts at building a black united front against police violence. Just as testifying served a crucial role in the NOI’s prisoners’ rights cases during the early 1960s, courts offered a space to politicize the issue of police brutality. “The Trial” was not simply a metaphorical dramatization in which white defendants were held accountable for their crimes. It was also a model for a real-life performance in which all-white juries and judges could be challenged. Thus, the Stokes trial became an occasion to scrutinize the criminal justice system and raise larger questions about the acceptable use of force by police and the myth of northern exceptionalism held by so many Los Angelenos while revealing the challenges of all-black political organizing. However, just as the play satirized middle-class black leadership through the characters Miss Sadie Culpepper and Bishop Greene, these tensions always hovered near the surface of efforts to sustain black unity.

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<sup>141</sup> “Worship of Allah Costly to Muslims,” *Baltimore Afro-American*, May 6, 1961.

<sup>142</sup> Ernest B. Latty, Report on Trial, March 27, 1959, Malcolm X Surveillance File, Bureau of Special Services and Investigation and Investigation (BOSSI), New York Police Department.

<sup>143</sup> “Moslems’ Ten Day Trial,” *Amsterdam News*, March 21, 1959.

## “A United Negro”

By the start of the trial a year after Stokes’ death, the profile of the national civil rights movement had been elevated by two events, one historical and one current. First, 1963 marked the 100<sup>th</sup> anniversary of the Emancipation Proclamation, offering an occasion to take stock on the progress that had, and had not, been made. Then, on Palm Sunday 1963, the day before jury selection began in Los Angeles, Reverends A.D. King (Martin Luther King’s brother), Nelson Smith, and John Porter led a march in Birmingham, Alabama, which began a historic month-long campaign to end racial segregation in the city’s public accommodations. As Stephen Ward notes, the “Birmingham campaign, in particular, provided an impetus for organizing and movement building nationally.” The political backdrop of Birmingham added to the national significance of the Stokes trial. Each day of courtroom coverage in Los Angeles shared the front page with the most recent developments in Birmingham. Thus, the year 1963, according to Ward was “the 100<sup>th</sup> year of black emancipation and the first year of the Black Revolution.”<sup>144</sup>

Meanwhile, the political coalition which had shown such promise the year before, continued to develop in the months leading up to the trial. In February, Minister John Shabazz participated in a discussion at the First Unitarian Church alongside Benjamin Davis of the Communist Party, outgoing president of the San Francisco NAACP Terry Francois, and Daniel Gray of CORE. The event was billed as “Alternative Paths to Negro Freedom.”<sup>145</sup> Shabazz acted as master of ceremonies at another forum called “A United Negro,” sponsored by a group calling

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<sup>144</sup> Stephen Ward, *In Love and Struggle: The Revolutionary Lives of James and Grace Lee Boggs* (Chapel Hill: University of North Carolina Press, 2016), 296.

<sup>145</sup> “Alternative Paths to Negro Freedom” ad, *Los Angeles Sentinel*, February 14, 1963 and “Discussion Unlimited Program Set,” *Los Angeles Sentinel*, February 14, 1963.

itself “African-Asian Businessmen.”<sup>146</sup> There, Malcolm X shared the stage with the former chapter president of the NAACP, Edward Warren, and community leader, Dr. Marcus McBroom. Although both men had once debated Malcolm publicly over the strategies and aims of the civil rights movement, they now came together to denounce police brutality.<sup>147</sup> The *New York Times* noted that the coalition’s “implications locally transcend the very limited Negro separatist movement, since the central issue of alleged ‘police brutality’ is something the entire Negro community has long been aroused about.”<sup>148</sup>

Another important piece of the developing national black freedom struggle emerged following the clash between police and the Nation of Islam in Rochester, New York after police invaded the mosque and arrested thirteen members, including minister Robert X Williams. Calls for a black united front now echoed from coast to coast, and Gloster Current of the NAACP drafted a letter to local chapters setting forth the national party line to what he acknowledged was a “*difficult public relations problem*” (emphasis in original). Like the church leaders who drafted the Ministers’ Manifesto a year earlier, Current saw the problem as “how to protest police brutality and not appear to be supporting the Muslims on their program *per se*, a position into which Malcolm ‘X’ wants to push us.” He agreed with Roy Wilkins that the organization could not forsake its condemnation of police brutality, but nevertheless cited the resolutions at the last two annual conventions, which had grown out of Malcolm’s invitation by the student chapter in Berkeley, to denounce the Nation of Islam. Current thus proposed a five-step action plan which

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<sup>146</sup> The NOI often rented out public halls under the auspice of business as many disallowed use by religious or political groups. This was the case with New York’s “Afro-Asian Bazaars.” It also may have been that because of the controversy associated with the organization, this name was seen as less divisive.

<sup>147</sup> Warren debated Malcolm at Los Angeles State College the year before. Malcolm X FBI File, Summary Report, New York Office, May 17, 1962, 19-20.

<sup>148</sup> Gladwin Hill “Muslims’ Defense Opened on Coast,” *New York Times*, May 12, 1963.

local organizers were asked to follow when protesting police brutality alongside the NOI (all emphases in original):

1. *Issue a statement* protesting the incidents of police brutality, but at the same time make clear the Association's position on the Muslims. *Quote the text of the 1962 resolution in your statement.*
2. If a community-wide mass protest meeting called by the NAACP involves other groups, *avoid*, if at all possible, having Muslim speakers at your rally. Public meetings are, of course, open and the possibility is that Muslims will attend, ask questions and seek to get their viewpoint across. NAACP spokesmen should reiterate our position, stating clearly that in fighting police brutality we are *not* supporting the Muslims.
3. *Avoid at all costs any inference* of a Unity Movement or that NAACP is calling for a "common front." Point out clearly wherein our programs differ, although we uphold all citizens' constitutional rights.
4. *NAACP spokesman should chair such meetings*, make the introductory statements and rebut any distorted statements.
5. When called upon for TV or radio appearances in connection with Muslim or Black Nationalist rallies or statements, make clear and definitive statements of NAACP opposition to all segregationist programs; that we oppose bigotry; that our program is affirmatively seeking to eliminate the causes of racial discrimination and prejudice – poor housing, discrimination in employment, denial of educational opportunities and civil rights. The NAACP spokesman should speak vigorously and determinedly in favor of ending all forms of discrimination.<sup>149</sup>

Current's uncompromising directive suggested the success of the NOI in garnering local support on both coasts around a message of black unity and also illustrated the divide between local and national organizing.

When jury selection opened at the Superior Courthouse in Los Angeles, the scene was reminiscent of the trials in Queens, New York and Monroe, Louisiana. One hundred seats were filled with prospective jurors and the remaining two hundred with men "dressed in neat dark

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<sup>149</sup> Gloster Current, March 26, 1963, General Office File, Black Muslims, 1961-1965, Part 24: Special Subjects, 1956-1965, Series A: Africa-Films, Papers of the NAACP. Also see Hill, "We Are Black Folks First," 175.

suits, and the women in ankle-length, flowing dresses and white or pastel colored scarves.”<sup>150</sup> NOI members sold *Muhammad Speaks* in the court corridors and passed out leaflets signed by Elijah Muhammad asking: “Can we allow innocent Negroes to be murdered in bold blood by the Los Angeles police?”<sup>151</sup> Although several of the jurors admitted that they had been given leaflets, Judge David Coleman let it continue, recognizing that “there is a great deal of interest in this trial and there is a great deal of emotion involved.”<sup>152</sup> Pedestrians outside the trial also complained of the constant presence of Muslims selling the NOI’s newspaper, but authorities admitted they could do nothing unless sales took place inside the courtroom.<sup>153</sup>

Despite the NOI’s considerable presence, jury selection – like the grand jury inquest – came to a predictable outcome. After a total of 239 jurors had been excused over thirteen days of questioning, an all-white jury of eleven women and one man remained.<sup>154</sup> The state prosecutor defended the lily-white jury selection by arguing that he had only excused black jurors who had admitted to reading newspaper articles which alleged police brutality. Of course, this constituted any of Los Angeles’s many black newspapers, all of which were closely covering the trial. Although Broady and Miller contemplated an appeal to State Supreme Court for a mistrial due to discriminatory jury selection, the case moved toward trial.<sup>155</sup>

The NOI advertised the upcoming trial as if it were a public performance like “The Trial.” Flyers asking “Who Hates Who?” and “Does the Negro Get Justice?” were distributed like playbills, urging observers to come to the courthouse on North Hill Street.<sup>156</sup>

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<sup>150</sup> “14 Muslims Go on Trial in Fatal Riot,” *Los Angeles Times*, April 8, 1963.

<sup>151</sup> “Begin Jury Selection in L.A. Muslim Trial,” *Chicago Daily Defender*, April 10, 1963.

<sup>152</sup> “14 Muslims Go on Trial,” *Los Angeles Times*.

<sup>153</sup> “Extend Jury Selection in Muslim Trial,” *Chicago Daily Defender*, April 15, 1963.

<sup>154</sup> “Pick Jury for L.A. Black Muslim Trial,” *Chicago Daily Defender*, April 24, 1963.

<sup>155</sup> “Row Flares Over Jurors in Muslim Riot Trial,” *Los Angeles Times*, April 25, 1963.

<sup>156</sup> See Box 11, Folders 4-5, MXC.



Figures 2-3: Flyers advertising the Stokes trial

Other flyers, such as one advertising a mass unity rally sponsored by “all local organizations concerned with human rights” drew explicit connections between the brutality in Birmingham and Los Angeles. It urged people to protest the “Terror in Birmingham” and “Police Brutality in Los Angeles” while unifying for the common goal of freedom and justice.<sup>157</sup>

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<sup>157</sup> “Mass Unity and Protest Rally,” May 19, 1963, Box 12, Folder 1, MXC.



Figure 4: Flyer for Mass Unity and Protest Rally, May 19, 1963

In *Muhammad Speaks*, a subscription flyer put Los Angeles in conversation with the southern civil rights movement and African decolonization. Calling the new newspaper the “*third dimension*” in national and international news, the advertisement recognized that “people want to know *more* than what happened in Greenwood, Miss., or Angola, S.W. Africa, or Los Angeles” (emphasis in original).<sup>158</sup> Flyers publicizing the trial and protest rallies transformed the Stokes trial into a stage to bring together these different regional acts – the southern wing of the civil rights movement, Third World anticolonial struggles, and the struggle against police brutality outside the South – of a larger global play.<sup>159</sup>

<sup>158</sup> “What Happened?” *Muhammad Speaks*, April 29, 1963.

<sup>159</sup> Here I am using “North” to distinguish from the Southern civil rights movement. This is not meant to imply that there are not significant differences between the black freedom struggle in the Midwest, Northeast, and West.

The past several decades of civil rights scholarship have brought the black freedom struggle in the North into sharper focus. The development of a northern narrative of the movement has brought inevitable comparisons to its southern counterpart, vacillating between distinctions such as *de jure* versus *de facto* racism on the one hand and outright conflation and historical flattening on the other. However, activists during this period were cognizant of the salience of southern bigotry and frequently deployed analogies to demonstrate the prevalence and depth of racism in the North. It was only several years earlier that Roy Wilkins had scored Los Angeles police as being as bad as Birmingham. Likewise, the phrase “Shades of Mississippi” in 1962 had drawn readers to the persecution of Muslim prisoners at Attica under Governor Rockefeller.

With headlines focused in early 1963 on James Meredith’s attempts to enroll at the University of Mississippi in Oxford, Mildred Johnson called Rochester the “Mississippi of New York State.”<sup>160</sup> Malcolm X sent a telegram to President Kennedy claiming that “the City of Rochester has become worse than Oxford and Jackson, Mississippi combined.”<sup>161</sup> He also emphasized that Stokes’ murder in Los Angeles occurred in a purportedly liberal city. As Malcolm told radio host Dick Elman immediately after the shooting, “this happened in Los Angeles last Friday night, in the United States of America, not South Africa or France or Portugal or any place else or in Russia behind the iron curtain, but right here in the United States of America.”<sup>162</sup> At face value, Malcolm’s comments seemed to exceptionalize the racism and violence of these other places. But by drawing analogies between the atrocities of the U.S. South, apartheid South Africa, and the urban north, he was also linking global systems of racial violence

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<sup>160</sup> “Unity Urged for Muslims and NAACP,” *The Times-News*, February 16, 1963.

<sup>161</sup> See Telegram to John F. Kennedy, Box 3, Folder 4, MXC.

<sup>162</sup> Malcolm X interview with Dick Elman, WBAI radio, Pacifica Radio Archives, BB0541, accessed May 23, 2016, <http://historymatters.gmu.edu/d/7041/>.

before Black Power-era concepts such as “internal colonialism” made these connections more explicit.

While the NOI worked to highlight connections with Birmingham, many in Los Angeles crafted a colorblind narrative which distanced Los Angeles from the racism of the South. As one juror recalled, we “jurors did not consider or make an issue in our deliberations of what was happening in the south or back east. This was our state’s problem.” The same juror assured the press after the case that “[r]ace, religion, color or creed never entered our minds or thoughts during our deliberations. We simply tried the Black Muslim defendants as individuals and considered the police officers as individuals.”<sup>163</sup> But many black Angelenos were also not ready to see Birmingham and Los Angeles as two sides of the same coin. Community interviews after the trial revealed that while most followed the Stokes case in the press alongside the developments in Birmingham on a daily basis, some were resistant to such analogies. “There are problems here,” one man explained, “[b]ut how can anyone say – as one of our leaders has said, to my knowledge – that ‘Los Angeles is as bad as Birmingham?’”<sup>164</sup> While we must heed the caution of Robert Self, who urges that it is not “historically sound to frame all forms of black struggle in terms of their relationship to the southern variant,” there were meaningful ways in which police brutality in Los Angeles was being linked to the southern wing of the movement by activists themselves.<sup>165</sup>

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<sup>163</sup> “Foreman of Black Muslim Jury Says Strange Man Shadowed Him,” *Los Angeles Times*, June 17, 1963.

<sup>164</sup> A.S. Doc Young, “Negroes Here Speak Out on Race,” *Los Angeles Sentinel*, June 13, 1963.

<sup>165</sup> Robert Self, *American Babylon: Race and the Struggle for Postwar Oakland* (Princeton: Princeton University Press, 2003), 178. Malcolm X and the NOI did not simply draw parallels to Birmingham, but also took steps to support and cover the protests. Soon after returning from Los Angeles, Malcolm spoke at a Harlem rally sponsored the Emergency Committee to Support Birmingham with Rev. A.D. King and the Rev. George Lawrence of the SCLC. Jeremiah X, an NOI minister who split time between Atlanta and Philadelphia, also went to Birmingham to observe and write a piece for *Muhammad Speaks*. See Malcolm X FBI File, Summary Report, New York Office, November 15, 1963, 18-19 and C. Portis, “Celebrities and Celebrators Pour Into City,” *New York Herald-Tribune*, May 15, 1963.

As trial testimony opened in late April, it was clear that not all in Los Angeles saw these parallels to Birmingham in positive terms. Outside the courthouse, a group called the Hollywood Race Relations Bureau picketed and denounced the NOI as “defy[ing] the respectful and peaceful approaches . . . toward total desegregation.”<sup>166</sup> Another picketer at the Elks Lodge rally was punched in an ensuing scuffle before a backdrop of signs reading: “Those 6-year-old children in Birmingham have more guts than you have.” Malcolm X calmly told the press that they would “not be responsible for anything that happens to these pickets.”<sup>167</sup> As the trial continued to be understood in relationship to an emerging national civil rights movement, the limitations to a black united front in Los Angeles were again rising to the surface.

And inside the courtroom, the issue of racial segregation so central to the Birmingham movement became the trial’s main story. “An unusual problem in seating of spectators arose Tuesday,” reported a confused *Los Angeles Times* reporter, “when women members of the sect refused to accept seats alongside white persons.” Using the Fruit of Islam as its enforcers, the NOI changed the discourse of racial segregation and successfully petitioned to have a section of the courtroom cordoned off for themselves. Here, most reports did not make the distinction between “segregation” and “separation” that was central to Malcolm’s college lectures. When the court eventually reversed its policy, it was described in the press as “desegregation” by court order.<sup>168</sup> This again revealed the fragility of the coalition between the local NAACP and NOI, as it appeared that Judge Coleman’s reversal was partially in response to NAACP president Christopher Taylor’s remark to a reporter that he must oppose any racial segregation, regardless of who initiated it.<sup>169</sup>

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<sup>166</sup> Gladwin Hill, “Negro Foes of Black Muslims Picket at Trial,” *New York Times*, April 30, 1963.

<sup>167</sup> “Negro Picket Slugged at Black Muslim Rally,” *Los Angeles Times*, May 5, 1963.

<sup>168</sup> “Tells of Cop Beating at L.A. Muslim Trial,” *Chicago Defender*, May 4, 1963.

<sup>169</sup> Lawrence Lamar, “Judge Bars Segregation of Muslims,” *Amsterdam News*, May 11, 1963.

The demand for separate seating was only one way that the NOI managed to broaden the scope of the trial. Police officer Donald Weese, who shot and killed Ronald Stokes, horrified the audience with his candid testimony. When Earl Broady pressed Weese on his grand jury testimony in which he had claimed that he “shot to kill,” Weese nonchalantly replied: “I am not Hopalong Cassidy. I cannot distinguish between hitting an arm and so forth, sir. I aimed dead center and I hoped to hit.” Meanwhile, Malcolm X sat in the audience with a camera around his neck taking photos of Weese during the court’s recess. He told the press: “Do you know who I’m taking a picture of? I’m taking pictures of a murderer.”<sup>170</sup> As in Queens, the NOI used photography as a way to control the trial.

Earl Broady also managed to put language at center stage as the prosecution continued to call police witnesses to the stand. Just days after Weese’s disturbing testimony, Broady stopped during the middle of a cross-examination after he objected to the use of the term “male Negroes” by the witness as prejudicial. Broady told the judge: “No, I’m not ill. I just thought I might lose my temper . . . this man referring to male Negroes. I thought I might pull a Muslim.”<sup>171</sup> Throughout the grand jury hearings and ensuing trial, defendants testified that police at the scene had referred to them as “niggers.” Despite the judge’s ruling that the witness used the term “Negro” only for identification, Broady’s critique of the term was reminiscent of Malcolm’s explanation to Judge Henderson in the Buffalo trial of Muslim prisoners the year before. Moreover, his use of the phrase “pull[ing] a Muslim,” interestingly conjured the image of a militant, or even violent, organization in a trial where the group stood accused of police assault.

While Broady and Miller continued to work to acquit the fourteen members of the counts held against them, they also clearly shared the NOI’s agenda of broadening the scope of the trial.

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<sup>170</sup> “Top New York Muslim Says L.A. Is On Trial,” *Los Angeles Times*, May 4, 1963.

<sup>171</sup> “Muslim Trial Interrupted By Attorney,” *Los Angeles Times*, May 7, 1963.

Broady and Miller spent considerable time demonstrating that the men were being tried not for their actions but for public misconceptions about the NOI. In order to illustrate this injustice, Broady asked that the all-white jury to imagine a “hypothetical case . . . where there are a number of white men being tried before a Negro judge and prosecuted before a Negro jury by Negro lawyers.”<sup>172</sup> Whether he knew it or not, Broady was describing the premise of Louis X’s play “The Trial.” Loren Miller added in his comments that people have “been schooled into seeing evil in the Muslim movement where there is none.” He and Broady asserted that “these men were not prosecuted so much for what they did as for what they are.”<sup>173</sup> Not unlike the claims of Muslim prisoners, the defense was suggesting that these men were political prisoners, tried on the faulty grounds of public perception and ideology rather than their alleged crimes.

Already two months since jury selection began, Broady and Miller presented their concluding arguments to the jury in late May. Broady reportedly held “the packed courtroom in Superior Court spellbound as he probed, accused and outlined point after point.”<sup>174</sup> Miller urged the jury to consider the “irreparable effect” that a conviction would have on the defendant and ended his remarks by calling Los Angeles police “vigilantes . . . acting like judges, jurors and executioners.”<sup>175</sup> The final stage of jury deliberations took an anguishing eighteen days before they reached a verdict. In the meantime, Malcolm X and others held vigils outside the courthouse while two hundred deputy sheriffs, many with nightsticks and helmets, patrolled the Hall of Justice.<sup>176</sup> The day after setting a city record for the number of days in deliberation, the jury

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<sup>172</sup> “Judge Warns Audience at Muslim Riot Trial,” *Los Angeles Times*, May 23, 1963.

<sup>173</sup> “Attorney Suggests Need for ‘White Muslims’ Too,” *Los Angeles Times*, May 24, 1963.

<sup>174</sup> “Muslim Trial to Jury,” *Los Angeles Sentinel*, May 23, 1963.

<sup>175</sup> “Muslim Riot Trial Ends” *Los Angeles Times*, May 25, 1963 and “Convict 4 Black Muslims in Fatal Riot,” *Chicago Tribune*, June 11, 1963.

<sup>176</sup> “Call Night Jury Meet in Black Muslims Case,” *Chicago Daily Defender*, June 5, 1963 and “4 Convicted in Calif. Muslim Riot,” *Boston Globe*, June 11, 1963.

pronounced nine out of the fourteen members guilty of assault and resisting arrest.<sup>177</sup> Although he was amongst those acquitted, Minister Shabazz declared that he was not satisfied. “These are my brothers, and we all stand together,” he told the press. He then joined others in a “military precise march from the courtroom.” Herbert Rogers, whose son William was found guilty of assault despite being paralyzed from the waist down by police bullets, summed up the trial most succinctly: “You can’t get a fair trial in a white man’s court.”<sup>178</sup>

### **“Battle Against Jim Crow Goes West”**

The day after jurors went into deliberation in the Stokes trial, Los Angeles hosted its largest civil rights rally ever. Over 30,000 saw Martin Luther King, Jr. speak at a fundraising “Rally for Freedom” at Wrigley Field to support the Birmingham campaign. Reverend Brookins was the master of ceremonies. Christopher Taylor, who had decried the “segregation” of the courtroom in the Stokes trial just weeks earlier, again brought the parallels of Birmingham and Los Angeles together. “We are here to help the people of Birmingham,” he told the crowd, “but I would be remiss in my duty if I did not mention certain problems we have in Los Angeles.” The first issue he named was police brutality. It appeared that Los Angeles was as poised as ever to confront police violence, and in the words of the *Chicago Defender*, the battle against Jim Crow had gone west.<sup>179</sup>

Of course, organizing against housing segregation, police brutality, economic discrimination, and education inequalities were decades old. But the freedom rally at Wrigley

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<sup>177</sup> “Black Muslim Jury To Set Record Today,” *Los Angeles Times*, June 14, 1963 and Seymour Korman, “9 Convicted in L.A. Muslim Riot,” *Chicago Tribune*, June 15, 1963.

<sup>178</sup> “9 Muslims Guilty,” *Los Angeles Times*, June 15, 1963.

<sup>179</sup> “Battle Against Jim Crow Goes West to Los Angeles,” *Chicago Daily Defender*, June 4, 1963 and Bauman, *Race and the War on Poverty in Los Angeles*, 40.

Field ushered in a new era of coalitional politics in Los Angeles, one which differed from the black united front proposed by Malcolm X and John Shabazz. A week after the SCLC fundraising rally, the United Civil Rights Committee (UCRC) held its inaugural meeting. Although it certainly benefited from the political coalitions of the last several years, Althea Simmons wrote that the UCRC was “mostly an outgrowth of the Freedom Rally held for the benefit of SCLC.”<sup>180</sup> The group was headed by Taylor and its leadership included a wide swath of the civil rights groups such as the NAACP, CORE, Urban League, and SNCC; labor groups such as the AFL-CIO and UAW; and religious and ethnic groups including the American Jewish Congress (AJC) and American Methodist Episcopal church (AME). Its five standing committees addressed housing, education, employment, direct action and police practices.<sup>181</sup> And, predictably, one its first four demands was for a report on “establishment of a procedure for presentation of citizens’ grievances [sic] against law enforcement agencies to independent citizens’ review boards.”<sup>182</sup>

The most obvious difference between the UCRC and the black united fronts in New York and Los Angeles which had included the Nation of Islam, was that the UCRC was interracial. While there were early reports that the “Mexican-American community” would be involved, the coalition was largely biracial. In fact, at one protest, a newspaper reported that there were so many white picketers in front of an all-white housing tract “residents have questioned whether the campaign is supported by Negroes.” However, a less cosmetic difference was political. Integration, whether in housing, education, or employment, was the UCRC’s major framework.

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<sup>180</sup> Althea Simmons to Tarea Pittman, July 11, 1963, West Coast Regional Office, Correspondence, July-December 1963, Part 25: Branch Department Files, Series B: Regional Files and Special Reports, 1956-1965, Papers of the NAACP.

<sup>181</sup> Structure, NAACP and the United Civil Rights Committee, Althea Simmons, January-June, 1963, *ibid.*

<sup>182</sup> Report of Althea Simmons, West Coast Region, May 15-June 14, 1963, *ibid.*

After a 10-day grace period given to the city to respond to the group's demands, Taylor declared: "we mean it when we say that we want integration now."<sup>183</sup> Yet it was not immediately apparent what integration meant in terms of law enforcement reform.<sup>184</sup>

Meanwhile, Assemblyman Dymally had held his campaign promise and introduced a six-bill package which included establishing police review boards in all cities over 50,000 and offering redress for those harmed by police misconduct.<sup>185</sup> As the *New York Times* noted, this demand had grown "after the April 1962, riot between the police and Black Muslims."<sup>186</sup> The recently-formed UCRC and the NAACP called upon Stanley Mosk to convene a statewide meeting with law enforcement officials.<sup>187</sup> And, although the Los Angeles police department had agreed to stop issue crime statistics as a defense of racist policing, the central issue continued to be whether or not the city would establish a citizen review board.<sup>188</sup> Despite garnering support from the NAACP, ACLU, and the California Democratic Council, the review boards still faced vehement opposition from the white majority. The *Los Angeles Times* bemoaned that a civilian review board would hurt morale to what it judged as "very probably the best metropolitan police department in the nation."<sup>189</sup> The idea that police officers would be demoralized by citizen oversight was taken a step further by the Fire and Police Protective League, who suggested that police were the "smallest and most oppressed minority" and were having their civil rights and due process stripped.<sup>190</sup> Others remained unconvinced either way. The Assembly Committee on

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<sup>183</sup> Paul Weeks, "Negroes Assail L.A.'s Inaction on Rights Plea," *Los Angeles Times*, June 22, 1963.

<sup>184</sup> See Jack Langguth, "Los Angeles Racial Protests Bring Mixed Results," *New York Times*, August 17, 1963 and Weeks, "Negroes Assail L.A.'s Inaction."

<sup>185</sup> "Six Bills Proposed to Reform Police Methods," *Los Angeles Times*, March 14, 1963.

<sup>186</sup> Langguth, "Los Angeles Racial Protests."

<sup>187</sup> Weeks, "Negroes Assail L.A.'s Inaction."

<sup>188</sup> Langguth, "Los Angeles Racial Protests."

<sup>189</sup> "The 'Review Board' Should be Rejected," *Los Angeles Times*, March 27, 1963.

<sup>190</sup> "Review Board Called Police Demoralizer," *Los Angeles Times*, June 12, 1963.

Criminal Procedure voted for a two-year study on the potential impact of Dymally's bill.<sup>191</sup>

Despite endorsing review boards in the first month of its existence, the UCRC was reportedly reconsidering its proposal by August.<sup>192</sup>

Meanwhile, the NOI was embroiled in legal appeals. "Our story has never been told and we intend to let the people of America know what really happened in Los Angeles," John Shabazz told reporters that October.<sup>193</sup> According to newspapers, while most black Angelenos were sympathetic to the NOI with regard to the Stokes case, this did not extend beyond the issue of police brutality. "Most Negroes followed reports of the Black Muslim trial daily. Virtually all the Negroes I talked to were sympathetic to the Black Muslims on the racial basis," reported A.S. Doc Young, "But I found no significant conversion to the overall Black Muslim way of thinking."<sup>194</sup> Louis Smith of CORE added that if "they advocated integration rather than separatism and didn't require you to give up pork and drinking they'd have converts all over the place. As it is they simply have a lot of well-wishers."<sup>195</sup> In Los Angeles, as in New York, integrationist political coalitions moved ahead without the Nation of Islam. But these coalitions did not resemble the black united fronts which had briefly coalesced between 1961 and 1963 in New York City, Los Angeles, and Rochester. They were biracial efforts which employed the strategies and language of integration so crucial to the southern nonviolent wing of the movement. The battle of Jim Crow in the west continued, but it was one that tabled the lofty goals of black political unity set forth by the Nation of Islam in the aftermath of the Stokes case.

## **A Revolt Against Leadership**

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<sup>191</sup> Robert Blanchard, "Two-Year Study Set on Police Review Boards," *Los Angeles Times*, May 29, 1963.

<sup>192</sup> Langguth, "Los Angeles Racial Protests."

<sup>193</sup> Charles Tyler, "Police Ambushed Us in Los Angeles," *Afro-American*, October 19, 1963.

<sup>194</sup> A.S. Doc Young, "Negroes Here Speak Out on Race," *Los Angeles Sentinel*, June 13, 1963.

<sup>195</sup> Gene Roberts, "Negroes Still Angry and Jobless Three Months after Watts Riot," *New York Times*, November 7, 1965.

The old-guard philosophy of elite leadership of the [NAACP] does not appeal to the masses.<sup>196</sup>

Edward Warren, 1962

On August 11, 1965, Marquette Frye was pulled over for drunken driving. When the 21-year-old and his mother were beaten by California Highway Patrolmen, those standing nearby began throwing rocks and bottles at the officers. Over the next six days, a nearly-50 square mile area was on fire, under curfew, and invaded by the National Guard. Thirty-four people were killed, 1,000 were injured, and 4,000 were arrested. Property damage was estimated as higher than any other civil rights-era rebellion.<sup>197</sup> The Watts uprising became the iconic moment when the civil rights movement “moved north.” As Theoharis points out, Watts often “serves as the introduction to the northern racial landscape, the dividing line between the heroic southern freedom struggle and the civil rights movement’s militant and northward turn.”<sup>198</sup> A year earlier, Rochester had experienced a similar uprising on a smaller scale. A nineteen-year old black man was being arrested at a summer block party when rumors began to spread through the community about police misconduct. Bricks were thrown at police cars and within five hours, the police chief instructed officers to use riot weapons. A state of emergency was declared and Governor Rockefeller’s order to send in troops marked the first time the National Guard was deployed in a northern city.

Suddenly national attention was focused northward on black urban communities which were portrayed as destroying themselves. The reaction of white observers was shock and

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<sup>196</sup> Ernest Dunbar, “The Negro in America,” *Look Magazine* 26, no. 8 (April 10, 1962), 323.

<sup>197</sup> Gerald Horne, *Fire this Time: The Watts Uprising and the 1960s* (Charlottesville: University Press of Virginia, 1995), 3.

<sup>198</sup> Theoharis, “Hidden in Plain Sight.”

outrage. California Governor Edmund Brown pleaded ignorance: “nobody told me there was an explosive situation in Los Angeles.”<sup>199</sup> Journalists and pundits were similarly befuddled. “Los Angeles is a city in progress,” Theodore White wrote that “Negro progress here has been spectacular.”<sup>200</sup> President Johnson’s advisor, Harry McPherson, claimed that the Watts rebellion shocked everyone except “Southerners in Congress.”<sup>201</sup> But those living in Watts were less surprised. Between 1963 and 1965, police had killed sixty African Americans; twenty-five were unarmed and twenty seven-shot were in the back.<sup>202</sup> In 1967, 70% of black survey respondents believed police brutality to be a cause of riots, compared to fewer than 20% of white respondents.<sup>203</sup> Fred Cannon, a Watts resident of nearly thirty years, said: “We have absentee leadership, absentee ministers, absentee landlords, and absentee merchants.”<sup>204</sup> Chief Parker was also happy to blame black leadership. With Watts still under a state of emergency, he told television reporters that “so-called leaders of the Negro community can’t lead at all.”<sup>205</sup>

But Watts was not a leaderless revolt. It was a revolt against leadership.<sup>206</sup> As one man told the *Los Angeles Times*: “They say it wasn’t organized – but it was. Not in the regular sense. But the people met in the park and talked about what had happened and what they planned to do that night.”<sup>207</sup> Although newspapers insisted that the Nation of Islam had lost its appeal since the

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<sup>199</sup> Ibid.

<sup>200</sup> Theodore White, “Lesson of Los Angeles: A Call for New Thinking About Race Relations in the Big City,” *Los Angeles Times*, August 22, 1965.

<sup>201</sup> Murakawa, 81.

<sup>202</sup> Kelley, “Remember What They Built, Not What They Burned.”

<sup>203</sup> Murakawa, 50.

<sup>204</sup> Theodore Jones, “Evening in Watts: ‘Us and the Cops,’” *New York Times*, August 29, 1965.

<sup>205</sup> “Parker Hurt Los Angeles Race Situation: Brown,” *Chicago Tribune*, August 23, 1965.

<sup>206</sup> Many residents insisted on calling Watts a revolt. “The police, for their part, resent a widespread practice among Negroes of referring to the riot as ‘the revolt.’ They reason that the wor[d] dignifies lawlessness.” See Roberts, “Negroes Still Angry.” The McCone Commission almost uniformly used the word riot. The only use of “protest” came from the two black members of the commission, most notably Reverend James Edward Jones. Mervyn Dymally argued that Watts was partially “a revolt against the Negro leadership.” See Bauman, *Race and the War on Poverty in Los Angeles*, 39.

<sup>207</sup> Jerry Cohen, “Viewpoint of Rioters Hard to Find, But Here’s How One of Them Sees It,” *Los Angeles Times*, August 22, 1965.

death of Malcolm X, observers agreed that black nationalism underwent a surge in popularity in Los Angeles after Watts.<sup>208</sup> Some noted that the aftermath of the uprising engendered a “new prestige for the militant Black Muslims.”<sup>209</sup> A survey two years after the rebellion, revealed that 60 percent of residents supported black nationalism, compared to only 24 percent who opposed it. Social scientist Paul Bullock cited Watts as the shift “toward nationalism and away from integration, toward racial conservatism and away from liberalism.”<sup>210</sup> Gerald Horne notes that the fact that “black nationalism was ignited in Los Angeles should not have been surprising given the atmosphere of what might be called ‘compounded racism’” – the divisions of class and color so pronounced within the Los Angeles black community.<sup>211</sup> Alongside religious and political differences, these class divisions had been at the heart of the fractured black united front several years earlier.

Martin Luther King, Jr.’s visit that August further demonstrated the extent to which Watts was a response to black leadership. King, who would later describe riots as the “language of the unheard,” came to Los Angeles and admitted failure on the part of leaders like himself.<sup>212</sup> We have “failed to take the civil rights movement to the masses of the people,” he admitted.<sup>213</sup> King spoke to a crowd of 200, where he received both praise and jeers. One man shouted: “We don’t need to talk to Doctor King. We want Mayor Yorty and Chief Parker.”<sup>214</sup> The mayor also disapproved of King’s visit, and in doing so showed his inability to adequately assess the cause of the uprising. “I don’t believe he can do anything,” Yorty claimed. “He is a specialist in

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<sup>208</sup> Jones, “Evening in Watts.”

<sup>209</sup> Roberts, “Negroes Still Angry and Jobless.”

<sup>210</sup> Bauman, 38-39.

<sup>211</sup> Horne, 12.

<sup>212</sup> See Martin Luther King, Jr., “The Other America,” March 14, 1968, accessed May 23, 2016, <http://www.gphistorical.org/mlk/mlkspeech/>.

<sup>213</sup> Paul Weeks and Dick West, “Dr. King Hears Watts Protests Over Heckling,” *Los Angeles Times*, August 19, 1965.

<sup>214</sup> “Dr. King: ‘We Failed in L.A.’,” *Boston Globe*, August 19, 1965.

civil rights, which is not the issue here.”<sup>215</sup> Despite his lukewarm reception, King promised to make his first request to Governor Brown one which local civil rights organizers had been seeking for over a decade: the creation of a police review board.<sup>216</sup>

When the dust after Watts had settled, journalists, politicians, and policy-makers all returned to their previous reliance on black leadership to speak on behalf of the masses. In part, this reflected the unwillingness of Watts residents to participate in official investigations of the revolt. The McCone Commission was met with skepticism by Watts residents. Many believed it was a hunt to prosecute those who had participated in the uprising and refused to disclose information.<sup>217</sup> Yet those who did testify to their experiences before and during the uprising were also marginalized and silenced in the aftermath of Watts. The McCone Commission noted that it had “received much thoughtful and constructive testimony from Negro witnesses” but refused to include those comments it deemed of “extreme and emotional nature.” It found that the “statements made by the extremists” could not be borne out by evidence.

The McCone report was issued in December 1965 and, much like influential Moynihan Report published that same year, put the onus back on black families and leadership rather than on intransigent white supremacy.<sup>218</sup> It concluded that no “amount of money, no amount of effort, no amount of training will raise the disadvantaged Negro to the position he seeks and should have within this community – a position of equality – unless he himself shoulders a full share of

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<sup>215</sup> Art Berman and Eric Malnic, “59 L.A. Black Muslims Seized,” *Washington Post*, August 19, 1965.

<sup>216</sup> “King Talks with L.A. People,” *Baltimore Afro-American*, August 28, 1965.

<sup>217</sup> “RIOT: Three Inquiries Under Way in L.A.,” *Los Angeles Times*, September 19, 1965.

<sup>218</sup> In fact, Moynihan was interviewed in the aftermath of Watts and his report on the collapse of the black family were cited as an explanation for the uprising. See “CBS Reports: Watts – Riot or Revolt, 1965.” Bayard Rustin also noted the similarity of the two reports. “Like the much-discussed Moynihan Report, the McCone Report is a bold departure from the standard government paper on social problems,” he wrote in 1966. However, he also emphasized that like the Moynihan Report, the McCone Commission identifies problems without articulating solutions to housing, unemployed, and policing. See Bayard Rustin, “The ‘Watts Manifesto’ & The McCone Report,” *Commentary*, March 1, 1966.

the responsibility for his own well being.”<sup>219</sup> Meanwhile, black leadership in Los Angeles continued to be diffuse and contentious. “It’s like the Tower of Babel,” bemoaned Robert Alexander of the UCRC. “Every organization insists it speaks for the Negro. The white committees don’t know who to listen to.”<sup>220</sup> Ike Adams of the Los Angeles NAACP noted with dismay that the “ministers just can’t seem [sic] to get together when it comes to some community program. They just seem to go their separate ways.”<sup>221</sup>

If Watts is seen through the lens of organized struggle and traditional notions of social movement theory, it marks the pivotal shift toward nihilism. For example, writing of the rebellions several years later following King’s assassination, Clayborne Carson argues that “spontaneous urban uprisings of 1968 ended an era of black struggle . . . [they] failed to foster a strong enough sense of collective purpose to override the endemic selfish and vindictive motives that emerged in outbursts of racial spite. Black urban rebellions were too short-lived to transform personal anger and frustration into a sustained political movement.”<sup>222</sup> Activists such as James and Grace Lee Boggs, who witnessed the Detroit uprising in 1967, theorized that although rebellions were often a stage in revolutions, they often fell short because of participants’ inability to see themselves beyond victims, and rather as agents of a new society. In fact, Grace argued, they often “increase the dependency rather than the self-determination of the oppressed.”<sup>223</sup> But, Bayard Rustin, writing at the dawn of Black Power in March 1966, remembered hearing a message of victory from young people in Watts. After the National Guard had gone, an unemployed twenty-year-old turned to the civil rights veteran at a community gathering and said:

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<sup>219</sup> *McCone Commission Report!*

<sup>220</sup> Roberts, “Negroes Still Angry.”

<sup>221</sup> Jones, “Evening in Watts.”

<sup>222</sup> Clayborne Carson, *In Struggle: SNCC and the Black Awakening of the 1960s* (Cambridge: Harvard University Press, 1982), 287.

<sup>223</sup> Grace Lee Boggs with Scott Kurashige, *The Next American Revolution: Sustainable Activism for the Twenty-First Century* (Berkeley: University of California Press, 2012), 66-67.

“We won.” A quizzical Rustin pointed out that homes were destroyed, black lives had been lost, and stores were now vacant and looted. The young man responded: “We won because we made the whole world pay attention to us. The police chief never came here before; the mayor always stayed uptown. We made them come.”<sup>224</sup> If Watts is understood as a revolt against leadership rather than a leaderless revolt, it succeeded, if only by bringing the voices of the masses to the foreground against a sea of organizations and leaders who had previously spoken on their behalf.

## Conclusion

In most of Loren Miller’s talks in the aftermath of Watts on its causes and lessons, he returned to his area of focus: residential segregation. But he also reminded audiences of the role that crime statistics and police brutality played in fomenting the rebellion. At a paper delivered before the Governor’s Commission, Miller called the police an “army of occupation . . . armed with a set of figures which tell him that . . . he is being sent to hostile territory.”<sup>225</sup> For many observers, Watts grew out of the smoldering resentments and unresolved political questions in the aftermath of Ronald Stokes’ killing in 1962. While attempts to hold law enforcement accountable were nearly a decade old by the time of the Stokes killing, the emergence of a black united front held the promise of a new challenge to racist policing in Los Angeles. Yet this coalition was always fraught. The liability of allying with the Nation of Islam during the Cold War was a cost that most organizations were unwilling to pay. Many also had fundamental religious and political differences with the group. Los Angeles ministers and the local NAACP branch tried to walk the fine line between protesting police brutality and distancing themselves

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<sup>224</sup> Bayard Rustin, “The ‘Watts Manifesto’ and the McCone Report.”

<sup>225</sup> Loren Miller, “Relationship of Racial Residential Segregation to Los Angeles Riots,” 11-12, October 7, 1965, Box 33, Folder 16, LMP.

from the black nationalism of the NOI. For the white power structure of Mayor Yorty and Chief Parker, this was the small crack necessary to divide the front. While Parker had little interest in appealing outside his own white base of law-and-order politics, Yorty was more politically savvy and tried to drive a wedge between local organizations and their national leadership. While this strategy was not immediately effective, it eventually prevailed when the national office of the NAACP imposed a non-engagement policy upon local branches.

The early 1960s represented a particular moment of opportunity for the Nation of Islam and other groups to build black united fronts in Harlem, Los Angeles, and Rochester around core issues facing black communities such as housing, employment, education, and law enforcement. The Nation of Islam's attempts at black unity in Los Angeles achieved some support, a surprising amount of which came from the local NAACP branch. Edward Warren appeared alongside Malcolm X and John Shabazz at "United Negro" rallies against police brutality. Loren Miller opted to defend the NOI despite his numerous roles in the NAACP and other civil rights posts. Maggie Hathaway, a young actress and reporter for the *California Eagle* who had organized the Hollywood/Beverly Hills NAACP branch, remembered driving Malcolm and John Shabazz to her home for lunch each day during the trial.<sup>226</sup> Yet these networks and small-scale alliances were not enough to sustain a larger structured coalition.

The transience of black united front politics in New York and Los Angeles should not be mistaken for a dissolving of the spirit and ideals of all-black political organizing. Instead, the formation of Malcolm X's independent political group, the OAAU, in the summer of 1964 and the shift by SNCC in early 1966, were both reassertions of the need for black unity and self-determination. The OAAU was structured around the notions of community organizing and

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<sup>226</sup> Maggie Hathaway, "The Malcolm X That I Knew," *Los Angeles Sentinel*, February 22, 1990.

coalitional politics which had been central to the Emergency Committee in Harlem several years earlier. The group's early notes emphasized finding "one issue, housing, jobs, police brutality - whatever it may be, that the community is concerned with most and wage a resolute struggle around it in order to galvanize the masses." This short-term goal was not surprisingly around law enforcement, protesting an anticrime package by Governor Rockefeller which included a "no knock" bill which allowed police with warrants to enter a residence without knocking and a "stop-and-frisk" law enabling police to profile without cause. The OAAU also worked closely with other Harlem organizations, including the Harlem Unity Council, chaired by former NAACP head and Emergency Committee member Joseph Overton.<sup>227</sup>

In May 1966, Stokely Carmichael replaced John Lewis as the chairman of SNCC and the group published its position paper on the basis of Black Power. SNCC called for an "all-black project" which would be "black-staffed, black-controlled, and black-financed." It urged white activists to organize within white communities, which could then form the basis of a coalitional politics across race. "But it is meaningless to talk about coalition if there is no one to align ourselves with," SNCC organizers reasoned.<sup>228</sup> Some scholars have argued that the shift toward Black Power ideology and all-black organizing "engendered destructive competition among black leaders convinced of their rectitude."<sup>229</sup> But the efforts by Malcolm X and the Nation of Islam to build black coalitions in New York and Los Angeles demonstrate that these divisions in black leadership were always present. As calls for Black Power emerged the year after the Watts rebellion, the NOI would be forced to rearticulate its relationship to the broader black freedom

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<sup>227</sup> Garrett Felber, "'Harlem is the Black World': The Organization of Afro-American Unity at the Grassroots," *The Journal of African American History* 100, no. 2 (Spring 2015): 199-225.

<sup>228</sup> "The Basis of Black Power," SNCC Position Papers, 1966, accessed May 23, 2016, <http://www.crmvet.org/docs/blackpwr.htm>.

<sup>229</sup> Carson, 305.

struggle. Many of its ideas were foundational to Black Power organizations, but the assassination of Malcolm X in early 1965 put a distance between Malcolm loyalists and the Nation. The story of the NOI's consolidation, survival, and continued influence in the face of these developments is the subject of the final chapter.

## Chapter 6

### “Islam Instead of Politics Will Make True Black Power” The Nation of Islam and the Black Power Movement

[E]veryone knows, the Messenger (Honorable Elijah Muhammad) has been teaching and preaching his own (first and ORIGINAL) version of ‘black power’ ideology for almost 40 years.<sup>1</sup>

Abdul Basit Naeem, 1966

When Muhammad Ali was reclassified to I-A draft status in February 1966, he was asked about the decision by journalist Bob Lipsyte.<sup>2</sup> “Clay would make no comment on the war itself, or America’s commitment in Vietnam,” he remembered.”<sup>3</sup> Then, “all of [a] sudden he hit the note.” Ali turned to a reporter and said: “Man, I ain’t got no quarrel with the Vietcong.”<sup>4</sup> For Lipsyte, “[t]hat was the headline. That was what the media wanted.”<sup>5</sup> It was “the moment for Ali. For the rest of his life he would be loved and hated for what seemed like a declarative statement, but what was, at the time, a moment of blurted improvisation.”<sup>6</sup> The following year, boxing’s heavyweight champion refused induction into the Army and entered an arduous legal battle

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<sup>1</sup> Abdul Basit Naeem, “Sees ‘Black Power’ Growing Influence of Muhammad,” *Muhammad Speaks*, August 12, 1966, 19.

<sup>2</sup> He had been classified I-Y for a low IQ score in 1964.

<sup>3</sup> Robert Lipsyte, “Clay Reclassified I-A by Draft Board,” *New York Times*, February 18, 1966.

<sup>4</sup> This quote has been variously reported as “Man, I ain’t got no quarrel with the Vietcong” and “Man, I ain’t got no quarrel with *them* Vietcong” (my emphasis).

<sup>5</sup> Thomas Hietala, “Ali and the Age of Bare-Knuckle Politics,” in *Muhammad Ali, The People’s Champ*, ed., Elliot Gorn (Chicago: University of Illinois Press, 1995), 138.

<sup>6</sup> David Remnick, *King of the World: Muhammad Ali and the Rise of an American Hero* (New York: Random House, 1998), 287.

which would last until 1971, when the U.S. Supreme Court overturned his conviction for draft evasion on a technicality.

The public reaction to Ali's decision to resist the draft revealed the deep divide within American politics over the Vietnam War in the mid-1960s. As Steve Diamond noted, Vietnam "sliced America right down the middle."<sup>1</sup> To some black audiences, Ali's remarks meant that he was unwilling to fill the prescribed role of the "credit-to-his-race" athlete embodied by former heavyweight champion Joe Louis.<sup>2</sup> Boxing critics sloppily identified Ali as part of a larger adolescent rebellion personified by floppy hair, drugs, and sexual lasciviousness.<sup>3</sup> And while Ali's social and religious conservatism had very little common ground with this youthful rebellion, "students seemed willing to overlook his positions on integration, intermarriage, drugs, and the counterculture, all of which followed from his Islamic faith."<sup>4</sup> Ali became a cross-cultural symbol of a nascent antiwar movement driven by a generation which had witnessed over a half-million young men inducted in the years 1966 and 1967.<sup>5</sup>

However, the lesser-quoted half of Ali's famous comment is more important in understanding his resistance to the war. The Vietnamese, he clarified, were "considered . . .

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<sup>1</sup> Steve Diamond, "Back to the Land," in *Time It Was: American Stories from the Sixties*, eds., Karen Manners Smith and Tim Koster (Up Saddle River, NJ: Prentice Hall, 2008), 237.

<sup>2</sup> Hans J. Massaquoi, "The Unconquerable Muhammad Ali," *Ebony* 24, no. 6 (April 1969): 168-170, 172-174, 176, 178. In his earlier years, Ali idolized Louis and even once told an interview that, like Louis, "I'll be a credit to my race." See Othello Harris, "Muhammad Ali and the Revolt of the Black Athlete," in *Muhammad Ali, The People's Champ*, ed., Gorn, 57.

<sup>3</sup> For instance, sportswriter Jimmy Cannon wrote: "Clay is part of the Beatle movement. He fits in with famous singers no one can hear and punks riding motorcycles with iron crosses pinned to their leather jackets and Batman and the boys with their long dirty hair and girls with the unwashed look and the college kids dancing naked at secret proms held in apartments and the revolt of students who get a check from dad every first of the month and the painters who copy the labels off soup cans and the surf bums who refuse to work and the whole pampered style-making cult of the bored young. See Jeffrey Sammons, "Rebel with a Cause: Muhammad Ali as Sixties Protest Symbol," *ibid.*, 166.

<sup>4</sup> *Ibid.*, 170.

<sup>5</sup> Samuel O. Regalado, "Clay, aka Ali v. United States (1971): Muhammad Ali, Precedent, and the Burger Court," *Journal of Sport History* 34, no. 2 (Summer 2007): 174.

Asiatic black people and I don't have no fight against black people."<sup>6</sup> Ali rearticulated the same anti-essentialist, Third World anticolonial vision which had been crucial to the NOI's draft resistance in 1942, the year he was born Cassius Clay in Louisville, Kentucky. While the Nation of Islam's political views came into public focus through the towering figure of boxing's heavyweight champion, the organization had denounced involvement in the Vietnam War long before most Americans were aware of U.S. intervention in Southeast Asia. In 1960, Elijah Muhammad's son Wallace was sentenced to prison for his failure to register with the selective service. He ultimately chose to serve a three-year sentence at a federal prison in Sandstone, Minnesota rather than report to Illinois' Elgin State Hospital where he believed that serving the hospital would aid the war effort.<sup>7</sup> In 1962, Wallace Lowry and James Golden were also charged with failure to register. Lowry, an East Chicago steelworker, claimed conscientious objector status, telling the judge: "I am a second-class citizen. I am no citizen at all."<sup>8</sup> In 1965, Stanley Garland refused to take a preinduction physical and was also sentenced to three years in prison. By the war's end, nearly one hundred Muslims had served time in prison for draft evasion.<sup>9</sup>

That Muhammad Ali's decision to denounce the war and express solidarity with the North Vietnamese has been severed from the Nation of Islam's long history of draft resistance is not surprising. In part, it is a product of the complicated relationship between Ali and the NOI, which soured over the course of his long legal battle. But it also mirrors the move made by scholars who believe Malcolm to have been the driving force behind the NOI's political engagement during the civil rights movement, most of whom have ignored the Nation of Islam

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<sup>6</sup> Daniel Lucks, *Selma to Saigon: The Civil Rights Movement and the Vietnam War* (Lexington, KY: University Press of Kentucky, 2014), 7.

<sup>7</sup> Claude Andrew Clegg, III, *An Original Man: The Life and Times of Elijah Muhammad* (New York: St. Martin's Press, 1997), 181.

<sup>8</sup> "Muslims Prefer Prison to Army," *Baltimore Afro-American*, August 18, 1962.

<sup>9</sup> James E. Westheider, *Fighting on Two Fronts: African Americans and the Vietnam War* (New York: New York University Press, 1997), 26-27.

after his death. As the international, anticolonial, and anticarceral frameworks developed by the NOI became core tenets of Black Power, the NOI inexplicably recedes from view in such narratives.

If the Nation of Islam's critiques of nonviolent direct-action campaigns and racial integration marginalized it from the civil rights movement, the emergence of Black Power in 1966 seemed to offer clear validations of its principles of black unity, internationalism, self-determination, and self-defense. As both critics and supporters of the movement attempted to define this new ideology, the emerging portrait of Black Power continually pointed back to many of the Nation of Islam's core beliefs. One was its critique of integration and white liberal participation. Daniel Watts, editor of *Liberator* magazine defined Black Power as "the ability of Black people (us) to forcible remove whitey's foot from off our backs." More importantly, he stressed that white liberals who had profited from involvement in the movement could "no longer act as intermediary between the Black community and the power structure."<sup>10</sup> Stokely Carmichael and Charles Hamilton added in their book by the same name, that Black Power could not espouse integration, for it meant that "black people must give up their identity, deny their heritage."<sup>11</sup> Secondly, Black Power required a black united front, the likes of which the NOI had participated with, and organized in, Los Angeles, Harlem, and Rochester. As Carmichael and Hamilton wrote, Black Power "rests on a fundamental premise: *Before a group can enter the open society, it must first close ranks*" (emphasis in original). Finally, Black Power called for self-determination. "Black people must lead and run their organizations," they wrote. "They must achieve self-identity and self-determination in order to have their daily needs met."<sup>12</sup> This

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<sup>10</sup> "Liberator Magazine Defines New Black Power," *Muhammad Speaks*, August 19, 1966, 20.

<sup>11</sup> Stokely Carmichael and Charles Hamilton, *Black Power: The Politics of Liberation in America* (New York: Vintage Books, 1967), 55.

<sup>12</sup> *Ibid.*, 44.

was also the driving force behind SNCC's decision that year to become an all-black organization, and it was a core principle in almost all Black Power organizations.

Black Power theorists borrowed liberally from the NOI's platform and message, and many of them had been drawn to the Nation's critique of the civil rights movement during the earlier half of the decade. A twenty-year old Maulana Karenga (then Ron Everett), the founder of US Organization and Kwanzaa, had written to C. Eric Lincoln in 1961 requesting an advanced copy of his book to help his study of the "Black Muslim Brotherhood."<sup>13</sup> Donald Warden, whose debate with J. Herman Blake at Berkeley helped launch the Afro-American Association (AAA), also became a key founder of the Revolutionary Action Movement (RAM). And although Stokely Carmichael would later attribute his radicalism to Malcolm X rather than the Nation of Islam more broadly, he recommended in 1966 that every "black man should go to a mosque."<sup>14</sup> The NOI's positions were so in step with the emerging Black Power Movement that the Baltimore *Afro-American* summarized a meeting of 200 delegates working to plan the first Black Power Conference by writing that except for "stress on politics, the delegates took positions similar to the program of the Black Muslims."<sup>15</sup>

Along with the Black Panther Party and SNCC, no organization reflected the ideas of the NOI more than RAM. Led by Donald Freeman, a student at Case Western University in Cleveland, RAM developed out of an earlier student group named Challenge. As Robin Kelley notes, Freeman hoped to "turn Challenge into a revolutionary nationalist movement possessed of the discipline, organization, and problack ideology of the Nation of Islam, but one that would

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<sup>13</sup> Ron Karenga to Dr. Lincoln, April 5, 1961, Box 70, Folder 5, C. Eric Lincoln Collection (CELC), Robert W. Woodruff Library, Archives Research Center, Atlanta University Center.

<sup>14</sup> "SNCC Chairman Praises Muhammad," *Muhammad Speaks*, August 12, 1966, 4.

<sup>15</sup> "200 Call 'Black Power' Session for Oct. 14-15," *Baltimore Afro-American*, September 10, 1966.

engage in sit-ins, marches, and various acts of civil disobedience.”<sup>16</sup> RAM’s most important document, written by Muhammad Ahmad (Max Stanford Jr.) in 1966, drew upon the internationalism of the NOI. The “World Black Revolution,” claimed that “Black Nationalism is the opposite of white nationalism; Black Nationalism being revolutionary and white being reactionary. We see also that nationalism is really internationalism today.” In identifying the “internationalizing of its intelligentsia and broad masses” as most significant development in the struggle for black liberation, the document credited not only Malcolm X and Robert F. Williams, but Elijah Muhammad. Even RAM’s prediction of a “Dialectical Estalogy” - a “coming showdown, war between the forces of good (Black Underclass), revolution and the forces of evil (white overclass), counter-revolution” – recalled the “War of Armageddon” predicted by Elijah Muhammad.<sup>17</sup> RAM’s identification with the “Bandung World” and call for a “Bandung humanism,” which in Kelley’s words, emphasized that the “battle between Western imperialism and the Third world – more than the battle between labor and capital – represented the most fundamental contradiction of our time,” was an outgrowth of the same anticolonial spirit so crucial to the NOI in the mid-1950s.<sup>18</sup> Yet RAM, like most other Black Power organizations, came to different political conclusions than the Nation of Islam. It is equally important to recognize both the pervasiveness of the NOI’s impact on Black Power as well as the ways in which revolutionary nationalists came to radically different solutions.

Somewhat fittingly, one of the people responsible for ushering the NOI into these international conversations surrounding nonalignment and anticolonialism through *Moslem World and the U.S.A.*, now knowingly wrote in 1966 that “everyone knows, the Messenger

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<sup>16</sup> Robin Kelley, *Freedom Dreams: The Black Radical Imagination* (Boston: Beacon Press, 2002), 73.

<sup>17</sup> RAM, *The World Black Revolution*, 14, 16, and 26, accessed May 16, 2016, <https://antiimperialism.files.wordpress.com/2012/10/ahmad-s.pdf>.

<sup>18</sup> Kelley, 81.

(Honorable Elijah Muhammad ) has been teaching and preaching his own (first and ORIGINAL) version of ‘black power’ ideology for almost 40 years – which is a lot longer than the youthful (25-year-old) Mr. Carmichael and his courageous capable colleagues have been around.”<sup>19</sup>

Abdul Basit Naeem argued that the emergence of Black Power was an outcome of the Nation of Islam’s impact on black America. Yet, for Naeem, Elijah Muhammad, and others in the Nation, the answer did not lay in what he called “plain politics.” He anticipated the government’s deep intervention and subversion of the movement, noting that “it is both conceivable and probable that the foe will someday attempt to stifle those who raise the ‘Black Power’ cry.” And he concluded, not unlike the “Black Man and Islam” article in *Moslem World* during the late 1950s, which outlined Islam as the key to African decolonization and black liberation, that only Islam, not politics, could bring about true Black Power.<sup>20</sup>

This chapter explores the politics of the Nation of Islam during the Black Power movement and its contributions to, and engagement with, anticolonial critiques of U.S. foreign policy, anti-Zionist and anti-apartheid discourse, electoral politics, debates surrounding birth control and women of color, and issues of penal reform. Black Power activists represented a critical piece of the broad antiwar movement, emphasizing the disproportionate death toll of black soldiers, the financial burden the war put on War on Poverty programs, and the hypocrisy of drafting black soldiers to fight for freedoms they lacked at home. The NOI’s expression of solidarity with the North Vietnamese was part of a broader Third World solidarity which leveraged critiques at South African apartheid, Jewish Zionism, and British imperialism. Its embrace of electoral politics, which is often framed as one of Malcolm X’s political

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<sup>19</sup> Naeem, “Sees ‘Black Power’ Growing Influence of Muhammad.”

<sup>20</sup> Abdul Basit Naeem, “Islam Instead of Politics will Make True Black Power,” *Muhammad Speaks*, August 26, 1966, 10-11.

contributions after leaving the Nation, was rooted in an earlier recognition by the NOI of the importance of voter registration and black political parties. The NOI's critique of birth control in the early 1960s as an arm of U.S. foreign policy in developing nations was influential in Black Power thought. Yet its intransigence as the pill emerged as a women's rights issue following the interventions of women of color demonstrated the organization's deep commitment to patriarchy. In these debates, the NOI remained an important organizational and theoretical force.

Its organizationally conservative decision not to endorse revolutionary action meant that it receded from the vanguard of the prisoners' rights movement. Malcolm X's break in 1964 had already led many of its more radical elements such as Eldridge Cleaver and Martin Sostre to other political movements and ideologies. But this also sustained its reconstitution and growth under the extreme duress of FBI's COINTELPRO (short for counter-intelligence program), which infiltrated and contributed to the demise of the most radical Black Power organizations. Its fundamental analysis, that "Islam instead of politics will make true Black Power," was remarkably consistent with its longtime position that neither revolutionary politics nor liberal reform would ultimately bring about freedom, justice, and equality for black people in America.

## **Black Power and the Antiwar Movement**

While the Nation of Islam was unique among black activist groups in its refusal to register with the selective service, other civil rights and Black Power figures began speaking out against the war by the mid-1960s. John Lewis, James Bevel, Bayard Rustin, Robert Moses, and A. Philip Randolph all signed a "Declaration of Conscience" in 1964 which called for civil disobedience and other acts of nonviolence in order to "stop the flow of American soldiers and

munitions to Vietnam.”<sup>21</sup> The following summer, the Mississippi Freedom Democratic Party in McComb, Mississippi circulated a leaflet which declared that no “Mississippi Negroes should be fighting in Vietnam for the White Man’s freedom, until all the Negro people are free in Mississippi.”<sup>22</sup> Perhaps not surprisingly, a group of thirty-seven teenagers from the McComb SNCC chapter had heard Malcolm X speak at the Hotel Theresa just seven months earlier. In his speech, Malcolm denounced the War in similar terms:

Imagine that – a country that’s supposed to be a democracy, supposed to be for freedom and all of that kind of stuff when they want to draft you and put you in the army and send you to Saigon to fight for them – and then you’ve got to turn around and all night long discuss how you’re going to just get a right to register and vote without being murdered. Why, that’s the most hypocritical government since the world began!<sup>23</sup>

In January 1966, SNCC became the first major civil rights group to oppose the war.<sup>24</sup> This was in part due to the urging of scholar/activist Howard Zinn, who posed the question a year earlier: “Should Civil Rights Workers Take a Stand on Vietnam?”<sup>25</sup> Martin Luther King, Jr. also broached the need to critique the Johnson administration’s foreign policy in Southeast Asia at the annual SCLC meeting in Baltimore in 1965. In 1967, King delivered his seminal speech on the war, “Beyond Vietnam: A Time to Break Silence,” at New York City’s Riverside Church.

However, many still found black leaders to be misguided in their critiques of the war. One black soldier criticized King and Stokely Carmichael for protesting the war. “They live in a free country,” he said, “and somebody has to pay for it.” A number of black journalists also

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<sup>21</sup> James Farrell, *The Spirit of the Sixties: The Making of Postwar Radicalism* (New York: Routledge, 1997), 183 and Thomas Jackson, *From Civil Rights to Human Rights: Martin Luther King, Jr. and the Struggle for Economic Justice* (Philadelphia, 2007), 310.

<sup>22</sup> Richard Moser, *The New Winter Soldiers: GI and Veteran Dissent During the Vietnam Era* (New Brunswick, NJ: Rutgers University Press, 1996).

<sup>23</sup> Malcolm X, “To Mississippi Youth,” in *Malcolm X Speaks: Selected Speeches and Statements*, ed., George Breitman (New York: Grove Press, 1965), 144.

<sup>24</sup> Thomas Borstelmann, *The Cold War and the Color Line: American Race Relations in the Global Arena* (Cambridge, MA: Harvard University Press, 2001), 202. Also see “Statement on Vietnam War,” January 6, 1966, in *The New Left: A Documentary History*, ed., Massimo Teodori (Indianapolis: Bobbs-Merrill, 1969), 251-252.

<sup>25</sup> Howard Zinn, “Should Civil Rights Workers Take A Stand on Vietnam?” *The Student Voice*, August 30, 1965, 3.

supported the war. *Louisville Defender* editor Frank Stanley wrote that America is “big enough to support both a war in Vietnam and a successful war on poverty here at home.”<sup>26</sup> But as the war escalated and black troops began dying in greater proportions, the voices of opposition among black soldiers and activists at home grew louder. James Westheider notes that “the problem was not [just] that African Americans were overrepresented in Vietnam . . . The problem was that African Americans tended to be concentrated in combat.”<sup>27</sup> As 1965 drew to a close, black soldiers constituted 25 percent of American casualties despite only representing 11 percent of the nation’s population.<sup>28</sup> A variety of factors contributed to higher mortality rates. These ranged from access to money and educational opportunities to racial biases in the Armed Forces Qualification (AFQ) tests, all of which prohibited black soldiers from securing jobs in technical non-combat work. Most insidious was the relationship between Great Society programs meant to help the working poor and the insatiable hunger for more bodies to serve the war. “Project 100,000” was begun by Defense Secretary Robert McNamara in October 1966, and purportedly offered opportunities to the undereducated and poor (those who had scored in the 10-30 percentile range of the AFQ test). Between its inception and June 1969, nearly 250,000 men were recruited through the program, 41% of whom were black. Of these men, half would be deployed to Vietnam and over a third saw combat.<sup>29</sup>

The argument that black soldiers were dying in disproportionate numbers while still not enjoying full citizenship and protections at home were one of a several made by black activists to protest U.S. involvement in Vietnam. John Lewis noted in 1965: “I don’t understand why

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<sup>26</sup> Hietala, 139.

<sup>27</sup> Westheider 10, 13, 15, 139-140,

<sup>28</sup> Lucks, 7.

<sup>29</sup> Westheider 14 and 35. For more on the “Project 100,000” program, see Myra MacPherson, “McNamara’s ‘Other’ Crimes: The Stories You Haven’t Heard, *The Washington Monthly* 27, 6 (June 1995): 28 and Kelly Freenhill, “Don’t Dumb Down the Army,” *New York Times*, November 22, 2009.

President Johnson can send troops to Vietnam, troops to Africa, and to the Dominican Republic, and cannot send troops to protest people in Selma, Alabama, who just want to vote.”<sup>30</sup> As Lewis touched upon, another flashpoint for debate were the underfunded Great Society programs promised by President Johnson in spite of tremendous funding for the war abroad. Johnson’s “guns and butter” approach to wartime spending was predicated on deficit spending to finance his escalation of the war. Spending in Vietnam increased from \$100 million in 1965 to \$28.8 billion by the end of the decade.<sup>31</sup> As Seymour Melman estimated, during this period the “the real war in Vietnam and the paper ‘war’ on poverty used up, together, \$115 billion. Vietnam took 91.7 percent and the ‘war’ on poverty 8.3 percent.”<sup>32</sup> King put these arguments together most eloquently in his speech at Riverside Church. He lamented the lost hope of Johnson’s programs for the poor, which had been “broken and eviscerated as if it were some idle political plaything of a society gone mad on war.”<sup>33</sup>

As these critiques developed, Muhammad Ali’s case moved through the courts. It was unique not only due to his public profile, but because it spanned the arc of black antiwar protest over its long journey from 1966 to 1971. In 1966, only 11 percent favored pulling out. By 1970, as Ali’s trial was nearing a resolution, public opinion had shifted dramatically; over 36 percent chose the options “pull out” and “peaceful settlement.”<sup>34</sup> During that time, Black Power activists had rallied around Muhammad Ali’s case. In March 1968, Floyd McKissick of CORE joined

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<sup>30</sup> Hietala, 139.

<sup>31</sup> “Vietnam Conflict, 1954-1973” in *The American Economy, Essays and Primary Source Documents*, ed. Cynthia Clark (Santa Barbara, CA: ABC-CLIO, 2011), 464.

<sup>32</sup> Seymore Melman, *The Permanent War Economy: American Capitalism in Decline*, revised edition (New York: Touchstone, 1985), 121.

<sup>33</sup> Martin Luther King, Jr., “A Time to Break the Silence,” in *A Testament of Hope: The Essential Writings of Martin Luther King Jr.*, ed., James M. Washington (San Francisco: Harper and Row, 1986), 232-234.

<sup>34</sup> Mark Harmon, “Historical Revisionism and Vietnam War Public Opinion,” *Peace Studies Journal* 3, no. 2 (August 2010): 18.

Amiri Baraka and Jarvis Tyner to protest the Joe Frazier and Buster Mathis heavyweight fight.<sup>35</sup> Baraka argued that there was only one heavyweight champion for black America. Mathis or Frazier “might tell white people that they are the heavyweight champion after this fight, [but] they will never come in the black community claiming that they are heavyweight champion.”<sup>36</sup>

One of its most striking features of Ali’s case was its similarity to the prisoners’ rights cases a decade earlier, as the Justice Department argued that Ali’s objections were primarily political and racial rather than religious.<sup>37</sup> Ali’s earliest statement outlining his opposition to the war in August 1966 stated in certain terms that his opposition *was* religious. According to the teachings of Elijah Muhammad and the Qur’an, Ali claimed he could not fight a war “on the side of nonbelievers.” In fact, Judge Grauman found his beliefs sincere and recommended that he be granted CO status. It was only after the Department of Justice wrote to the Appeal Board emphasizing that his opposition was primarily political that Ali’s claim was rejected.<sup>38</sup>

Prosecutor Carl Walker recalled: “I think politics got into it more than anything else. Back in those days, I was responsible for prosecuting all of what we called the ‘draft evaders,’ and this was the only case I know of where the hearing examiner recommended that conscientious objector status be given and it was turned down.” He added that not only was the NOI an unpopular religious group, but “to some people they weren’t a religious group at all. They were looked upon like the Black Panthers or something along those lines.”<sup>39</sup>

One of the central ironies of Ali’s draft resistance was that his relationship with the Nation of Islam had deteriorated dramatically over the course of the case. At one point, Elijah

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<sup>35</sup> Sammons, 206.

<sup>36</sup> David Wiggins, “Victory for Allah: Muhammad Ali, the Nation of Islam, and American Society,” in *Muhammad Ali, The People’s Champ*, ed. Elliot Gorn (Chicago: University of Illinois Press, 1995), 107.

<sup>37</sup> Mike Marqusee, *Redemption Song: Muhammad Ali and the Spirit of the Sixties* (New York: Verso, 1999), 261.

<sup>38</sup> Wiggins, 98.

<sup>39</sup> Thomas Hauser, *Muhammad Ali: His Life and Times* (New York: Simon and Shuster, 1991), 180.

Muhammad suspended Ali from the Nation for a full year and took away his “holy Name Muhammad Ali,” informing the world that he would again be referred to as Cassius Clay. Although Ali’s tribulations with the draft board were meticulously covered in *Muhammad Speaks* over the first several years, he was not mentioned in the paper between 1969 and 1972.<sup>40</sup> Muhammad had always been uneasy with Ali’s boxing career, decrying sports and music as “white man’s games of civilization.” But despite this feud, it was Elijah Muhammad’s *Message to the Blackman* and Malcolm X’s autobiography that became deciding factors when Ali’s case was decided by the Supreme Court in 1971.

The Justices voted stood 5-3 in Ali’s favor (Thurgood Marshall recused himself because he had been Solicitor General when the case began). Chief Justice Warren Burger assigned Justice John Harlan the majority opinion. Several of Harlan’s clerks were convinced that Ali’s religious views were indeed sincere and suggested that he read these writings. Harlan not only agreed, but even incorporated passages from Muhammad’s book into his opinion, writing that the NOI teaches that “Islam is the religion of peace . . . and that war-making is the habit of the race of devils.”<sup>41</sup> With the case deadlocked at 4-4, Justice Potter Stewart proposed a compromise which would rule in Muhammad Ali’s favor but not provide a precedent by which the Nation of Islam could act as a haven for draft resisters (which was among the Justice Department’s greatest fears). Because the draft board had never specified which of the three requirements for CO status they rejected (grounds of religious teachings, insincere opposition, or because they did not feel he was opposed to war in any form), the Department of Justice had conceded the first two. Stewart proposed that because the draft board had not indicated its reasoning, it was possible that

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<sup>40</sup> Wiggins, 102-106.

<sup>41</sup> Bob Woodward and Scott Armstrong, *The Brethren* (New York: Simon and Shuster, 1979), 138 and Howard Bingham, *Muhammad Ali’s Greatest Fight: Cassius Clay v. the United States of America* (New York: M. Evans and Co., 2000), 261.

it had ruled on one of the two points that the state now surrendered.<sup>42</sup> Despite his ouster from the Nation, Ali's fight at the Supreme Court was won through the literature of Elijah Muhammad and Malcolm X. And like the cases brought by Muslim prisoners in New York a decade earlier, the central contention of the state that the Nation of Islam was primarily a political organization masquerading under the auspices of religion was necessary for a legal victory.

Malachi Crawford argues that "Ali's resistance to the military draft came to symbolize, perhaps more than any other person or event at the time, the NOI's evolving civil rights struggle."<sup>43</sup> While Ali's case encapsulates the broader arc of evolving black antiwar protest from 1966 to 1971, it was merely one component of the Nation of Islam's longer and deeper history of draft resistance and solidarity with colonized peoples. And its articulation of the shared colonial conditions of black Americans and the North Vietnamese provided a foundation for the NOI's critiques of South African apartheid, Zionism, and even the struggles of the Irish against British colonialism.

### **Northern Ireland Fits 'Third World' Category**

The number one weapon of 20<sup>th</sup> century imperialism is Zionist dollarism, and one of the main bases for this weapon is Zionist Israel.

Malcolm X, 1964

Scholars have argued that the Cold War context is crucial for understanding the American civil rights movement. Careful not to position that the Cold War as *good* for the movement, Mary Dudziak suggests that "anticommunism figured prominently on both sides of

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<sup>42</sup> Hauser, 239.

<sup>43</sup> Malachi Crawford, *Black Muslims and the Law: Civil Liberties from Elijah Muhammad to Muhammad Ali* (Lanham, MD: Lexington Books, 2015), xv.

the debate.”<sup>44</sup> On one hand, groups aggravating for social change found themselves censured, condemned, and persecuted for communist sympathies (real or imagined). Conversely, domestic civil rights violations became a “blot” on America’s claim to the mantle of leadership in the free world and were leveraged by American race leaders who played to an international audience of emerging nations. However, Dudziak argues that the rise of the Vietnam War coincided with the recession of these internationalist arguments about American civil rights as a point of leverage. She writes that “the tenor of international coverage of race in America had changed. Civil Rights crises no longer threatened the nation’s international prestige . . . By 1966 Vietnam had replaced American race relations as an important matter of international concern.”<sup>45</sup> Yet, as coverage in *Muhammad Speaks* demonstrates, the Nation of Islam saw the war as consistent with, rather than in contradiction to, American racism. It expressed solidarity with the North Vietnamese to emphasize the global dimensions of the black freedom struggle. While the NOI was certainly not the only Black Power group making these arguments, it remained at the forefront of linkages between black struggle, the Vietnam War, and other Third World liberation movements. For the NOI, Vietnam did not replace “civil rights” issues, but exemplified them. It was another global example alongside Israel, South Africa, and Northern Ireland of U.S. settler-colonialism and imperialism.

Black intellectuals have long theorized the global dimensions of racism and its role in colonialism. Just three years after W.E.B. Du Bois famously deemed the problem of the twentieth century the “problem of the color line,” he emphasized its global dimensions. In his essay “The Color Line Belts the World,” Du Bois wrote that the “Negro problem in America is

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<sup>44</sup> Mary L. Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy* (Princeton: Princeton University Press, 2011), 28.

<sup>45</sup> *Ibid.*, 235 and 242.

but a local phase of a world problem.”<sup>46</sup> As Kelley argues, black historians Carter G. Woodson, Benjamin Brawley, and other essayists in Woodson’s *Journal of Negro History* were “attempting to write transnational history before such terminology came into being.”<sup>47</sup> The language of diaspora and anticolonialism was further refined through what Penny Von Eschen calls a “new political language” forged through the “contested left of the 1930s.”<sup>48</sup> Groups such as the Council on African Affairs (CAA), the African National Congress (ANC), and the South African Passive Resistance Campaign joined the voices of the black press and African trade unions to form what Ralph Ellison once described as an “identity of passions” rooted in a shared history of racial oppression. The CAA prompted four thousand New Yorkers to donate canned goods for a food drive on behalf of South Africa where drought and famine plagued black South Africans.<sup>49</sup> Paul Robeson led a domestic movement among African Americans supporting striking miners before the formalization of South African apartheid.<sup>50</sup> As James Meriwether argues, the Campaign of Defiance of Unjust Laws launched by the ANC in 1952 “pushed African Americans to rethink their own struggle for freedom as it offered a striking model of nonviolence resistance and mass action against white supremacy.”<sup>51</sup>

As black activists used the emergence of South African apartheid to inform their own struggles for civil and human rights, the United States government also articulated its new relationship to South Africa. Its maintenance of friendly relations was predicated upon fueling

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<sup>46</sup> W.E.B. Du Bois, “The Color Line Belts the World,” in *W.E.B. Du Bois: A Reader*, ed. David Levering Lewis (New York: Henry Holt and Co., 1995), 42.

<sup>47</sup> Robin D.G. Kelley, “‘But a Local Phase of a World Problem’ Black History’s Global Vision, 1883-1950,” *Journal of American History* 86, no. 3 (December 1999): 1,064.

<sup>48</sup> Penny M. Von Eschen, *Race Against Empire: Black Americans and Anticolonialism, 1937-1957* (Ithaca: Cornell University Press, 2001), 5.

<sup>49</sup> Brenda Gayle Plummer, *Rising Wind: Black Americans and U.S. Foreign Affairs, 1935-1960* (Chapel Hill: University of North Carolina Press, 1996), 157.

<sup>50</sup> Von Eschen, 44-68.

<sup>51</sup> James Meriwether, *Proudly We Can Be Africans: Black Americans and Africa, 1935-1961* (Chapel Hill: University of North Carolina Press, 2002), 91.

economic growth and building pathways to the country's mineral wealth. Its commitment to capitalism and participation in the United Nations also acted as a bulwark against the Soviet Union.<sup>52</sup> Thomas Borstellman demonstrates how the "precise overlap of apartheid (1948-1990) with the Cold War (1947-1989) reflected white South Africans' effective use of anti-Communism to preserve the U.S. government's support for their undemocratic rule." U.S. foreign policy measures including the Marshall Plan (1948), NATO (1949), and the National Security Council Paper (known as NSC-68) in 1950, all supported anti-Communist governments while funding white supremacist rule in Asian and Africa against indigenous independence movements.<sup>53</sup>

In 1960, the so-called "Year of Africa" in which sixteen African nations freed themselves from French, British, and Belgian colonial rule, 69 people were killed in South Africa while peacefully protesting apartheid pass laws. The Sharpeville Massacre became an international flashpoint which further demonstrated the intersections of apartheid and Jim Crow. SNCC's founding came a mere three weeks after Sharpeville, "spurring global contempt for South Africa's apartheid regime and reinforcing the glaring similarities between the segregated lunch counters of Dixie and the state-sanctioned Bantustans of southern Africa." While scholars have lamented the extent to which the anticolonial dimensions of the immediate postwar civil rights movement were "broken by liberal compromises and anti-communist attacks," the Nation of Islam and SNCC were among those organizations which continued to position the plight of black South Africans alongside its own as part their global struggle against white supremacy.<sup>54</sup>

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<sup>52</sup> Ibid., 97.

<sup>53</sup> Borstellmann, 47 and 269.

<sup>54</sup> Fanon Che Wilkins, "The Making of Black Internationalists: SNCC and Africa Before the Launching of Black Power, 1960-1965," *Journal of African American History* 92, no. 4 (Autumn 2007): 471-472. Wilkins is not alone in pointing out the shift that anticolonial language took in the civil rights movement immediately following World War II. Penny Von Eschen argues that what had once been articulated in terms of shared anticolonial struggles through an analysis of political economy, took on a dehistoricized understanding of racism as pathological and a moralistic

Just as the language of apartheid was mobilized throughout the civil rights movement to condemn Jim Crow segregation, it was employed during the Black Power era by the Nation of Islam and other groups to denounce Jewish Zionism. This connection was even made by South African officials. In 1961, prime minister and apartheid architect, Hendrik Verwoerd, fumed at Israel's vote against apartheid at the United Nations. The "Jews took Israel from the Arabs after the Arabs lived there for a thousand years. In that I agree with them. Israel like South Africa, is an apartheid state."<sup>55</sup> In the summer of 1967, following the outbreak of the Arab-Israeli War, also known as the June War, SNCC published its critique of Zionism, which became the foundational Black Power statement outlining Zionism as a colonial apartheid project.<sup>56</sup> Others quickly followed suit. At the National Conference for a New Politics in September, the Black Caucus offered a resolution against the "imperialist Zionist war."<sup>57</sup> The Black Panthers identified themselves with the Palestinian Liberation Organization (PLO) and one group of Arab Jews in Israel even called themselves the Israeli Black Panthers.<sup>58</sup> But, like SNCC's statement denouncing the Vietnam War the year before, much of the intellectual labor outlining Zionism as a colonial, capitalist project came from the Nation of Islam. Indeed, the author of "The Palestine

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language. See Von Eschen, 156 and 161. Carol Anderson paints a bleaker portrait of McCarthyism and the Cold War, attributing the failure of the movement to address human rights as the result of the "Cold War and the anti-Communist witch hunts . . . [which] systematically eliminated human rights as a viable option for the mainstream African American leadership." It was, "in the end, only a *civil rights*, not a human rights movement," she concludes. See Carol Anderson, *Eyes off the Prize: The United Nations and the African American Struggle for Human Rights, 1944-1955* (Cambridge: Cambridge University Press, 2003), 5 and 269.

<sup>55</sup> Andrew James Clarno, "The Empire's New Walls: Sovereignty, Neo-liberalism, and the Production of Space in Post-apartheid South Africa and Post-Oslo Palestine/Israel" (PhD diss., University of Michigan, 2009), 66-67. Verwoerd was quoted again in *Muhammad Speaks*. See "Zionists Strive to Block Jewish Opposition to S.A.," *Muhammad Speaks*, February 11, 1972 30.

<sup>56</sup> "Third World Round Up; The Palestine Problem: Test Your Knowledge," *SNCC Newsletter*, June-July 1967, 4-5.

<sup>57</sup> Robin D.G. Kelley, "Yes, I Said, 'National Liberation,'" in *Letters to Palestine: Writers Respond to War and Occupation*, ed. Vijay Prashad (London: Verso, 2015), 148-149.

<sup>58</sup> See Alex Lubin, *Geographies of Liberation: The Making of an Afro-Arab Political Imaginary* (Chapel Hill: University of North Carolina Press, 2014), 111-141.

Problem,” Ethel Minor, had once been a member of both the NOI and the OAAU and Stokely Carmichael credited much of his thought on Palestine to her.

The early uncritical stance of the Nation of Islam on Israel mirrors that of other black activists, if perhaps for different reasons. Kelley points out that when Israel was founded in 1948, most black intellectuals and leaders heralded its establishment. A. Philip Randolph called it a “heroic and challenging struggle for human rights, justice, and freedom.” For many, but not all, black writers, Israel was born out of colonial struggle against British imperialism and the mass genocide of the Holocaust. Kelley writes that the “myth of Israel’s heroic war of liberation against the British convinced even the most anticolonial intellectuals to link Israel’s independence with African independence and Third World liberation.”<sup>59</sup> For the Nation of Islam, Jewish Zionism acted as a model for nation building and supported its black nationalist claims for land in the United States.

However, exposure to Arab thought on Israel, in particular through Naeem and *Moslem World*, the NOI began to shift towards an anti-Zionist position. When writing his dissertation on the Nation of Islam, C. Eric Lincoln remarked that a critique of Zionism had been introduced in the late 1950s. Lincoln scrawled in his notes that “Anti-Zionist doctrine is just now becoming a part of overall temple propaganda. [Ahmad Zaki El] Borai and Bashir are working closely with Malcolm X on a long-term project including the importation of a group of dark-skinned Arab-propagandists. Arabs are frequently in touch with E[lijah] in Chicago according to Naeem.”<sup>60</sup> While in setting up Mosque 27 in Los Angeles during the late 1950s, Malcolm X spoke at a press conference held by Dr. Mohammad Mehdi of Iraq, who headed the Arab Information Center. There, he made waves and offended many white journalists present when he suggested that the

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<sup>59</sup> Kelley, “Yes, I Said, ‘National Liberation,’” 146 and 148.

<sup>60</sup> “Race Doctrines,” handwritten notes, no date, Box 136, Folder 8, CELC.

press was controlled by Zionists. Malcolm emphasized solidarity between black people and Arabs, saying that African Americans “would be completely in sympathy with the Arab cause. The only point is they are not familiar with the true problems existing in the Middle East.”<sup>61</sup> Despite this influence, the NOI was still uneven in its denunciation of Zionism over the next half-decade. At his first major college lecture at Boston University’s Human Relations Center in 1960, Malcolm continued to identify Zionism as a model for a separate state. Even as late as May 1964, after he had left the Nation of Islam and made Hajj, Malcolm advocated learning from the “strategy used by the American Jews” and suggested that “Pan Africanism will do for people of African decent [sic] all over the world the same that Zionism has done for Jews all over the world.”<sup>62</sup>

Although Malcolm used Israel as a historical *precedent* rather than a *model*, these comments still lacked the incisive anticolonial critique of his 1964 essay “Zionist Logic.” The shift apparent in this essay is likely due to his visit in 1964 to the Khan Yunis refugee camp in Egypt and his meeting with PLO president Ahmed al-Shukairy.<sup>63</sup> Later that month, his thoughts on Israel as a “new form of colonialism” were laid out in his essay published in the *Egyptian Gazette*. As Manning Marable notes, in 1960, Nkrumah had outlined the establishment of a separate state for Palestinian refugees which would be under independent Arab rule.<sup>64</sup> In “Zionist Logic,” Malcolm argued that Zionism had no legal or religious basis and was simply colonialism camouflaged through philanthropy and economic aid to developing nations. He also made the important link to political economies and charged that imperialism in the 20<sup>th</sup> century was driven

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<sup>61</sup> “Arab Director, Malcolm X Hit U.S. Press, Radio, TV,” *Amsterdam News*, May 3, 1958.

<sup>62</sup> “Malcolm X Makes it Home from Mecca,” *Amsterdam News*, May 23, 1964.

<sup>63</sup> Manning Marable, *Malcolm X: A Life of Reinvention* (New York: Viking, 2011), 367.

<sup>64</sup> Manning Marable, *African and Caribbean Politics from Kwame Nkrumah to the Grenada Revolution* (London: Verso, 1987), 134. Also see *Middle East Record* 1 (1960), ed. Yitzhak Oron (London: Israel Oriental Society, 1960), 184.

by “zionist dollarism.” As opposed to the “African-Arab Unity under Socialism” prescribed by Nasser, the United States and Israel crippled emerging independent African nations through capitalism and militarization.<sup>65</sup> Malcolm’s shifting views seem to have been influenced not only by Nasser’s leadership but also Nkrumah’s vision of Pan-Africanism. Marable concluded that “henceforth Malcolm would view Israel as a neocolonial proxy for U.S. imperialism.”<sup>66</sup> But Malcolm X’s views on Zionism were fluid rather than abrupt, and they had their origins in the Nation of Islam’s developing critique of Israel in the mid-to-late 1950s. The NOI’s stance solidified anti-Zionism as the litmus test by which Black Power activists would be measured on international affairs. Nearly three years later, SNCC’s newsletter published “The Palestine Problem,” in what Stokely Carmichael claimed was one such chance: to test the organization’s leadership in “the form of sharp questions against a background of incontestable historical facts.”<sup>67</sup>

SNCC was meeting amidst the Arab-Israeli War in June 1967 when the Central Committee asked that a report on the conflict be prepared.<sup>68</sup> The document listed thirty-two facts regarding Palestine intended to educate those in the organization rather than be presented as a position paper.<sup>69</sup> However, in part because it was accompanied by photographs and political cartoons from SNCC’s Kofi Bailey, the article quickly ignited a firestorm of opposition. Bailey’s image not only critiqued Zionism; it made linkages between the Vietnam War (referencing Muhammad Ali’s draft resistance), American imperialist support of Israel’s military (a Jewish

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<sup>65</sup> Malcolm X, “Zionist Logic, *Egyptian Gazette*, September 17, 1964.

<sup>66</sup> Marable, *Malcolm X*, 367.

<sup>67</sup> Keith Feldman, “Representing Permanent War: Black Power’s Palestine and the End(s) of Civil Rights,” in *Black Routes to Islam*, eds., Manning Marable and Hishaam D. Aidi (New York: Palgrave Macmillan, 2009), 89-90.

<sup>68</sup> Ronald Radosh, *Divided They Fell: The Demise of the Democratic Party, 1964-1996* (New York: The Free Press, 1996), 30.

<sup>69</sup> Clayborne Carson, “Blacks and Jews in the Civil Rights Movement,” in *Strangers and Neighbors: Relations Between Blacks and Jews in the United States*, eds., Maurianne Adams and John Bracey (Boston: University of Massachusetts Press, 1999), 582-583.

Star of David overlaid with a dollar sign) and Pan-Arab nationalism (in the form of Gamal Abdel Nasser).<sup>70</sup>

Although Ethel Minor claims that the original aim was to merely lay out an “objective critique of the facts,” her background suggests an interest in its policy implications as well. Minor was a former Chicago schoolteacher who had lived in Colombia, South America before returning to join the Nation of Islam.<sup>71</sup> She left when Malcolm X split in 1964, becoming secretary of the OAAU that summer.<sup>72</sup> Although she moved back to Chicago, Minor continued to be close with Malcolm X and met with him a month before his death.<sup>73</sup> While Minor was likely influenced by her closeness to Palestinian students in college, her critique of Zionism was also drawn from her time in these black nationalist organizations.<sup>74</sup> After her time in SNCC, she would return to write for *Muhammad Speaks* in 1969.<sup>75</sup> Despite the public relations fallout following the article, as Kelley notes, it was the primary catalyst in moving “Black identification with Zionism as a striving for land and self-determination . . . to a radical critique of Zionism as a form of settler colonialism akin to American racism and South African apartheid (emphasis in original).”<sup>76</sup>

Most unique among the Nation of Islam’s anticolonialism during the Black Power-era was its embrace of the Irish Catholic struggle against British imperialism. In 1972, an article in

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<sup>70</sup> Feldman, 92-93.

<sup>71</sup> Ethel Minor, “An African American Tells Why She Followed Malcolm X,” in *Oh Freedom! Kids Talk about the Civil Rights Movement with the People Who Made it Happen*, eds., Casey King and Linda Barrett Osborne (New York: Random House, 1997), 94-96. Accessed May 23, 2016, <http://herb.ashp.cuny.edu/items/show/963>.

<sup>72</sup> OAAU FBI File, Summary Report, New York, September 23, 1964, 29 and OAAU FBI, Director to Chicago, Memorandum, March 3, 1964.

<sup>73</sup> OAAU FBI, Director to Chicago, Memorandum, February 18, 1965, 2.

<sup>74</sup> Carson, “Blacks and Jews in the Civil Rights Movement,” 582 and Radosh, *Divided They Fell*, 31.

<sup>75</sup> Ethel Minor, “Black Activist’s Activities in Africa,” *Muhammad Speaks*, October 10, 1969, 35, 37-38.

<sup>76</sup> Kelley, “Yes, I Said, ‘National Liberation,’” 149. As Minor later recalled of this period in SNCC, “I really felt that we were among the most important people in the world, and we were definitely accomplishing world-shaking tasks.” See Carson, *In Struggle: SNCC and the Black Awakening of the 1960s* (Cambridge: Harvard University Press, 1982), 228.

*Muhammad Speaks* argued that despite being a European country, Northern Ireland is “part of what has come to be called the Third [World]. Its struggle is the same as those countries in Asia, Africa and Latin America, which are fighting for independence both politically and economically.”<sup>77</sup> Like the Sharpeville Massacre in 1960 and the Arab-Israeli War in 1967, the NOI’s solidarity with Irish nationalists came in the aftermath of “Bloody Sunday” in 1972, when British soldiers killed fourteen protesters marching against internment in Northern Ireland. A month later, the article noted that the Irish Republican Army is “leading a massive struggle against the fascistic Special Powers Act, an act that ex-Prime Minister Vorster said that he wished that he had had to facilitate his rule in South Africa.” People are “continually harassed,” it continued, “and every day homes are destroyed in the British Army’s ‘gun searches,’ similar to those of the Israelis in land they occupy.” Ivan Barr, chairman of the Northern Ireland Civil Rights Association, was visiting the United States and emphasized that the “problems of Black people in the U.S. and the Catholic minority in N.I. are so much the same.” While acknowledging that Catholics look the same and often carried the same names, the newspaper offered another colonial analogy: “Ireland is to Britain, as Puerto Rico is to the U.S.”<sup>78</sup>

While Elijah Muhammad may have been uncomfortable with the sympathies of some of the articles in *Muhammad Speaks* during this period, the Nation of Islam’s commitment to articulating a Third World anticolonial – and anti-essentialist - critique pervaded the Black Power years.<sup>79</sup> According to Munir Umrani, a staff reporter at *Muhammad Speaks*, the period from 1969 to 1973 was one of “heavy Marxist leaning” and editor John Woodford was dismissed

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<sup>77</sup> “Northern Ireland Fits ‘Third World’ Category,” February 25, 1971, 6. Although this article is listed as a special to *Muhammad Speaks*, pieces of it appeared verbatim in the *Pittsburgh Courier* almost a month earlier. See “Northern Ireland Rights Group Launches Civil Disobediences Drive,” *Pittsburgh Courier*, January 29, 1972.

<sup>78</sup> *Ibid.*, 5-6.

<sup>79</sup> See Crawford, *Black Muslims and the Law*, 112.

in 1972 for what many believed were his leftist leanings. Rather than replace indictments of American racism or detract from them, the Vietnam War, was positioned alongside other liberation movements by the NOI to highlight the colonial status of African Americans and the global dimensions of white supremacy.

## **Ballots or Bullets?**

Malcolm X's "The Ballot or the Bullet" at a CORE-sponsored event at Cory Methodist Church in Cleveland has been seen by some scholars as one of the first articulations of Malcolm's developing political identity after his break with the Nation of Islam in 1964. The speech coincided with the formation of Muslim Mosque Inc. and his official independence from the NOI. In his address, he told the audience that a "ballot is like a bullet. You don't throw your ballots until you see a target, and if that target is not within your reach, keep your ballot in your pocket."<sup>80</sup> The socialist newspaper, *The Militant*, announced that Malcolm would soon organize a mass voter registration drive.<sup>81</sup> Marable wrote that although Malcolm's title sounded "incendiary, at its core the speech actually contained a far more conventional message . . . Gone was the old Nation of Islam claim that participation in the system could have little effect."<sup>82</sup> But Malcolm's embrace of electoral politics, or at least his recognition of voter registration as a necessary weapon in the arsenal of democracy, was not the sharp departure historians have argued.

In fact, the very title of his speech may have been influenced by the pages of *Muhammad Speaks*. In 1962, journalist Sylvester Leaks penned a front-page story on the civil rights struggle

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<sup>80</sup> Malcolm X, "The Ballot or the Bullet," in Breitman, ed., 38. For coverage of the speech, see "It's Ballots or Bullets Answers Malcolm X," *Cleveland Plain Dealer*, April 4, 1964.

<sup>81</sup> "Malcolm X to Organize Mass Voter Registration," *The Militant*, April 6, 1964.

<sup>82</sup> Marable, *Malcolm X*, 302.

in Fayette County, Tennessee to register black residents to vote. The subtitle of Leaks' story read: "Fayette Fought For Freedom With Bullets and Ballots."<sup>83</sup> Leaks documented the eviction of many black residents who had registered to vote, which led to the formation of what was known as "tent city." Many families lived on this land for years while the Original Fayette County Civic and Welfare League was established with the aim of doubling black voter registration. In a county with only 3,500 white eligible voters and nearly 9,000 blacks, "they were the economic backbone of the county, with no political representation." For Leaks, there was only "one way the injustice could be corrected. Register and vote."<sup>84</sup> While he would eventually leave his post as editor at *Muhammad Speaks* and become associated with the OAAU, his advocacy for voter registration fell in line with NOI official decree. At the 1963 annual Saviour's Day celebration, Elijah Muhammad declared that the future of black Americans "lies in electing our own." In a front-page article in *Muhammad Speaks*, Muhammad declared that there "will be no real freedom for the so-called Negro in America until he elects his own political leaders and his own candidates." The newspaper claimed that the NOI would soon "enter the political arena on the side of candidates with programs designed to alleviate the deplorable conditions under which Negroes are forced to live . . . [and] may portend a giant coast-to-coast registration drive in preparation for the 1964 national elections."<sup>85</sup>

This shift towards black bloc voting, voter registration drives, and black political parties mirrored the trajectory of the civil rights movement more broadly. James Forman joined SNCC in 1961 after his organizing in Fayette County with other SNCC activists, and their experiences

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<sup>83</sup> There was also the 1936 gangster film starring Edward G. Robinson and Humphrey Bogart entitled *Bullets or Ballots*.

<sup>84</sup> Sylvester Leaks, "Fayette's Fantastic Fight," *Muhammad Speaks*, September 15, 1962, 1, 12-13.

<sup>85</sup> "Elect Your Own Candidates," *Muhammad Speaks*, March 18, 1963.

in Tennessee informed future strategies.<sup>86</sup> SNCC was embroiled in an internal debate over nonviolent direct action versus voter registration drives during these early years of the organization and many believed the latter played into the Kennedy administration's hopes to distract activists from desegregation campaigns.<sup>87</sup> Muhammad's call for electoral participation also coincided with the founding of all-black political parties such as the Mississippi Democratic Freedom Party (MFDP) in the Jackson, Mississippi and the Freedom Now Party in Detroit. In April 1963, a year before Malcolm's famous declaration in Cleveland, journalist Wallace Terry reported that minister Lonnie X Cross announced that the Nation would cooperate with civil rights organizations in employment and voter registration in Washington, D.C. While Cross was deeply critical of Martin Luther King's efforts to challenge segregation in Albany and Birmingham, he offered praise for voter registration drives in support of black candidates.<sup>88</sup> Yet it was still unclear exactly what Muhammad's call for political engagement meant. As Malcolm X told Louis Lomax in a 1963 interview: "Mr. Muhammad is the only one who can explain that fully. However, I can say that we may register and be ready to vote. Then we will seek out candidates who represent our interests and support them. They need not be Muslims; what we want are race men who will speak out for our people."<sup>89</sup>

By the period that Komozi Woodard has labeled the Modern Black Convention Movement, the Nation of Islam was comfortably within the fold of black electoral politics. The group viewed the formation of the National Black Assembly in 1972 at the Gary Convention with approval. Woodard deemed Gary the "zenith of the politics of black nationality formation"

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<sup>86</sup> Barbara Ransby, *Ella Baker and the Black Freedom Movement: A Radical Democratic Vision* (Chapel Hill: University of North Carolina Press, 2003), 279.

<sup>87</sup> Carson, *In Struggle*, 31.

<sup>88</sup> Wallace Terry, "Black Muslims to Back Vote," *Washington Post*, April 11, 1963.

<sup>89</sup> Louis Lomax, *When the Word is Given: A Report on Elijah Muhammad, Malcolm X, and the Black Muslim World* (Cleveland: World Publishing Co., 1963), 180.

and what he identified as the goals of the movement more broadly – to build a black united front and create a black and Puerto Rican alliance – were congruent with the NOI’s agenda.<sup>90</sup>

*Muhammad Speaks*’ coverage of the Gary Convention praised what some viewed as “one more step in the direction of Black political independence from white America.”<sup>91</sup> However, the newspaper was critical of the agenda it produced. It claimed it positioned black politics as “a new baby for the masses of Black people” rather than acknowledge its rich tradition; it also criticized its “‘Zionist’ brand of nationalism.” In some ways, the Gary Convention’s denouncement of the failures of both major parties and rejection of white liberalism as a viable answer echoed the NOI’s decade-long critique of the white political system’s capacity for change.<sup>92</sup> Yet international issues, particularly Zionism, proved to be a stumbling block for achieving black unity. The NOI also denounced the Black Caucus for some of its members’ support of Israel.<sup>93</sup> Likewise, the newspaper called upon Democratic presidential candidate Shirley Chisholm, despite her developing stance on Israel, to take a firmer stand on Zionism.<sup>94</sup> While the Nation of Islam does not appear to have ever launched the major voting registration drives it gestured towards at the 1963 convention, it was never as opposed to electoral politics as scholars have suggested. Nor was Malcolm X’s “The Ballot or the Bullet” address in 1964 antithetical to the official position of the NOI. His claim to be “carrying into action the teaching of Elijah Muhammad” through voter registration drives despite being no longer a part of the organization was sincere.<sup>95</sup>

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<sup>90</sup> Komozi Woodard, *A Nation Within a Nation: Amiri Baraka (LeRoi Jones) and Black Power Politics* (Chapel Hill: University of North Carolina Press, 1999), 44 and 256.

<sup>91</sup> “National Black Political Convention,” *Muhammad Speaks*, March 24, 1972, 3.

<sup>92</sup> “Scenes from the Political Convention,” *Muhammad Speaks*, March 31, 1972, 4.

<sup>93</sup> “Hypocrisy of Black Caucus,” *Muhammad Speaks*, June 9, 1972.

<sup>94</sup> “Rep. Chisholm Modifies Stance on Middle East,” *Muhammad Speaks*, April 21, 1972, 5-6.

<sup>95</sup> “Malcolm X to Organize Mass Voter Registration,” *The Militant*, April 6, 1964.

## Genocide or Liberation?

White folks can have their birth control. Personally, I've never trusted anything white folks tried to give us with the word 'control' in it. Anything good with the word 'control' in it, white folks don't us to have. As soon as we started talking about community control, white folks went crazy.<sup>96</sup>

Dick Gregory, 1971

Comedian Dick Gregory's "Answer to Genocide" in 1971 typified a common theme of the Black Power era: that government-sponsored birth control was a part of an agenda to control the darker nations of the world through population control. As Jennifer Nelson notes, the Nation of Islam was one of the first to "outline the dual demands for an end to reproductive abuses and improvement of total health care in poor communities."<sup>97</sup> It was also one of the last standing after women of color argued for its liberatory possibilities. On one hand, the Nation of Islam was at the forefront of debates about the government's role in exploitative and immoral healthcare before the practices of forced sterilization and the Tuskegee Experiments were widely exposed. Most nationalist groups, including the Black Panther Party, the NOI, and the Young Lords, drew these parallels between birth control and genocide at some point. That the Young Lords took a pro-fertility position, Jennifer Nelson notes, was largely due to the "actions of a few very outspoken and powerful women within the organization who were sympathetic to feminism."<sup>98</sup> The Panther's shift in the mid-1970s corresponded with a broader criticism focusing on federally-supported sterilization of women of color.<sup>99</sup> Its views on reproductive rights issues such as abortion and birth control helped to develop important critiques within the Black Power Movement. Yet, as other groups responded to the challenge issued by black feminists, the NOI

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<sup>96</sup> Dick Gregory, "My Answer to Genocide," *Ebony*, October 1971, 66.

<sup>97</sup> Jennifer Nelson, *Women of Color and the Reproductive Rights Movement* (New York: New York University Press, 2003), 100.

<sup>98</sup> *Ibid.*, 114.

<sup>99</sup> *Ibid.*, 89.

marginalized and silenced black women's voices in these debates, emphasizing their roles as mothers and reproducers. Its resistance to arguments about birth control as reproductive and women's rights issues demonstrated its unwavering patriarchy.

As birth control emerged in popular debates in the early 1960s, it was not yet viewed primarily as a women's rights issue, but rather within conversations about overpopulation in so-called "developing" nations. This shaped the tenor of the black nationalist critiques of birth control as genocide. The emergence of birth control as a hot-button issue at the federal level came in 1959 with the publication of the Draper report. President Eisenhower had appointed General William Draper to the head of the Committee to Study the United States Military Assistance Program in the final year of his presidency hoping to find financial savings in foreign aid while bolstering the nation's place overseas. The report ultimately intertwined economic and political arguments to moral and religious ones. It noted that no "realistic discussion of economic development can fail to note that development efforts in many areas of the world are being offset by increasingly rapid population growth." While the Draper report did not argue for requiring birth control as a stipulation for foreign aid, it nevertheless suggested that the government should promote "birth control techniques [as] an explicit item of the technical assistance program."<sup>100</sup> The State Department identified population growth was one of the chief obstacles to "economic and social progress and the maintenance of political stability in many of the less developed areas of the world."<sup>101</sup> Although Eisenhower vehemently opposed the government's involvement in

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<sup>100</sup> Donald Critchlow, *Intended Consequences: Birth Control, Abortion, and the Federal Government in Modern America* (New York: Oxford University Press, 1999), 43-44.

<sup>101</sup> Claude E. Welch, Jr., "Birth Among Nations," *The Harvard Crimson*, December 9, 1959.

distributing information about birth control, the topic soon became a flashpoint for debate as John F. Kennedy emerged as a Catholic presidential nominee <sup>102</sup>

One of the earliest glimpses of the NOI's position on birth control came in 1962, when Malcolm X was interviewed by the Hannah Stone Center's director, Marion Hernandez, and a black field consultant, Wylda Cowles. He emphasized the importance of the population control question by suggesting that "family planning" would be a better term than "birth control" since black people would be "more willing to plan than to be controlled." But while he was intrigued by the economic arguments the women made for black families to better their standard of living, Hernandez and Cowles noted that the "mention of overpopulation reasons evoked questions [from Malcolm] on why major efforts to control population are directed toward colored nations." Therefore, they wrote that "this aspect was played down." Malcolm agreed to cooperate with the Stone Center and even suggested Hernandez talk with women in the movement. But his bristling at the question of population control, and his distinction between "planning" and "control," anticipated many of the arguments for birth control as genocide which emerged over the next decade amongst black nationalists.<sup>103</sup>

The Nation of Islam's skepticism about birth control was not without precedent amongst black nationalists. As early as 1934, the UNIA passed a resolution against contraception.<sup>104</sup> In a letter to the Baltimore *Afro-American* in 1960, a reader from Akron, Ohio wrote that since people of color "constitute two-thirds of the world's population . . . It's my belief that this birth control is aimed at India, China and Africa. The whites are afraid that the world's colored

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<sup>102</sup> Lawrence McAndrews, *What They Wished For: American Catholics and American Presidents, 1960-2004* (Athens: University of Georgia Press, 2014).

<sup>103</sup> Partial copy found in online version of Jill Lepore, "Birth Control in the Cabinet: Planned Parenthood in the Archives," *New Yorker*, November 4, 2011. Full version can be found in Wylda Cowles to Alan Guttmacher, March 28, 1966, "Black Attitudes from 1962" folder, Planned Parenthood Federation of America Papers, Sophia Smith Collection, Smith College.

<sup>104</sup> Nelson, 94.

populace is ready to seek revenge.”<sup>105</sup> The NOI’s position on birth control hinged precisely on this issue of population control. Muhammad argued that the government’s implementation of birth control as a “major phase of America’s foreign ‘aid’ program – in some cases the ‘hook’ on which all other aid to underdeveloped countries hangs.”<sup>106</sup> As Nelson notes, the argument that feminists and other people of color were articulating in the mid-1970s were “partially articulated by members of the Nation of Islam in the late 1960s.”<sup>107</sup>

However, what the NOI missed in its critique of the imperialist and racist dimensions of birth control, was its gendered component. In 1968, six black women offered up “The Sisters Reply” as a statement by the Black Unity Party in Peekskill, New York to the debate on birth control.<sup>108</sup> The pamphlet noted that “Black women are being asked by militant black brothers not to practice birth control because it is a form of whitey committing genocide on black people.” They stressed that black women should be able to decide for themselves as having too many children “stops us from supporting our children, teaching them the truth or stopping the brainwashing as you say, and fighting black men who still want to use and exploit us.” The essay forcefully rejected a brand of Black Power that did not consider reproductive rights first and foremost as a women’s issue. Even more significant in shifting the debate was Toni Cade Bambara’s essay “The Pill: Genocide or Liberation,” in the seminal black feminist anthology *The Black Woman*.<sup>109</sup> Bambara contended that black women should be able to interrogate the state’s role in control of their bodies while still rejecting the notion that black women’s role was to have

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<sup>105</sup> Henry Zanders, “Re: Birth Control,” *Baltimore Afro-American*, January 23, 1960.

<sup>106</sup> Quoted in Nelson, 96.

<sup>107</sup> *Ibid.*, 98.

<sup>108</sup> “The Sisters Reply,” in *Dear Sisters: Dispatches from the Women’s Liberation Movement*, eds., Linda Gordon and Rosalyn Baxanfall (New York: Basic Books, 2000), 135, accessed May 23, 2016, [http://library.duke.edu/digitalcollections/wlmpc\\_wlmms01008/](http://library.duke.edu/digitalcollections/wlmpc_wlmms01008/).

<sup>109</sup> Toni Cade Bambara, “The Pill: Genocide or Liberation,” *The Black Woman: An Anthology* (New York: Mentor, 1970), 162. The article originally appeared in *Onyx Magazine* in August 1969.

“babies for the revolution.” As Margo Natalie Crawford argues, *The Black Woman* “documents black women’s attempts to name themselves during the Black Power Movement . . . Black women’s bodies were too often the medium for black male dreams of a nation-state; their bodies were often the canvas for the geography of Black Power.”<sup>110</sup> This was often the case with the Nation of Islam, as women’s bodies were often framed as reproductive sites for nation building. As Elijah Muhammad asked, “Who wants a sterile woman? . . . No man wants a non-productive woman.”<sup>111</sup>

By the middle of 1971, 90 percent of Americans believed information about family planning should be provided to all who want it. Black nationalists such as CORE’s Floyd McKissick had conceded a middle ground which criticized birth control as a “sort of painless genocide” in which poor and black people simply disappeared from the landscape while still noting that all people should be able to determine the number of children they want.<sup>112</sup> Yet the largely male authorship of *Muhammad Speaks* continued to make arguments against birth control and abortion well into the 1970s.<sup>113</sup> Members of the NOI protested at birth control clinics and political cartoons in the newspaper showed birth control pills with a skull and crossbones.<sup>114</sup> *Muhammad Speaks* even went as far as to denounce black women who supported the Equal Rights Amendment in 1972 guaranteeing equal rights to women, suggesting that it would “wipe out all of the protective legislation that women forced unions to force lawmakers to pass over the

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<sup>110</sup> Margo Natalie Crawford, “Must Revolution Be a Family Affair? Revisiting *The Black Woman*,” in *Want to Start a Revolution? Radical Women in the Black Freedom Struggle*, eds., Dayo Gore, Jeanne Theoharis, and Komozi Woodard (New York: New York University Press, 2009), 196.

<sup>111</sup> Quoted in Nelson, 96-97.

<sup>112</sup> Robert Weisbord, *Genocide? Birth Control and the Black American* (New York: Greenwood Press, 1975), 7 and 9.

<sup>113</sup> See Jitu Weusi, “Scribe Views Essence’s Descent into Dregs of Evil,” *Muhammad Speaks*, September 22, 1972, 13-14, and 25. This should not suggest there were not women critics of birth control. For instance Black Panther, Brenda Hyson, claimed that birth control laws would “kill off Blacks and other oppressed people before they are born.” See Nelson, 94.

<sup>114</sup> Kelley, *Freedom Dreams*, 146.

last 100 years.” “‘Liberal’ women backing the ERA,” it claimed, “are selling out their own ‘Sisters.’”<sup>115</sup> The anticolonial critique of birth control that the organization had developed in the early 1960s amidst international conversations about government-sponsored population control, remained uninformed by a gender analysis which envisioned women’s liberation through birth control and family planning. While the NOI’s position on reproductive rights was not produced in a vacuum, and responded to the emergence of birth control as a conversation about population control and economic development in Third World nations, it was ultimately unwilling to incorporate the feminist understandings of the liberatory power of birth control.

### **“The New Prisoner”**

As discussed in Chapter Three, the prisoners’ rights movement has typically been regarded as a social movement born from a combination of civil rights workers drawn to the inhumane treatment of prisoners through their own jailing and incarceration and later by charismatic figures such as George Jackson, Angela Davis, and Eldridge Cleaver.<sup>116</sup> Prison narratives such as *The Autobiography of Malcolm X* (1965), Eldridge Cleaver’s *Soul on Ice* (1968), and George Jackson’s *Soledad Brother* (1970), positioned the prison as “a pivotal institution of black radical self-making.”<sup>117</sup> This movement had deep roots in the organizing by Muslim prisoners in New York State nearly a decade before. Yet, while scholars have largely acknowledged – if not adequately explored - the significance of the Nation of Islam’s prison activism leading up to the emergence of a full-fledged prisoners’ rights movement, the NOI has

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<sup>115</sup> “Black Women and the ERA,” *Muhammad Speaks*, March 17, 1972, 2.

<sup>116</sup> See Dan Berger, *Captive Nation: Black Prison Organizing in the Civil Rights Era* (Chapel Hill: University of North Carolina Press, 2014), 20-48 and Zoe Colley, *Ain’t Scared of Your Jail: Arrest, Imprisonment, and the Civil Rights Movement* (Gainesville: University Press of Florida, 2013).

<sup>117</sup> Berger, 118.

remained largely absent from the literature on Black Power-era challenges to the carceral state.<sup>118</sup>

For example, Dna Berger suggests that it was the Black Panther Party through which the “growing importance of the prison in black political thought can be traced.”<sup>119</sup>

In some respects, these conclusions are due to the shifting strategy of the NOI following its successful legal challenges as well as the emergence of other black nationalist organizations in prisons. Still, the experiences of Muslim prisoners during the Black Power era of prison organizing remained painfully similar to previous decades. This section explores the changing role of the NOI in prisons in the late 1960s and early 1970s as it sought to protect hard-earned legal victories while encountering competition from emerging Black Power groups such as the Young Lords and Black Panther Party. Despite seemingly losing its status in black radical prison politics, demographic changes in prisons and the continuation of religious and racial persecution meant that the Nation of Islam’s message still resonated amongst many incarcerated blacks and Latinos. In fact, the NOI leveraged one of its chief legal victories of the early 1960s – prisoner access to religious counsel and *Muhammad Speaks* – to position its newspaper at the forefront of prison activism. As the plight of prisoners became a flashpoint for black radical organizations and emerged in the public eye following George Jackson’s death and the Attica Rebellion of 1971, *Muhammad Speaks* became a vehicle for prisoners to make appeals to the public and continue their claims on the state.

In early 1964, as Malcolm’s break with the NOI became a national headline, the number of Muslims in New York prisons stood at nearly six hundred. Prison inspector Richard

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<sup>118</sup> For example, Marie Gottschalk acknowledges that the “Black Muslims were the catalyst for a string of court decisions that gave prisoners important and unprecedented protections and rights behind bars” and James Jacobs goes further by claiming they were “undoubtedly the best organized and most solidary group to exist for any length of time in American prisons.” See Marie Gottschalk, *The Prison and the Gallows: The Politics of Mass Incarceration in America* (Cambridge: Cambridge University Press, 2006), 175 and James Jacobs, “The Prisoners’ Rights Movement and Its Impacts, 1960-1980,” *Crime and Justice* 2 (1980): 435.

<sup>119</sup> Berger, 66.

Woodward worriedly noted that Muslim influence continued to grow. A sit-down strike was planned at Attica; there were disturbances at Clinton and Great Meadow in New York; and Virginia, Indiana, Georgia, and California all reported activity.<sup>120</sup> Yet the repeated attempts by the NOI to achieve religious rights through the courts had still brought no “clear cut decision as to whether the Muslim is a true religion.” Like most in the corrections community, he clung to the idea that prison security justified suppression of Islam: “While freedom to believe is absolute, freedom to act is not. The latter is subject to regulation for the protection of society.”<sup>121</sup> Meanwhile, at Stateville Prison in Illinois, a lawsuit by Muslim prisoner Thomas Cooper would change that equation forever by becoming the “Supreme Court’s first modern prisoners’ rights case.”<sup>122</sup>

Cooper had filed the *pro se* suit in 1962 arguing that he was placed in solitary confinement for his religious beliefs, violating section 1983 of the 1871 Civil Rights Act.<sup>123</sup> A year earlier, Muslim prisoners had also begun contacting the ACLU, a new approach which Richard Woodward cited in New York as an attempt to garner support when due process had failed them.<sup>124</sup> Cooper relied on a combination of legal aid from the ACLU, LaSalle Street Lawyers, and NOI lawyer, Edward Jacko. The charges against the warden and commissioner were similar to those heard in Buffalo, and the warden of Stateville Prison used the familiar logic that any concessions made to the NOI would lead to an inevitable breach in prison security. In fact, the former warden and then-state commissioner wrote to the U.S. attorney general in 1964

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<sup>120</sup> Richard Woodward to Richard Sampson, Memo, May 20, 1964, Box 24, Items 850-859, Non-Criminal Investigation Case Files (NCICF), New York State, Division of State Police, New York State Archives. Also see “Muslims in Ga. Jail Plan Court Action,” *Chicago Daily Defender*, March 21, 1962.

<sup>121</sup> Woodward to Sampson, NCICF.

<sup>122</sup> Jacobs, “The Prisoners’ Rights Movement,” 434.

<sup>123</sup> He also cited the Illinois Bill of Rights and the 1<sup>st</sup>, 5<sup>th</sup>, and 14<sup>th</sup> U.S. Constitutional Amendments. For an in-depth study of the *Cooper v. Pate* case and its origins, see Toussaint Losier, “...For Strictly Religious Reason[s]: *Cooper v. Pate* and the Origins of the Prisoners’ Rights Movement,” *Souls* 15, nos. 1-2 (2013): 32.

<sup>124</sup> Richard E. Woodward, Bulletin, April 1961, Box 21, Items 340-349, NCICF.

that it “would be impossible for me to stress too strongly the importance of the [Cooper] case to the penitentiary system. There is absolutely no question but that the Black Muslims are dedicated to destroying discipline and authority in the prison system. Any concession is a step toward chaos.”<sup>125</sup>

Cooper’s suit was originally dismissed in 1962 after Judge Austin ruled that the Nation of Islam was not an authentic religious organization. The case eventually moved up the Supreme Court after it was determined that the lower courts should have granted Cooper a trial. Yet, Judge Austin had denied more than a trial. He also prohibited Cooper’s access to *Muhammad Speaks* and Arabic and Swahili textbooks, even rejecting his appeal to be released from solitary confinement.<sup>126</sup> The real victory in *Cooper v. Pate* (combined with *Jones v. Cunningham* in 1963) was that state prisoners now had the right to file writs of habeas corpus and the courts would no longer subscribe to the “hands-off” policy which had defined prisoners since the 1871 ruling in *Ruffin v. Commonwealth* as “slaves of the state.”<sup>127</sup>

However, one of the most significant and forgotten aspects of the *Cooper v. Pate* case is the role that the state saw for Malcolm X in the emerging saga between the former minister and the Nation of Islam. The state’s attempt to breed jealousy within the Nation of Islam’s inner circle and eventually cause a break between Malcolm and Elijah Muhammad is well-documented. For several years, the FBI had been developing a campaign to expose the news of Muhammad’s infidelities to high-ranking officials in the NOI.<sup>128</sup> In 1960, the FBI’s deputy director approved an anonymous letter written by the Bureau to be sent to his wife, Clara

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<sup>125</sup> James Jacobs, *Stateville: The Penitentiary in Mass Society* (Chicago: University of Chicago Press, 1977), 65.

<sup>126</sup> Cooper had been held in solitary confinement since 1959. See Losier, 32 and 34.

<sup>127</sup> The ruling in *United States v. Muniz* (1963) had granted prisoners the ability to sue for damages for any personal injuries sustained during confinement at a federal prison but the state level had yet to be successfully challenged. See *ibid.*, 38.

<sup>128</sup> Clegg, 189.

Muhammad, and other ministers informing them of Muhammad's extramarital affairs.<sup>129</sup> With Malcolm denouncing the Nation of Islam in the press and exposing the news of his affairs in 1964, attorney generals in New York and Illinois looked to leverage the break to their advantage. Having personally experienced Malcolm X's persuasiveness as an expert witness in the *SaMarion v. McGinnis* case, William Bresnihan wrote to J. Edgar Hoover and J. Walter Yeagley of the Justice Department and implored them to pay to fly Malcolm back from Egypt and testify in an upcoming trial.<sup>130</sup>

Meanwhile, the Illinois Assistant Attorney General Richard Freidman remained hopeful that Malcolm might testify on behalf of the state in the *Cooper* case, after interviewing him with attorney general Thomas Decker for nearly ten hours in January 1965. Yet, the FBI was less optimistic, reporting that Malcolm was "seemingly disinterest[ed] in the matter" and most of his interview focused on an interest in appealing to the United Nations on behalf of African Americans in the United States.<sup>131</sup> The state was never able to actualize its vision of Malcolm X as a dissenting voice which could undo Muslim prison organizing, and Judge Austin eventually ruled that Muslims be granted access to the Qur'an, communication and visits with ministers, and allowed to attend Muslim services.<sup>132</sup> But, more importantly, the case was the first in which the Supreme Court authorized prisoners to sue under the Civil Rights Act. As James Jacobs

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<sup>129</sup> Marable, *Malcolm X*, 182.

<sup>130</sup> Malcolm X FBI File, William Bresnihan to J. Walter Yeagley and J. Edgar Hoover, October 16, 1964. In Hoover's response he suggests that the Bureau "doubt[s] he has defected from the beliefs of the Muslims or that there is any great ideological separation . . . I would be surprised if Malcolm X would be of any value to you as a witness if he were called." His letter also reveals the shallow extent to which the FBI's understood Malcolm's activities abroad. Despite knowing some dates and places, Hoover wrote that the "best we can determine is that he is traveling in Africa." Malcolm X FBI File, J. Edgar Hoover to William Bresnihan, October 27, 1964.

<sup>131</sup> Malcolm X FBI File, Chicago to the Director, February 18, 1965 and OAAU FBI File, Chicago to the Director, February 18, 1965. The OAAU file does not redact the names of Freidman and Decker, while Malcolm's file does. In the FBI's summary of the interview with Malcolm, he did not mention the Cooper case. He informed the men that was invited to the upcoming Bandung Conference to held in Indonesia and added, according to the FBI, that he was "now an Orthodox Moslem and believed in the brotherhood of all mankind including the whites."

<sup>132</sup> Jacobs, *Stateville*, 64-5.

argues, *Cooper v. Pate* issues the resolute “determination that prisoners have constitutional rights.” He compared the role that the ruling played to that of *Brown* in the civil rights movement. “Although a *per curiam* opinion, lacking the powerful language of *Brown v. Board of Education*,” he wrote, “it left no doubt that prisoners have rights that must be respected.”<sup>133</sup>

Malcolm X’s break with the Nation of Islam nevertheless drove a sizable wedge in the NOI’s prison organizing. Incarcerated Muslims across the country had become as loyal to Malcolm as they had Elijah Muhammad. Through Malcolm’s writings in the *Los Angeles Herald-Dispatch*, coverage of his speeches in black newspapers, and small biographical portraits published by Alex Haley, prisoners familiarized themselves with Malcolm and his story. Eldridge Cleaver wrote that “Malcolm X had a special meaning for black convicts . . . he was a symbol of hope, a model for thousands of black convicts who found themselves trapped in the vicious PPP cycle: prison-parole-prison.”<sup>134</sup> After the split, Richard Woodward noted that the prisoners “are in [a] somewhat confused state.” One prison took the time to distinguish between Malcolm and Muhammad supporters.<sup>135</sup> The split, combined with the significant momentum of the civil rights movement, created what New York what Woodward called a “touch and go” situation.” His conclusions on the split reiterated the state’s uncompromising view that the Nation of Islam was a not sincere in its religious beliefs. Malcolm “has dropped all guise of a religion and alligned [sic] himself with colored groups in the civil rights demonstrations,” he wrote.<sup>136</sup> Officials saw his overtures to the civil rights movement as further confirmation that Islam had been a front for his political motives.

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<sup>133</sup> Jacobs, “The Prisoners’ Rights Movement,” 434 and 440.

<sup>134</sup> Eldridge Cleaver, *Soul on Ice* (New York: McGraw-Hill, 1967), 58.

<sup>135</sup> Woodward to Sampson, Memo, May 20, 1964, NCICF.

<sup>136</sup> *Ibid.*

These tensions in New York prisons were not unique. As Cleaver wrote from California, the split and Malcolm's assassination had created a "profound personal crisis in my life and beliefs, as it did for other Muslims." At Folsom, he announced his support for the suspended minister, replacing his portrait of Elijah Muhammad in his cell with one of Malcolm praying in Egypt taken from the *Saturday Evening Post*. "I urged everyone there to think the matter over and make a choice," he wrote, "because it was no longer possible to ride two horses at the same time." He began what he called a "regular public relations campaign," spreading copies of Malcolm's speeches, quoting him, and explaining why he split with Muhammad. Eventually prisoners "whom we had tried in vain for years to convert to Elijah's fold now lined up with enthusiasm behind Malcolm."<sup>137</sup> Malcolm's assassination may have ultimately been less divisive than the break had been.<sup>138</sup> By 1965, lines had already been clearly drawn and many had sided with Malcolm. At Attica, despite being described by state police as a "rabid [sic] Muslim," Martin Sostre also left the Nation of Islam during the split.<sup>139</sup> When he was again incarcerated in 1967 after being framed in the Buffalo uprising that summer, he found that the Muslims were "so alienated from the Black masses, I gave it up." Sostre described them as "model prisoners and cooperators. You don't find them in Solitary any more."<sup>140</sup> Cleaver recalled that others hoped

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<sup>137</sup> Cleaver, *Soul on Ice*, 55-56, 58.

<sup>138</sup> Others such as Marie Gottschalk have argued that Malcolm's assassination was the final stamp on a quickly declining movement. She writes that "[i]nternal organizational feuding, the Nation of Islam's rejection of more explicitly political activities, its strident separatist stance, its disinterest in changing fundamental power relations in prison, and its failure to deliver the support it had promised to prisoners debilitated the organization. The final critical blow was the 1965 assassination of Malcolm X, a hero to many black prisoners, who was distancing himself at the time of his death from the Nation of Islam's apolitical separatist stance." While some of the issues listed above shaped the relationship of the NOI to prisons and other prisoners, there is not sufficient evidence that it declined as a movement in prisons or that Malcolm's assassination had the same impact of the split a year earlier. See Gottschalk, 175.

<sup>139</sup> Lieutenant W.C. Lovelock to Central Files, Memo, January 25, 1965, Box 24, Items 970-79, NCICF.

<sup>140</sup> Marlene Nadle, "Martin Sostre Up Against the Wall: The Convictions of a Man with Convictions," *Village Voice* 20 (March 1975): 10.

that Malcolm's assassination would restore a "monolithic unity of the Nation of Islam, a unity they looked back on with some nostalgia."<sup>141</sup>

The internecine politics of the Nation of Islam, fomented by the state through agent provocateurs and a nearly decade-long campaign to divide NOI leadership, had momentarily divided Muslim prisoners. But one of the most lasting changes was the NOI's move from demanding rights to protecting rights achieved through the legal system. By the turn of the decade, Muslim prisoners across the country had won the ability to hold services, correspond with ministers, recruit new members, and wear religious medals.<sup>142</sup> Over the first half of the 1960s, the courts had come to three main conclusions regarding Muslim rights in prisons, but these had yet to coalesce into a unified determination. The first was that the Nation of Islam was in fact a religion. In *Fulwood v. Clemmer*, Federal District Judge Matthews decided that since the Constitution does not specifically define religion, it "follows, therefore, that the Muslim faith is a religion." Some cases conceded this point, but emphasized prison safety and administrative discretion as the more decisive factor. In both in *re Ferguson* in California and *Pierce v. LaVallee* in New York, the courts also ruled that Muslim activity presented a threat to prison security if not properly curtailed. Finally, cases such as *Sostre v. McGinnis* suggested that while the NOI was a religion, it was also something "not exclusively religious."<sup>143</sup>

This ambiguity is best illustrated through the rulings in *SaMarion v. McGinnis* and *Cooper v. Pate*, where courts in New York and Illinois found different language to come to similar conclusions. After having heard days of competing testimony regarding the NOI's religious legitimacy by Malcolm X and Columbia professor Joseph Schacht, Judge Henderson

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<sup>141</sup> Cleaver, *Soul on Ice*, 53.

<sup>142</sup> Sarah Gordon, *The Spirit of the Law: Religious Voices and the Constitution in Modern America* (Cambridge, MA: Harvard University Press, 2010), 123.

<sup>143</sup> Wallace F. Caldwell, "Black Muslims Behind Bars," *Research Studies* 34, no. 4 (December 1966): 187.

ruled that regardless of its orthodoxy, “the record compels a finding of its existence as a religious organization.” However, he promptly rejected the plaintiff’s claims of religious persecution and sent it back to the state courts for a ruling on the extent to which these religious rights could be practiced in prison. Meanwhile, Judge Duffy in Chicago decided that prisons in “Illinois may suppress movements that otherwise would be constitutionally protected when they have violence as their objective.”<sup>144</sup> In both cases, the judicial branch was willing to see the NOI as religion, but was still hesitant to put prisons under the purview of the courts. This meant that demonstrating religious orthodoxy, which had once seemed the paramount issue, was no longer the primary pathway to legal victory. Instead, plaintiffs and their lawyers would have to persuade the court that Muslim organizing did not pose a disciplinary threat to prison order. The hunger strikes, sit-ins, and takeovers of solitary confinement which had once evidenced religious persecution might now bolster the state’s argument that the group was a disruptive security risk.

Yet small cracks in the bulwark between courts and prisons had begun to emerge. For instance, in 1962 at Rikers Island a warden rescinded a ban on a Harlem radio station which played the Muhammad Speaks radio show.<sup>145</sup> In 1963, William X Fulwood, once the plaintiff in the *Fulwood v. Clemmer* case, was granted permission by Commissioner Clemmer to return and visit a Muslim prisoner. Malcolm X even wrote Clemmer suggesting that he come to deliver a lecture entitled “Islam, The True Religion of Entire Submission to the Will of Allah.”<sup>146</sup> This was another marked change since prison policies in the early part of the decade had used prior convictions as a way to restrict visits by Muslim ministers such as Malcolm X.<sup>147</sup> 1966 marked

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<sup>144</sup> “Is Muslim Movement a Religion? Yes, Says N.Y. – No, Says Ill.,” *New Pittsburgh Courier*, December 14, 1963.

<sup>145</sup> “Lift Prison Ban on Muslim Radio Show,” *Chicago Daily Defender*, September 12, 1962.

<sup>146</sup> G.M. Kenney to William X Fulwood, August 23, 1963 and Malcolm X to Donald Clemmer, June 16, 1963, Box 12, Folder 5, MXC.

<sup>147</sup> For example, Attica’s Deputy Warden, Albert Meyer, testified that “it is policy, it is not a rule, that I have knowledge of, where it can be found, it is a policy and I am sure that it is laid down some place in an order from the Commissioner – this would be an order from the Commissioner and it may have been a Commissioner from long

another watershed year, this time in New York State. Judge Henderson ruled that Commissioner McGinnis' policies were a "vehicle for the suppression of the Black Muslim religion" and gave him thirty days to establish a new code of conduct which would be subject to court review. Henderson emphasized that these new regulations should recognize Muslims' constitutional religious rights while maintaining basic prison security.<sup>148</sup> That same year, an Illinois warden reported that while the Qur'an had once been considered contraband in state prisons, the "climate is more liberal now."<sup>149</sup> The Federal Bureau of Prisons also issued a policy memorandum which required federal institutions to meet the same standards for Muslims as other faiths.<sup>150</sup>

Ironically, these successes may have also resulted in more oversight from the national headquarters of the NOI, which emphasized pragmatism over volatility. Jacobs argues that "after their religious grievances were redressed, the Muslims became a quiescent and stabilizing force in many prisons, which began to be rocked by new cohorts of violent and disorganized ghetto youth."<sup>151</sup> One such case occurred in 1963 at San Quentin after a fight which resulted in the death of prison minister Booker T.X. Johnson at the hands of a guard. The next day, sixty Muslims read demands to the associate warden which included the arrest of the officer who killed Johnson, a petition to the president, a meeting with the county district attorney, separation of Muslim prisoners from general population, and a place to worship.<sup>152</sup> John Shabazz in Los Angeles immediately put Eldridge Cleaver in charge of the community with explicit orders to "impose an iron discipline upon the San Quentin Mosque." As Cleaver wrote, "Muslim officials

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ago – that no inmates may correspond with other inmates or with felons, or anyone having a criminal record." See *SaMarion v. McGinnis* (9395), trial transcript, 1,230, in National Archives and Records at New York City.

<sup>148</sup> "Black Muslims Win Long Prison Fight," *Baltimore Afro-American*, April 23, 1966.

<sup>149</sup> Caldwell, 198.

<sup>150</sup> Federal Bureau of Prisons Policy Memorandum 7300.4, re: "Religious Beliefs and Practices of Inmates," April 6, 1966, in Caldwell, 204

<sup>151</sup> James Jacobs, "Race Relations and the Prisoner Subculture," *Crime and Justice* 1 (1979): 10.

<sup>152</sup> Eric Cummins, *The Rise and Fall of California's Radical Prison Movement* (Stanford: Stanford University Press, 1994), 72. Only the meeting with the district attorney was granted, and the death was ultimately ruled accidental.

wanted to avert any Muslim-initiated violence, which had become a distinct possibility in the aftermath of Brother Booker's death."<sup>153</sup> At Attica, Muslims played a similar role. In 1970, a dispute emerged over whether or not prisoners could host a Black Solidarity Day and a prison yard sit-in developed in protest. Reports indicated that NOI members were among those protecting the officers when they were threatened by other prisoners. During the Attica rebellion the following year, Muslims also protected injured officers and were regarded as "well-disciplined and continued to protect the hostages from harm."<sup>154</sup>

While Muslim prisoners change their strategies in part to protect their gains, the changes also reflected the extent to which prison officials had restructured their approach to Muslim rights. Some changes in prison policy were court mandated, but a 1966 survey of wardens and chaplains revealed that administrators had begun to recognize how suppression of Islam exacerbated tensions and heightened the NOI's appeal to prisoners. One chaplain argued that the way to "allay the pressure is to relieve it through enlightenment. Repression only encourages it." Another noted that by driving the movement underground wardens had unknowingly "attached an importance to the movement for those inmates who would join for no other reason than to believe that they are putting something over on the administration or getting by with something." Wardens had also begun to change disciplinary measures for Muslim prisoners. A warden from the South wrote that when prisons deny privileges, they "only add status to the group and succeed in adding to its prestige and desirability on the part of inmates." Much of this shift in thinking relied on the conviction of many prison officials that Muslim religious convictions were

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<sup>153</sup> Cleaver, *Soul on Ice*, 57.

<sup>154</sup> *Attica: The Official Report of the New York State Special Commission on Attica* (New York: Praeger, 1972), 112 and 129.

fronts for subversive political actions. If these prisoners felt like they were not challenging the state, prison officials reasoned, there would be little reason for them to join in the first place.<sup>155</sup>

A final factor in the shifting role of the Nation of Islam in prisons was the emergence of new groups such as the Black Panther Party, Young Lords, and the Republic of New Afrika, all of whom borrowed heavily from the NOI's black nationalism and appealed to a similar contingent of prisoners.<sup>156</sup> According to the McKay Report, these groups were divided in membership and disagreed on a variety of different issues. This was dramatized in August 1970 when a group of Muslims stood along one side of the prison yard with their arms crossed facing a group of Panthers. Between the two at a table were a group of Young Lords, "apparently serving as intermediaries." One of the most divisive issues was religion. The Panthers were a secular revolutionary nationalist group (or at times Marxist or Maoist) and the Nation of Islam was religious and more classically nationalist. The political stance against pork also had "won little favor with the Young Lords since pork is basic to most Puerto Rican diets." While there were attempts at unity at Attica, the NOI's leader refused to extend an olive branch and was transferred to another prison after Panthers told guards he would be killed. As was the case in the early 1960s, it was state violence which brought about acts of solidarity. The McKay Commission reported that amidst this "atmosphere of frustration and futility came the news of the shooting of George Jackson by prison guards at San Quentin." Soon after, prisoners came into the mess hall refusing to eat and wearing black armbands. "For the young correction officers

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<sup>155</sup> Caldwell, 194-198.

<sup>156</sup> For example, the Panther's ten-point platform, "What We Want Now! What We Believe" famously drew upon the Nation of Islam's ten-point program "What the Muslims Want" and "What the Muslims Believe." See Joshua Bloom and Waldo Martin, *Black Against Empire: The History and Politics of the Black Panther Party* (Berkeley: University of California Press, 2013), 70. Point five of the NOI's platform demanded "freedom for all Believers of Islam now held in federal prisons." See Edward E. Curtis, ed., *Encyclopedia of Muslim-American History, Vol. 1* (New York: Facts on File, 2010), 398. As Harlan Washington recalled, Huey Newton and Bobby Seale "and all of them individuals used to come to [East Oakland's] Temple No. 26 before they formed the Panther organization."

who found themselves in the mess hall with 700 silent, fasting inmates wearing black armbands,” the report concluded, “the very silence and the mood of unreserved hostility was the most threatening and frightening experience in their memory.”<sup>157</sup> As was the case with Black Power organizations outside of prisons, despite these moments of unity, there remained personal and political fractures. At Attica, these three groups all maintained a presence, but “quarrels and rivalries among them and their leaders prevented them from coming together in concerted action.”<sup>158</sup>

But to assume that the NOI’s prison organizing disappeared would be a mistake. The late 1960s were a time of rapid change in prison demographics. Although the prison population as a whole was shrinking by roughly one percent per year from the 1960s through the early 1970s, prisoners were increasingly young men of color from urban areas for whom the NOI had a salient message.<sup>159</sup> New York prisons such as Clinton and Attica had remained relatively stable in terms of racial distributions during the formative years of Muslim prison activism. Both increased modestly from 31% to 33% (Attica) and 17% to 21% (Clinton) nonwhite new commitments over the period 1957-1964.<sup>160</sup> However, the McKay Report noted that by the mid-1960s “the number of black and Spanish-speaking inmates increased; more and more inmates came from urban areas; they were younger, were more likely to admit drug use, and had shorter sentences.” From 1966 to 1970, more than 65% of new prisoners received in New York were black and Puerto Rican, 73% were from urban areas, and 43% were under the age of thirty.<sup>161</sup>

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<sup>157</sup> *Attica: The Official Report*, 138-140

<sup>158</sup> *Ibid.*, 107.

<sup>159</sup> Gottschalk, 4.

<sup>160</sup> See *New York State Commission of Correction, Annual Reports, 1957-1964* (Albany: State Commission of Correction). Although overall racial data was not released in annual reports, these seem in line with or slightly higher than the overall figures in 1959 which put Attica at 30% black and Clinton at 25%. See “Prisoner Group Held Anti-White,” *New York Times*, October 31, 1959.

<sup>161</sup> *Attica: The Official Report*, 29, 116-117.

This mirrored a national trend. By 1974, a census reported almost half of all prisoners in the U.S. were black and many state prisons had a black majority. This figure also failed to account for Latino prisoners, as statistics in most states still considered Spanish-speaking prisoners white.<sup>162</sup> Jacobs attributed part of this dramatic youth shift to the Moral Penal Code of the American Law Institute, which was adopted in 1962 and allowed prisoners serving life sentences to be paroled after twenty years minus good time.<sup>163</sup> Indeed, by the Attica rebellion in 1971, nearly 82% of prisoners had entered after Malcolm's assassination.<sup>164</sup> The infusion of a younger, urban, prisoner population that was now a majority-minority community, continued to provide the Nation of Islam with a membership base.<sup>165</sup>

This younger cohort of prisoners who had entered prisons after Malcolm's assassination reflected the energy and radicalism of the Black Power era. As Eldridge Cleaver remembered: "convicts saw Malcolm's assassination as a historic turning point in black America . . . What struck me is that the Negro convicts welcomed the new era."<sup>166</sup> Martin Sostre outlined this new mentality in 1973 with his essay "The New Prisoner," which he published from solitary confinement at Auburn Prison in the North Carolina Central Law Journal. He drew comparisons between "Adjustment Centers" and other forms of solitary confinement and the Vietnamization Program, arguing that both had produced revolutionary forces rather than pacified them. Sostre

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<sup>162</sup> Jacobs, "Race Relations," 11.

<sup>163</sup> Jacobs, *Stateville*, 57-58.

<sup>164</sup> *Attica: The Official Report*, 117.

<sup>165</sup> Unlike a decade earlier, when the majority of Muslims in prisons converted during incarceration, the post-1965 period included by an influx of NOI members coming from outside of prisons. For an example of the high proportion of Muslim converts during the earlier period, see the catalogue of parolees in Box 23, Items 675-684, NCICF. For example on later period, Richard Woodward noted that the FBI told a warden that "while [inmate Oscar Lee Channault] was on the outside he was a leader in the Muslim activities." See Box 24, 990-999. The department was also aware of the fact that the three men convicted of killing Malcolm X were being put into New York prisons. Talmadge Hayer's information page had a handwritten note attached which read: "One of Malcolm X's Killers, Trans. To Attica in August, Eligible For Parole in 1992." See Box 4, Item 181.

<sup>166</sup> Cleaver, *Soul on Ice*, 53-54.

attributed the new political awareness of prisoners to the struggles of Muslim prisoners beginning at Clinton Prison in 1958 around the issue of religious freedom. Sostre's declaration that "we are all political prisoners," was the framework for this new generation of prison activists.<sup>167</sup>

Around the time that Sostre was penning his essay in a keep-lock cell at Auburn Prison, an audience of penologists, criminologists, wardens, and chaplains packed into a capacity room at the annual meeting of the American Correctional Association (ACA) in Pittsburgh to hear a panel on "a topic which causes deep concern and alarm": the rise of this "political prisoner."<sup>168</sup> One discussant charged prisoners with using the term undiscerningly, claiming that these were not "political prisoners" in the classical sense of the term. Another cautioned against providing the prison conditions for this new prisoner to emerge. Yet they all acknowledged the dramatic changes that had taken place in prison demographics over the last decade and readily cited names like Angela Davis and Eldridge Cleaver, who, along with "too many other unknown John Browns and Jane Does" had ushered in this new radicalism.<sup>169</sup>

Meanwhile, at Sing Sing, Kariem Al Sabaa (previously Cyril Morgan) stood before a mosque meeting of forty men and read from the Qur'an and *Muhammad Speaks*. The Friday meeting was held in a Protestant chapel but the crosses were removed for the Islamic service. He

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<sup>167</sup> He argued that the "struggle commenced in Clinton Prison during 1958 when we first sued in Plattsburgh Supreme Court via writ of *mandamus* seeking the exercise of religious freedom" and saw the Attica rebellion as the "direct consequence of [the state's] systematic denial of our basic human rights." Martin Sostre, *The New Prisoner* (New York: Martin Sostre Book Store, 1973), reprinted in *North Carolina Central Law Journal* 4, no. 2 (Spring 1973): 242-254, Joseph A. Labadie Collection, University of Michigan Special Collections. Quotes from 243-251.

<sup>168</sup> See section on "Political Prisoners," 103-113, in *Proceedings of the Annual Congress of Correction of the American Correctional Association* (College Park, MD: American Correctional Association, 1972).

<sup>169</sup> Robert Bright, Administrator of the Department of Correction in Illinois, noted that "1972 finds one heck of a lot of minority persons languishing in our jails and penal institutions. Of the approximate 2 million in confinement and under community supervision, about 33 per cent are black, and increasing numbers are Puerto Ricans and Chicanos – a disproportionate inclusion of the excluded." See Bright, "The Self-Proclaimed Political Prisoner, in *ibid.*, 109-110.

talked of his upcoming meeting with the prison superintendent over a diet to best meet the needs of Muslim prisoners. Al Sabaa, who had converted to Islam at Green Haven in the early 1960s, could recall the days of clandestine services, harassment, and confiscation of religious materials. The lessons of Elijah Muhammad, he recalled, “were brought to us in the minds of newcomers . . . Muslims were the bugaboo of the prisons, and were accused of many things [but] [t]he prison population identified with us because they were frustrated too.”<sup>170</sup> Likewise, at Lorton Reformatory, home to one of the NOI’s first legal challenges, Clarence R.X. Mitchell described a similarly changed atmosphere: Sundays and Tuesdays featured services, dinner, and faculty instruction; the group held a Unity Bazaar with pastries from the local Shabazz Bakery; prisoners produced a brochure entitled “The Black Muslim on the Move in Prison”; during Ramadan, Muslims cooked and prepared their own meals; and although they were reportedly selling 600 issues of *Muhammad Speaks* a week, they hoped to eventually sell one to each of the 1,867 confined at Lorton.<sup>171</sup> These portraits demonstrate the gains as a result of a decade of agitation in New York State. For Sostre, who spent almost six years in solitary confinement during this period for refusing rectal searches and for refusing to shave his quarter-inch-length beard, these activities may also have embodied his critique that the NOI was no longer at the vanguard of the prisoners’ rights movement.

The most notable shift in these scenes was that by the early 1970s, *Muhammad Speaks* was now available to all prisoners. A decade earlier, prisoners such as Sostre and Al Sabaa read editorials by Malcolm X and Elijah Muhammad in the *Los Angeles Herald-Dispatch*, *Amsterdam News*, and *Pittsburgh Courier* in secrecy. They passed on surahs orally and were susceptible to disciplinary measures for possessing religious literature. In *Muhammad Speaks*, prisoners could

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<sup>170</sup> Joan Potter, “Muhammad Speaks,” *Amsterdam News*, February 19, 1972.

<sup>171</sup> Clarence R.X. Mitchell, “Lorton Reformatory,” *Muhammad Speaks*, March 31, 1972, 15.

now not only read about prison organizing efforts across the country, but could testify to inhumane treatment and conditions as contributing authors to the newspaper. Although writing and debating had a deep history in prison culture, Berger notes that “[p]rison-based black nationalist publications of the 1970s had a different magnitude and purpose.” Using many of the same resources, strategies, and networks of the underground newspapers that flourished in the late 1960s, these papers were primarily concerned with connecting the experiences of prisoners and those outside around issues of anticolonialism, racism, and Third World struggle.<sup>172</sup>

Alongside publications through the Republic of New Afrika such as *Midnight Special*, which debuted in fall 1971 in New York, and the Fortune Society’s *Fortune News*, which won its right to distribute in prisons in 1970, *Muhammad Speaks* was one of a handful of outlets covering prison reform, policy change, and most importantly, featuring the voices of those incarcerated.<sup>173</sup> With a circulation of anywhere between 70,000 and 850,000 (accounts vary dramatically), the newspaper offered the largest platform for prisoners to voice their grievances and testify to their continued mistreatment.<sup>174</sup>

Although the NOI’s commitment to prisoners and was well documented, its critique of the carceral state was announced most prominently through its breakthrough interview with Angela Davis in the summer of 1972. As editor John Woodford recalled, Joe Walker, another Community Party member on the *Muhammad Speaks* staff, secured an exclusive interview with Davis just weeks after she was acquitted by an all-white jury on charges of murder, kidnapping,

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<sup>172</sup> Berger, 236.

<sup>173</sup> The Fortune Society even cited *Cooper v. Pate* in its appeal. See *Fortune v. McGinnis*, 319 F Supp 901 (S.D. NY 1970).

<sup>174</sup> Editor John Woodford estimated that the circulation was over 650,000 during his time as editor between 1969-1972 whereas his successor, Leon Forrest estimated that it was actually around 70,000. See Curtis, *Encyclopedia of Muslim-American History*, 402-403.

and criminal conspiracy.<sup>175</sup> Davis had been implicated in the Marin County Courthouse shooting in August 1970 after San Quentin prisoner George Jackson's younger brother, Jonathan, took a judge and jurors hostage along with prisoners William Christmas, Ruchell Magee, and James McClain. Police opened fire on a van that Jackson had intended to drive from the courthouse, and four were killed and several others injured. Davis, who had professed her love and support for George Jackson, was found to be the registered owner of the guns used by Jonathan Jackson. When she was released in 1972, the mainstream press was confounded by her disinterest in becoming a media celebrity. Thomas Collins of the *Boston Globe* wrote that despite receiving the "kind of treatment the media reserves only for the hottest of properties . . . . She doesn't seem to want it." Davis' agent claimed that most of these outlets insisted on covering the "human" side of her without understanding that "she can't separate the political side of her from the human side. They want to rob her of her political content. She's a reflection of a movement in this country and they have no concept of that."<sup>176</sup>

One paper which understood this context was *Muhammad Speaks*. As Woodford recalled, many in the NOI's leadership had political disagreements with Angela Davis's communism and saw her class analysis as incompatible with black nationalism. Yet he doubted that "any publishing group in this country has honored freedom of speech, information, and publishing with more integrity than did the Nation of Islam in the Angela Davis case."<sup>177</sup> In Davis' interview with Walker, she thanked the newspaper for its coverage of her case and vowed to work on behalf of all political prisoners and "for the improvement of conditions in prisons and

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<sup>175</sup> John Woodford, "Messaging the Blackman," in *Voices from the Underground: Insider Histories of the Vietnam Era Underground Press, Part 1*, second edition, ed. Ken Wachsberger (Lansing: Michigan State University Press, 2011), 10.

<sup>176</sup> Thomas Collins, "Miss Davis Saying 'No' to Media," *Boston Globe*, June 11, 1972.

<sup>177</sup> Woodford, 10.

military stockades.”<sup>178</sup> When Davis appeared in her first televised interview on the show “Black Journal” days after the *Muhammad Speaks* article, she outlined two types of political prisoners: those like herself who were arrested under the guise of criminality but were being targeted for political reasons and those that “prisons are full of: blacks who are arrested for some reason and then ‘railroaded’ through the courts.”<sup>179</sup> It was the latter to which *Muhammad Speaks* offered its largest platform.

Despite the legal gains by Muslim prisoners, one of the chief obstacles still facing all incarcerated people was visibility. Unlike the civil rights movement, which had used the new medium of television to dramatize its struggle and generate empathy and support, the plight of prisoners was physically barricaded from view. Prisoners’ narratives and testimonies exposed the horrors of incarceration. Richard Allen, a survivor of the Attica rebellion who was transferred to Green Haven prison with nearly four hundred others, wrote that twenty prisoners suspected of being troublemakers were being frozen, malnourished, abused, and put in solitary cells. “Don’t read this and assume that we ‘Black niggers’ don’t deserve your support or whatever,” he urged, “because we are not only Black, but also Latin and white.”<sup>180</sup> Meanwhile, Floyd Terrell described the situation at the prison where Muslim writs were first drafted in New York prisons. In what was now being described as “Klinton Koncentration Kamp,” Terrell described the beating of William Dabney, who was an elected liason between prisoners and administrators. The article noted that it was unknown whether Dabney was receiving proper medical attention.

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<sup>178</sup> Joe Walker, “A Talk With Angela,” *Muhammad Speaks*, June 17, 1972, 28.

<sup>179</sup> Henry Mitchell, “A TV Forum for Angela Davis,” *Washington Post*, June 20, 1972.

<sup>180</sup> Richard Allen, “Former Attica Inmates Target of Abuse,” *Muhammad Speaks*, January 7, 1972, 24.

One prisoner added that Attica was “like the Sheraton” compared to Clinton in its brutality and conditions.<sup>181</sup>

The situation described at federal and state prisons outside New York was even bleaker. Joseph 13X, who had been incarcerated at Atlanta’s federal penitentiary since 1967, catalogued over twelve deaths and described the prison as a “Bastille of perversion and corruption beyond which the mind of this layman writer can express. This is HELL at its worse.”<sup>182</sup> In case first filed in New Mexico on behalf of fourteen Muslims, the prisoners’ charges sounded identical to the struggles of those in New York a decade earlier. Since 1965, they were denied places of worship and a halal diet. They were also barred from receiving *Muhammad Speaks* and placed in solitary confinement for their religious beliefs.<sup>183</sup> Frances Jolet, a longtime defense attorney on behalf of Muslim plaintiffs, reported that prisoners were still segregated “because of their togetherness,” forced to eat pork, not allowed religious services, and could not receive *Muhammad Speaks*.<sup>184</sup> Even in cases where prisoners were allowed the paper, Barry X Moore reported that anyone caught reading it or any other black literature were labeled a militant and harassed.<sup>185</sup>

But black prisoners did not simply use *Muhammad Speaks* to testify to a sympathetic audience. Many articles were calls to action, demands for justice, and pleas for support. As Allen urged: “We don’t want your sympathy, we want your manpower.”<sup>186</sup> A group calling itself the

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<sup>181</sup> Floyd Terrell, “Prisoners Describe Guards’ Crimes at Clinton Correctional Facility,” *Muhammad Speaks*, April 7, 1972, 3-4.

<sup>182</sup> Joseph 13X, “Prisoner Describes Conditions in Federal Penitentiary,” *Muhammad Speaks*, April 28, 1972, 14.

<sup>183</sup> It was not until 1972 that a federal court judge ordered a consent judgment after the Attorney General conceded all demands except damages, including that the chapel be open for services, one pork-free meal be provided daily, Muslim ministers could conduct services, and religious literature would be permitted “Petition for Justice in New Mexico Prison,” *Muhammad Speaks*, June 2, 1972, 14 and 19

<sup>184</sup> “Ex-inmates Reveal Prison Horrors,” *Muhammad Speaks*, March 10, 1972, 10.

<sup>185</sup> Barry X Moore, “Mormon Prison Bosses Treat Blacks like Dogs Inmate Says,” *Muhammad Speaks*, June 16, 1972, 21.

<sup>186</sup> Allen, “Former Attica Inmates Target of Abuse.”

Prisons Survival Committee (PSC) published its manifesto from Rikers Island demanding basic human rights such as food, shelter, clothing, and medical care. The authors of the manifesto cited the newspaper's wide readership and commitment to prisoners' rights. "We sincerely believe that your involvement and progressive attitude," the PSC wrote, "is a reflection not of singularity but of a high state of awareness and willingness to act, in order to shatter and disperse all chains of exploitation."<sup>187</sup> Other prisoners wrote for other types of emotional and financial support. Melvin Lindsey in Atlanta asked for financial support on behalf of his family in Philadelphia until "released from custody of imperialism."<sup>188</sup> Some, like Eugene Woods at Lorton simply advertised for a pen-pal.<sup>189</sup> Many prisoners described multiracial coalitions broken up by prison officials and the continued use of solitary confinement as a means of isolation and punishment.<sup>190</sup> And while the newspaper acted as a vehicle for prisoners to make claims against the state and pleas for financial support or correspondence, it also advocated for prison reform and policy change. It often reprinted stories by the Liberation News Service, a New Left underground press which collected and republished bulletins from radical papers, such as its coverage of the Supreme Court's ruling on non-unanimous jury rulings, which was described as a "white blueprint for Black slavery."<sup>191</sup> The paper also chronicled the developing prison union movements in New York and Michigan.<sup>192</sup>

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<sup>187</sup> Samuel 17X, "Black Prisoners Manifesto Calls for Reformation," *Muhammad Speaks*, November 17, 1972, 27.

<sup>188</sup> "Prison Officials Seek to Break His Family Apart," *Muhammad Speaks*, May 19, 1972, 19.

<sup>189</sup> "Wants Correspondence," *Muhammad Speaks*, May 19, 1972, 19.

<sup>190</sup> For example, see Harold F.X. Craig, "Inhuman Treatment of N.J. Prisoners," *Muhammad Speaks*, May 5, 1972, 20. Craig documented the beating of a black inmate after which "Black, White and Puerto-Rican [sic] inmates went through the proper channels to alleviate such atrocious conditions." Two hostages were taken and released with the promise that no reprisals would be made. However, seven black and two white prisoners were placed in segregation and beaten, sprayed with mace, and kept for 35 days.

<sup>191</sup> "Supreme Court's White Blueprint for Black Slavery," *Muhammad Speaks*, June 16, 1972, 22-23.

<sup>192</sup> "Prisoners Form Union to Fight 'Slave Labor' Policy," *Muhammad Speaks*, February 25, 1972, 23 and "Zealous Prisoners Organize to Cancel Conditions," *Muhammad Speaks*, July 28, 1972, 9.

In the middle of 1972, the editorial staff at *Muhammad Speaks* announced a new weekly column – “Prison News in Black” – which consolidated many of these threads of testimony, advocacy, and policy reform efforts. Journalist Samuel 17X promised that the column would keep readers abreast of specific cases of abuses against black prisoners as well as their civil suits and organizing: “we will run excerpts from various court cases affecting Muslim and other inmates. We will also carry writings from inmates around the country.” Interest in the column was so strong, he warned that space limitations would mean “many times we will only be able to run excerpts [sic] from inmate writings.”<sup>193</sup> With a significant portion of the newspaper’s readership now prisoners, the section also acted as a legal resource. Some articles cited legal precedents at length, listing the various cases which appealed to the 1<sup>st</sup> Amendment’s right of religious freedom and the 8<sup>th</sup> Amendment’s guarantees against cruel and unusual punishment.<sup>194</sup> “Prison News in Black” formalized the newspaper’s commitment to the voices and struggles of black prisoners. Although other prison newsletters offered more radical critiques of prisons, *Muhammad Speaks* remained the largest outlet for prison writing during the early 1970s. Due to the writ writing campaigns of an earlier generation of Muslim prisoners, NOI members were able to document and expose inhumane treatment, illegal confinement, and harassment, learn of important prison and policy reforms, and build bridges to an outside community which had previously been closed to them.

## Conclusion

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<sup>193</sup> Samuel 17X, “Prison News in Black,” *Muhammad Speaks*, September 1, 1972, 29.

<sup>194</sup> Samuel 17X, “Inmate Reviews Epic Struggle of Muslims For Prison Reform,” *Muhammad Speaks*, September 15, 1972, 23. Most of the article is written by prisoner Lester 2X Gilbert.

The historiography of the first few decades following Black Power looked back at the movement as one of declension. Black Power represented the disintegration of the civil rights movement to activists of various political persuasions, from those on the New Left who felt it had fractured an interracial movement against urban poverty and imperialism in Vietnam to those on the Right who believed it was nothing more than violence and nihilism. The tendency to see Black Power as the product of disillusionment with civil rights led the first waves of scholarship on the latter movement to characterize the former through simple dualisms. As Robert Self summarized: “Civil rights is nonviolent. Black Power is violent. Civil rights is normative, black power an aberration of late 1960s’ hyperradicalism. Civil rights was a long struggle, black power a brief and disastrous moment.”<sup>195</sup> Coupled with these caricatured juxtapositions was the language of decline. In Clayborne Carson’s groundbreaking study of SNCC, he entitled the chapter on Black Power the “Decline of Black Radicalism.” Peniel Joseph writes that the movement “stands at the center of declension narratives of the 1960s . . . poisoning the innocence of the New Left, corrupting a generation of black activists, and steering the drive for civil rights off course in a way that reinforced racial segregation by giving politicians a clear, frightening scapegoat.”<sup>196</sup>

Rather than continue to see these movements in oppositional terms, other historians argued for the concomitance of civil rights and Black Power. “[F]ar from being mutually exclusive,” Joseph writes, “[they] paralleled and intersected with one another.”<sup>197</sup> Borrowing from the trend in studies of the civil rights movement which urged scholars to take a *longue*

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<sup>195</sup> Robert Self, *American Babylon: Race and the Struggle for Postwar Oakland* (Princeton: Princeton University Press, 2003), 218.

<sup>196</sup> Peniel Joseph, “The Black Power Movement: A *State of the Field*,” *The Journal of American History* 96, no. 3 (December 2009): 751-752.

<sup>197</sup> Peniel Joseph, ed., *Neighborhood Rebels: Black Power at the Local Level* (New York: Palgrave Macmillan, 2010), 2.

*durée* approach to what had once been identified as a roughly decade-long movement, Joseph has suggested a “Long Black Power Movement” model which begins in 1954 and ends in 1975, with a “classical” period of 1966-1975. In fact, he has argued that “even as notions of a ‘Long Civil Rights Movement’ seek to break convention through adopting a more panoramic view of the era, they reinforce master narratives by subsuming Black Power under the all-powerful rubric of civil rights.”<sup>198</sup> Such conflicting chronologies point to the unresolved ambiguities over what Black Power was. While activists such as SNCC organizer Julian Bond saw it as part of the evolution of the civil rights and student movements, Martin Luther King, Jr. denounced it as a shortsighted slogan. Detroit activist James Boggs proposed that it was the recognition that the long-extended promise of the American Left that white workers would band together with their black counterparts would not come to fruition, and to expect Black Power activists to “embrace white workers inside the black struggle is in fact to expect the revolution to welcome the enemy into its camp.”<sup>199</sup> There was even the state’s cooptation of Black Power. In his 1968 presidential campaign, Richard Nixon had translated black economic self-sufficiency and community control into “‘black capitalism,’ which he called the most important development in the struggle for racial justice in the country.”<sup>200</sup> “As a political and a cultural credo, black power was an extraordinarily plastic concept,” Self notes, “It meant everything from revolution to electing African American school board members to wearing a dashiki . . . Its flexibility was part of its attractiveness.”<sup>201</sup>

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<sup>198</sup> Ibid., 11.

<sup>199</sup> Manning Marable, *Race, Reform, and Rebellion: The Second Reconstruction in Black America, 1945-1990*, 2nd edition (Jackson: University Press of Mississippi, 1991), 97.

<sup>200</sup> Matthew Countryman, *Up South: Civil Rights and Black Power in Philadelphia* (Philadelphia: University of Pennsylvania Press, 2005), 3.

<sup>201</sup> Self, 218.

Unfortunately, scholarship on the Nation of Islam has embodied the bifurcated declension narratives of the Black Power Movement more broadly. Historians have seen Malcolm X's ouster from the NOI as the end of a prolonged power struggle between his radical political vision and Elijah Muhammad's apolitical religiosity and corruption. But just as the story of Black Power decline is often lifted from the pages of its New Left critics, this story of the NOI borrows too uncritically from Malcolm X's own revisionist history crafted during the final year of his life, one which is complicated and often contradictory. In a speech at the London School of Economics just two weeks before his death, Malcolm called the NOI "one of the main ingredients in the civil rights struggle."<sup>202</sup> He also claimed that before 1960, there was "not a better organization among black people in this country than the Muslim movement." However, his autobiography, co-authored by Alex Haley, laments that the organization could have been an "even greater force in the American black man's overall struggle - if we engaged in more *action*. By that, I mean I thought privately that we should have amended, or relaxed, our general non-engagement policy. I felt that, wherever black people committed themselves, in the Little Rocks and the Birmingham and other places, militantly disciplined Muslims should also be there - for all the world to see, and respect, and discuss."<sup>203</sup>

Weeks before his assassination, Malcolm X sat down with journalist Marlene Nadle of the *Village Voice*. Noting his many different personas and speaking deliveries, she asked if these were deliberate. "Sure," he answered, "Different audiences have different rhythms. You have to be able to play them, if you don't want to put the people to sleep." His contortionism around the Nation of Islam reflected a similar strategy. It was not sinister or disingenuous, but rather, it revealed the difficult task ahead of him: to build coalitions with the civil rights leaders he had

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<sup>202</sup> Marable, *Malcolm X*, 414 and 420.

<sup>203</sup> Malcolm X and Alex Haley, *The Autobiography of Malcolm X* (New York: Ballantine Books, 1992), 333-334.

denounced and maintain the global relationships with the political and religious leaders he had developed as the national spokesman for the Nation of Islam. But there were two other important conclusions in Malcolm's interview with Nadle that anticipated much of what was to come after his death with the rise of Black Power. The first was his conclusion that the greatest mistake of the civil rights movement "has been trying to organize a sleeping people around specific goals. You have to wake the people up first then you'll get action." Secondly, he emphasized that "blacks must take the lead in their own fight. In phase one, the whites led. We're going into phase two."<sup>204</sup> Both comments were consistent with the Nation of Islam's black nationalist politics. The NOI fundamentally believed that political consciousness raising and black unity were necessary before any broader anti-racist movement could be waged, and that white participation in political action led to negotiation, compromise, and ultimately, hostile takeover.

In this way, the narrative of the Nation of Islam during the Black Power period is reminiscent of the relationship between Malcolm X and Elijah Muhammad. It is not that one was political and the other was not. It was that the same analysis often led to different conclusions. With the advent of Black Power, the NOI's black nationalist principles of self-determination, black unity, anticolonialism, and self-defense were now at the center of black political discourse. Its demands for land and jobs, calls for community control and self-defense, and critiques of prisons and police brutality, were all reflected in the program of the Black Panther Party. Its internationalism and "Afro-Asian" identity from the nonaligned movement echoed in the "Bandung humanism" described by RAM. Its analysis of Israel as a settler-colonial state supported by U.S. "dollarism" was the foundation of SNCC's position paper "The Palestine Problem." The antiwar protest of Black Power activists emphasizing the disproportionate deaths

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<sup>204</sup> Marlene Nadle, "Malcolm X: The Complexity of a Man in the Jungle," *Village Voice*, February 25, 1965.

of black soldiers and the tax of the war on domestic social programs could be found throughout the pages of *Muhammad Speaks* and the example of imprisoned Muslims through decades of resistance to U.S. war efforts. Even the germinal arguments which saw birth control as a state-driven eugenics effort at controlling global populations of color emanated from theoretical contributions of the Nation of Islam.

But while much of the intellectual labor of Black Power can be traced to the NOI, the group resisted the radical, and certainly revolutionary, political solutions of its contemporaries, instead choosing to reconstitute itself after the turbulent years following Malcolm's departure. This conservatism was often organizational and political, but also at times analytical. For example, its stance on birth control as genocide refused to incorporate the contributions of women of color who argued that the pill offered an important way to control their own bodies and reproductive and productive labor. In many senses, the Nation of Islam's politics during Black Power was remarkably consistent with earlier periods. Muhammad Ali's articulation of an anti-essentialist and anticolonial "Asiatic" identity was robust enough to include Communist North Vietnam just as it had included imperialist Japan during World War II. The NOI was willing to consolidate and protect its legal protections in prisons during the prisoners' rights movement just as it had focused on spreading Islam rather than joining CO's in fighting for desegregation in federal penitentiaries during the War. But we should not mistake black nationalism and organizational conservation for a lack of political analysis itself. For ultimately, the most fundamental belief of those in the Nation, articulated just as clearly in Abdul Basit Naeem's *Moslem World and the U.S.A* in 1956 again in his article in *Muhammad Speaks* a decade later, was that Islam would bring about true Black Power.

## Conclusion

In the summer of 2015, President Barack Obama finally broke the silence on the use of solitary confinement, calling for the Department of Justice to review isolation and its effects.<sup>1</sup> The following year, he banned solitary in federal juvenile prisons.<sup>2</sup> Of course, as Naomi Murakawa points out, the backdrop for Obama's decisions remains bleak: "One black man in the White House, one million black men in the Big House."<sup>3</sup> His eleventh-hour clemencies for nonviolent drug offenders come nearly thirty years after Ronald Reagan signed the 1988 Anti-Drug Abuse Act, proclaiming in the twilight of his own presidency that "we give a new sword and shield to those whose daily business it is to eliminate from America's streets and towns the scourge of illicit drugs."<sup>4</sup>

Writing at the dawn of Reaganism, James Jacobs took stock of the legacies of the prisoners' rights movement. One was undoubtedly the "bureaucratization of the prison." The prison litigation movement fomented by the Nation of Islam exposed prison officials who were unable to justify arbitrary and discriminatory institutional procedures.<sup>5</sup> But many prison reforms

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<sup>1</sup> Peter Baker and Erica Goode, "Critics of Solitary Confinement are Buoyed as Obama Embraces Their Cause," *New York Times*, July 21, 2015.

<sup>2</sup> Michael Shear, "Obama Bans Solitary Confinement of Juveniles in Federal Prisons," *New York Times*, January 25, 2016.

<sup>3</sup> Naomi Murakawa, *First Civil Right: How Liberals Built Prison America* (New York: Oxford University Press, 2014), 1.

<sup>4</sup> Sari Horwitz and Ann Marimow, "President Obama Grants Earl Release to 61 More Federal Drug Offenders," *Washington Post*, March 30, 2016 and Elizabeth Hinton, "From Social Welfare to Social Control: Federal War in American Cities, 1968-1988 (PhD diss., Columbia University, 2013), 359. Of course, as scholars such as Murakawa have demonstrated, the policies which facilitated the buildup of American prisons began long before the "Reagan Revolution" of the 1980s.

<sup>5</sup> James Jacobs, "The Prisoners' Rights Movement and Its Impacts, 1960-1980," *Crime and Justice* 2 (1980): 458.

targeted administrative efficiency rather than the principles of punishment. This mirrored the story of William Parker's professionalization blueprint for the LAPD described in Chapter 5. For example, the Sentencing Reform Act of 1984 brought about longer sentences through mandatory minimums in an attempt to standardize national sentencing procedures. The 1972 *Furman v. Georgia* ruling considered arbitrary administration of the death penalty to be unconstitutional, but left the act of state violence itself interrogated.<sup>1</sup> The Civil Rights of Institutionalized Persons Act (CRIPA), ostensibly meant to protect the rights of prisoners, included a provision blocking the use of Section 1983 until all "administrative remedies" had been exhausted. The Prison Litigation Reform Act (PLRA) of 1996 extended this counter-attack on the gains of the prisoners' rights movement, making it "almost impossible for any man or woman who felt exploited in prison to fight back legally."<sup>2</sup> This was the carceral state at its most Foucauldian. Penal reform meant sharpening the tools and expanding the scope of punishment rather than reconsidering its purpose. As Jacobs warned, "excessive bureaucratization may lead to the same result: a mass of offices and office holders insulated from effected outside scrutiny."<sup>3</sup> The privatization of prisons and their growth as an employment sector, along with the failure to pass the Private Prison Information Act which would make private prisons subject to public records disclosure laws, bears out these fears. And on the eve of Donald Trump's electoral-college victory, as stocks around the word plummeted, the holdings of Corrections Corporation of America (CCA, which has now rebranded itself as CoreCivic) skyrocketed 60% and the GEO

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<sup>1</sup> Murakawa, 133.

<sup>2</sup> Heather Ann Thompson, "Lessons from Attica: From Prisoner Rebellion to Mass Incarceration and Back," *Socialism and Democracy* 28, 3 (2014): 170.

<sup>3</sup> Jacobs, "The Prisoners' Rights Movement," 463.

Group went up 18%, as shareholders anticipated a return in the confidence of private punishment by the White House.<sup>4</sup>

But there were legacies of the prisoners' rights movement which were not subverted in the name of bureaucratization, many of which had their origins in the activism by Muslims in the Nation of Islam. In 1969, *Johnson v. Avery* determined that prisoners could no longer be punished for providing legal assistance, putting a temporary end to measures such as Attica's "rule 21." *Wolff v. McDonnell* (1974) enabled the prisoners to try civil suits against prison conditions and policies and *Bounds v. Smith* (1977) required that prisons provide adequate law libraries and offer legal assistance from trained professionals to prisoners.<sup>5</sup> When the Attica Liberation Faction issued its "Manifesto of Demands" during the uprising in 1971, it reflected a decade of organizing by Muslims in New York prisons. Demand number four called for the end of the use of solitary confinement to punish prisoners for their political beliefs. They insisted on access to political literature and that there be an end to racial persecution. And demand twenty-five suggested that prisoners "wishing a pork-free diet should have one, since 85% of our diet is pork meat or pork-saturated food."<sup>6</sup>

As attempts to redefine our criminal justice system have become a defining struggle of our time, it is important to recall the ways in which it was also central to the activism of the mid-20<sup>th</sup> century. Although southern civil rights activists focused on imprisonment following their experiences with incarceration, this was not the first connection between these two movements. The prison organizing of Muslims in New York launched the project of prison litigation and eventually won oversight from the courts. We should also be attentive to the ways in which the

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<sup>4</sup> Tracy Alloway and Lily Katz, "Private Prison Stocks Are Surging after Trump's Win," November 9, 2016, <https://www.bloomberg.com/news/articles/2016-11-09/private-prison-stocks-are-surging-after-trump-s-win>

<sup>5</sup> *Ibid.*, 436.

<sup>6</sup> "The Attica Liberation Faction Manifesto of Demands," *Race & Class* 53 (October-December 2011): 28-35.

state responded to prisoners' demands with increased surveillance and an expansion of carceral machinery. The dialectics of discipline which made up the daily interplay between prisoner activism and prison punishment demonstrate the entangled relationship between resistance to the state and its expansion and re-entrenchment. Calls for uniformity, equality, and professionalization have often catalyzed an ever-expanding carceral apparatus. In a post-9/11 world, Muslim prisoners remain particularly susceptible to state surveillance and unconstitutional measures. In 2004, the Justice Department warned about "Prison Islam" and the rise of radicalization amongst black prisoners.<sup>7</sup>

Of course, prisons are just one piece of the larger "criminal injustice system." The #BlackLivesMatter (#BLM) movement, established following the murder of Trayvon Martin by George Zimmerman in 2012, has importantly brought to the surface the tremendous human cost, disproportionately black and brown, of policing practices across the United States. While this national attention is new, the problem is generations old. In the years leading up to the Ronald Stokes killing in 1962, the Department of Justice found that between January 1958 and June 1960, 34 percent of police brutality victims were black.<sup>8</sup> The following year, the United States Commission on Civil Rights wrote in its report *Justice* that "Negroes are the victims of such brutality far more, proportionately, than any other group in American society."<sup>9</sup> Last year, *The Guardian* reported that 1,134 Americans died at the hands of law enforcement officials.<sup>10</sup> Of those killed, blacks died at twice the rate of other races, a quarter of them unarmed. Fewer than

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<sup>7</sup> See Sohail Daulatzai, "Protect Ya Neck (Remix): Muslims and the Carceral Imagination in the Age of Guantánamo," in *Black Routes to Islam*, eds., Manning Marable and Hishaam D. Aidi (New York: Palgrave MacMillan, 2009), 217.

<sup>8</sup> Robin Kelley, *Freedom Dreams: The Black Radical Imagination* (Boston: Beacon Press, 2002), 80.

<sup>9</sup> *Justice*, United States Commission on Civil Rights Report (Washington, D.C.: Government Print Office, 1961), 109.

<sup>10</sup> This number varies by source. The *Washington Post* cited 975 while the open-source reporting project, Killed by Police, reported 1,186, accessed May 24, 2016, <http://killedbypolice.net/>.

25% of those killings were later considered “justified” by authorities.<sup>11</sup> The failure to indict officer Donald Weese in the murder of the unarmed Ronald Stokes, which was later deemed a “justifiable homicide,” reverberates half a century later in the failures to mete out justice to the killers of Michael Brown, Rekia Boyd, Eric Garner, Tamir Rice, and Freddie Gray, Walter Scott, and so many others.

As the Justice Department’s report on policing in Ferguson confirmed, this is not merely a war on people of color, but a war on the poor. The U.S. Commission on Civil Rights noted this correlation in 1961: “it was not always clear whether the victim suffered because of his race or because of his lowly economic status. Indeed, racially patterned police misconduct and that directed against persons because they are poor and powerless are often indistinguishable.”<sup>12</sup> As the Ferguson Report revealed, “usage” fees, private probation supervision, and civil forfeiture were all part of a policing structure which acted as a city coffer built on the backs of the poor. Several towns in St. Louis County received nearly half of their revenue through traffic fines and other small infractions.<sup>13</sup> The *Harvard Law Review* notes that such “fees serve to criminalize poverty and severely amplify the burden that criminal punishment imposes on poor communities.” Privatized and profit-based law enforcement fits within a larger trend in which punitive government is funneled through corporate logic.<sup>14</sup> But racism is only “indistinguishable” from class bias in the Ferguson Report in so far as it was ubiquitous. Black Ferguson residents were twice as likely to be searched, cited, or arrested during a traffic stop, despite being 26 percent less likely to possess contraband. And emails confiscated from city

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<sup>11</sup> Jon Swaine, Oliver Laughland, Jamiles Lartey, and Ciara McCarthy, “Young Black Men Killed by U.S. Police at Highest Rate in Year of 1,134 Deaths,” *The Guardian*, December 31, 2015.

<sup>12</sup> *Justice*, 2-3.

<sup>13</sup> “Policing for Profit in St. Louis County,” *The New York Times*, November 13, 2015.

<sup>14</sup> “Policing and Profit,” *Harvard Law Review* 128, no. 6 (April 10, 2015): 1728 and 1733.

employees revealed racist emails rife with stereotypes about indolent welfare recipients and fatherless children. These “emails were usually forwarded along to others.”<sup>15</sup> Thus the criminalization of blackness and poverty operate not as indistinguishable forces, but as complementary ones.

One outcome of the Ferguson Report and the ensuing lawsuit by the Justice Department was the establishment of a civilian review board, although how much power it grants remains to be seen. In September 2014, the city’s proposal for citizen oversight was described by one police-accountability scholar as “the weakest I have seen in years.”<sup>16</sup> However, contrast this to Los Angeles, home to Rodney King’s beating in 1991, nearly thirty years after Ronald Stokes’ murder. In 1966, Sam Yorty declared that Los Angeles “will not have a police review board as long as I am mayor.”<sup>17</sup> Earlier that year, the Civilian Complaint Review Board in New York City had also been dissolved after less than six months following a 2 to 1 vote on a police-sponsored city charter.<sup>18</sup> The Office of Law Enforcement Assistance (OLEA), established by President Johnson after the Watts rebellion, incorporated community activist suggestions such as recruiting police officers from black neighborhoods and increasing spending for community-relations training for officers, but still refused to recommend civilian review boards.<sup>19</sup> In a hotly-contested and venomous mayoral race in 1969, Yorty used review boards to paint challenger Tom Bradley, a longtime member of the Los Angeles Police Department, as a subversive black nationalist and a Communist. “If he puts some of his antipolice, left-wing militants on that Police Commission, he can turn it into a police review board and he won’t need to compose one as such,” Yorty

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<sup>15</sup> Ta-Nehisi Coates, “The Gangsters of Ferguson,” *The Atlantic*, March 5, 2015.

<sup>16</sup> Matt Pearce, “Ferguson Plan for Police Oversight Board is Derided as ‘Insulting,’” *Los Angeles Times*, September 11, 2014.

<sup>17</sup> “No Review Board for L.A., Yorty,” *Los Angeles Sentinel*, December 22, 1966.

<sup>18</sup> “New Yorkers Abolish Civilian Police Review,” *Los Angeles Times*, November 9, 1966.

<sup>19</sup> Murakawa, 83.

threatened.<sup>20</sup> Bradley, who was unwilling to leverage his background on the force, lost the election before eventually becoming the city's first black mayor in 1973. Although the Police Commission and the internal affairs review of the 1960s remains intact, there is currently still no civilian review board in Los Angeles dedicated to police accountability.<sup>21</sup>

But contemporary movements for racial justice have expanded the discourse of solidarity far beyond any that the Nation of Islam or other civil rights organizations could have envisioned in the early 1960s. The centering of queer and trans people of color, as well as the unapologetic expressions of black identity, have opened new possibilities for coalition politics. As Keeanga Taylor argues, the “movement today is [also] in a much better position to nurture and develop a relationship with the growing low-wage-worker struggle than has been possible with the civil rights establishment.” As she points out, the Congressional Black Congress (CBC), National Action Network (NAN), and NAACP have all been supported by money from Walmart and McDonald's, both of whom employ more underpaid and non-unionized black workers than any other companies in the country.<sup>22</sup> This funding undermines the autonomy and radical potential of such organizations, recalling the NAACP's decision in the early 1960s to denounce the Nation of Islam and other black nationalists when white funders were outraged by Malcolm X's invitations from student chapters. The leadership in these movements are at a crossroads, and can choose to reject such financial stakes by forming a working-class movement which closes ranks with the Fight for \$15, Verizon strikers, and other labor struggles.

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<sup>20</sup> Kenneth Reich, “Yorty Says Bradley Would Try to Pack Police Commission,” *Los Angeles Times*, April 16, 1969.

<sup>21</sup> In 2014, activists won a victory by establishing a civilian commission to oversee the Los Angeles County Sheriff's department.

<sup>22</sup> Keeanga-Yamahtta Taylor, *From #BlackLivesMatter to Black Liberation* (New York: Haymarket Books, 2016), 183.

But two examples offered by Taylor illustrate the continued challenges to broad-based solidarity: Al Sharpton's NAN-sponsored National March Against Police Violence and the debate surrounding #MuslimLivesMatter. At the 2014 protest in Washington, Sharpton positioned himself as the spokesman for a movement which is explicitly leaderless and diffuse. Divisions became even more pronounced when activists from Ferguson were asked for VIP passes. As Johnetta "Netta" Elzie pointed out, "if it is a protest, why do you need to have a VIP pass?" This division recalls Malcolm's assessment of what he derided as the "Farce on Washington" in 1963: They controlled it so tight, they told those Negroes what time to hit town, how to come, where to stop, what signs to carry, what song to sing, what speech they could make, and what speech they couldn't make; and then told them to get out town by sundown.<sup>23</sup> Sharpton's focus on institutionalizing the use of body cameras by police also narrowed an expansive discourse on what it means to value black life into a reformist one which echoes liberal calls for professionalization of law enforcement. And, as another activist noted: "I think part of it is people just don't connect with his leadership . . . We've been excluded by the traditional groups, so we've started our own thing."<sup>24</sup> Just as the revolt against leadership in Watts was an outgrowth of silenced and marginalized residents by the Los Angeles civil rights establishment, local activists have rejected leaders attempting to speak on their behalf.

The second fault line in appeals to a broader anti-racist solidarity came in the aftermath of the February 2015 killing of three Muslim students in Chapel Hill, North Carolina. As the #MuslimLivesMatter hashtag went viral in the tragedy's aftermath, some #BLM organizers felt that the phrase flattened the distinct experiences of oppressed groups and appropriated the

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<sup>23</sup> Malcolm X, "Message to the Grass Roots," *Malcolm X Speaks: Selected Speeches and Statements*, ed. George Breitman (New York: Grove, Weidenfield, 1990), 16-17.

<sup>24</sup> Quoted in Taylor, 170-171.

movement. As one claimed: “Of course Muslim lives are under fire in our American systems. There is no question about that. However, building off the #BlackLivesMatter trend equates struggles that are, though seemingly similar, drastically different.”<sup>25</sup> As Taylor points out, in the disagreement over how “to demonstrate how oppressions differ from one group to the next, we miss how we are connected through oppression – and how those connections should form the basis of solidarity.”<sup>26</sup> Equally important, was that the debate rendered Muslims of African descent invisible by partitioning black identity and Muslim identity. However, activists today are still much more likely to recognize interlocking oppressions and global systems of white supremacy due in part to the intellectual labor of the Nation of Islam, as well as the contributions of black feminist theorists, in the late 1960s.

In the fall of 2015, students on campuses across the country protested low numbers of underrepresented minorities and faculty, as well as racist incidents and microaggressions. As Robin Kelley notes, we should not be surprised by the spread from “town to the campus,” which mirrored the campuses radicalization in the 1960s following the student sit-in movement in Greensboro and later the urban rebellions in Harlem and Watts. While student protests were met by the familiar devaluations of struggle which paternalistically claim that those in positions of “privilege” should not make demands, there was one stark break with the student movements of the 1960s. In calling for safe spaces and fewer confrontations with racist peers, students appeared to some to be appealing to university administrations for abridgements of free speech rather than their extension. I interviewed former Yale student Charles Keil as his alma maters’ campus erupted in protests over an email sent by residential hall “master” urging students to be sensitive to objectionable Halloween costumes. He began our conversation by pointing out that his

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<sup>25</sup> Quoted in *ibid.*, 187.

<sup>26</sup> *Ibid.*

generation had called for an end to administrative paternalism while the current one seemed to be asking for more, nor less, intervention. But most fundamentally, Robin Kelley questions whether or not the university can ever be an “engine of social transformation.” He importantly distinguishes between the much-needed calls for greater inclusion in curriculum, faculty, and students, and the larger project of intellectual and activist struggle which must necessarily occur outside its structures of dominance. Asking for more faculty of color, cultural-competency training, and multicultural curricula, he writes, is “a bit like asking for more black police officers as a strategy to curb state violence.”<sup>27</sup> Kelley reminds us of the limitations of liberal (and neoliberal) reform, from the prison to the academy.

*Those Who Know Don't Say* questions the increasingly intractable idea that there was a civil rights movement with one unified political vision and strategy. Edmund Morgan's observation that the concomitant rise of slavery and freedom constituted the “central paradox of American history,” has now been transplanted by a new set of seemingly incongruous circumstances.<sup>28</sup> Police violence in communities of color and the damning report of the Justice Department on policing in Ferguson, stands in stark distinction to proclamations of a postracial society. Mass incarceration, which has increased over 500% since the 1970s, has made the United States the largest penal system in the world. Comparisons to structures of white supremacy during the civil rights movement and today are commonplace. Michelle Alexander has called mass incarceration the “New Jim Crow” and photos of Birmingham, Alabama juxtaposed alongside Ferguson, Missouri were featured in the *New York Times*. Yet while the story of the civil rights movement continues to be central to the narratives we tell ourselves about

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<sup>27</sup> See Robin D.G. Kelley, “Black Study, Black Struggle,” *Boston Review*, March 7, 2016 and Keil interview.

<sup>28</sup> Edmund S. Morgan, “Slavery and Freedom: The American Paradox,” *The Journal of American History* 59, no. 1 (June 1972): 5-6.

race in America, the popular history of the civil rights movement fails to explain this disconnection between the language of a postracial society and the perpetuation of mass incarceration and state violence against people of color. The NOI was critical *of* and critical *to* the civil rights movement, and repositioning its place in civil rights historiography helps move narratives beyond the mythic unity of a monolithic movement. It provides the necessary context to understand why we are not a postracial society and the civil rights movement is not simply a *fait accompli*.

Whether as the “Hate That Hate Produced” or “Society’s Bitter Fruit,” the Nation of Islam was understood throughout the 1960s as foreboding evidence of the malicious effects of racism. It was the harbinger of further divisions if the country did not blot out the stain of slavery and eradicate Jim Crow segregation. But few then, and since, have grappled with the analysis of the black nationalists in the Nation, who viewed postwar racial liberalism as a bait-and-switch not unlike its contemporary doppelgänger: post-racialism. The Nation of Islam’s “Asiatic” identity was an anti-essentialist anticolonial solidarity which located American imperialism and European colonialism as the central feature of what Du Bois called the “color lined [that] belts the world.” The NOI’s skepticism of the elevation of integration as the central goal of the civil rights movement, pointed towards the importance of structural power. By emphasizing “separation” as the voluntary distance between two equals, and “segregation” as a form of regulation and control, the NOI was able to draw parallels between global (South Africa) and domestic (the U.S. South) forms of apartheid while emphasizing the need for black self-determination and community control.

This internationalist anticolonial analysis provided the base for the Nation of Islam’s challenge to the U.S. nation state. At times, the NOI was engaged in forms of protest which fell

squarely within the bounds of normative civil rights politics. For example, Muslims marched on the New York County Criminal Court Building in 1963 in protest of police brutality. Other protests featured signs referencing the Civil Rights Congress' 1951 petition to the United Nations, "We Charge Genocide." In 1963, the Cleveland mosque helped petition the Ohio governor to revoke Mae Mallory's extradition for her association with Robert F. Williams and, along with the Afro-American Institute, organized a mass protest in front of the county jail.<sup>29</sup> The NOI announced the possibility of voter registration drives and backing black political candidates. As demonstrated in Chapter 3, even the trailblazing strategies of Muslim prisoners often mirrored those of the movement outside, from nonviolent direct-action such as hunger strikes and takeovers of solitary confinement to a prison litigation movement which drew upon the constitution as a binding document of citizenship and individual sovereignty. As C. Eric Lincoln noted regarding their use of the courts: "the Muslims appear to believe in the efficacy of the white man's law without believing in its justice."<sup>30</sup>

These politics coexisted alongside its vocal criticism of the civil rights movement. When asked about C. Eric Lincoln's assertion that the NOI was "'emphatically opposed' to the sit-in movement," Malcolm X clarified: "We are emphatically opposed to the *methods*" (emphasis in original).<sup>31</sup> As evidenced in the recollections of college students who invited Malcolm to campus in the early 1960s, politicization was also one of their central objectives. Contrary to mythic population notions of the Sixties as a period of unbridled political upheaval and social change, students described their experiences on campus in the early part of the decade as one insulated from political struggle. Campuses were isolated from the world outside, and students fell under

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<sup>29</sup> Kelley, *Freedom Dreams*, 74.

<sup>30</sup> C. Eric Lincoln, *The Black Muslims in America* (Boston: Beacon Press, 1961), 274.

<sup>31</sup> Malcolm X, transcript of "Open Mind" with Eric Goldman, April 23, 1961, Box 22, Items 371-380, Non-Criminal Investigation Case Files (NCICF), New York State, Division of State Police, New York State Archives.

the auspices of administrations playing the role of surrogate parents. Likewise, the experiences of Muslim prisoners who became politicized through the process of incarceration and their conversion to Islam, suggest the extent to which the Nation of Islam's political strategy was predicated on education, politicization, and unity. As Malcolm presciently noted at his 1961 Harvard visit: "None of this is REAL integration; it is only a pacifier designed to keep these awakening black babies from crying too loud . . . The same Negro students you are turning out today will soon be demanding the same things you now hear being demanded by Mr. Muhammad and the Black Muslims."<sup>32</sup> The emergence of Black Power in the late 1960s bore out this prediction.

That prisons, policing, and college campuses occupy our current moment as spaces for theorizing and articulating critiques of the state should come as no surprise. They have long been crucial sites of politicization, where visions of justice and freedom ran abruptly against the embankments of profits and power. As these movements lay claim to the very power structures that oppress them, we should be mindful of the ways in which earlier generations of activists navigated a dual-strategy of demanding state-guaranteed rights while imagining a global vision of freedom which exceeded the boundaries of the nation-state and its myopic notions of human dignity and worth. We should also remain deeply critical of the ways in which reproductions of nationhood rely upon – and reconstitute – the patriarchy, capitalism, and sexual-gender oppression of the state itself. Martin (Sostre) and Malcolm, who suffered the inhumane conditions of imprisonment and lived in a world governed by racial injustice and economic exploitation, both spoke truth to power through the unrelenting language of humanity and dignity. The week before he was assassinated, Malcolm urged that the "world see that our

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<sup>32</sup> Louis Lomax, *When the Word is Given: A Report on Elijah Muhammad, Malcolm X, and the Black Muslim World* (Cleveland: World Publishing Co., 1963), 126.

problem was no longer a Negro problem or an American problem but a human problem. A problem for humanity.”<sup>33</sup> A decade later, Martin Sostre wrote a letter from prison supporting Puerto Rican national independence. He asked: “What is the struggle for freedom if it is not the struggle for human dignity?”<sup>34</sup> Both importantly remind us that the struggle is for humanity.

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<sup>33</sup> See Malcolm X, “Not Just an American Problem, But a World Problem,” February 16, 1965. <http://nationalhumanitiescenter.org/pds/maai3/community/text10/malcolmworldproblem.pdf> (accessed May 19, 2016).

<sup>34</sup> Martin Sostre, *Letters and Quotations* (Northampton, MA: Mother Jones Press, 1975), 35.

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### ABBREVIATIONS

APRP	A. Philip Randolph Papers, Library of Congress
CELC	C. Eric Lincoln Collection, Robert W. Woodruff Library
NCICF	Non-Criminal Investigation Case Files, New York State Archives
MXC	Malcolm X Collection, Schomburg Center for Research in Black Culture
PLPP	P.L. Prattis Papers, Moorland-Spingarn Research Center
LLP	Louis Lomax Papers, University of Nevada – Reno
LMP	Loren Miller Papers, The Huntington Library

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