

DETROIT REVOLUTIONARY MOVEMENT RECORDS

BOX 7 OF 16

FOLDER 11

ATTICA PRISON UPRISING

POLITICAL CONSCIOUSNESS AND THE RULE OF LAW
AS REFLECTED IN THE JULY MANIFESTO
OF THE ATTICA INMATES

prepared by
Buffalo Chapter, National Lawyers Guild

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In July 1971 the inmates of Attica Correctional Facility issued the ATTICA LIBERATION FRACTION MANIFESTO OF DEMANDS AND ANTI-REPRESSION PLATFORM. The text of the statement and the manifesto of demands indicate the inmates' high level of political consciousness, both in an understanding of their existing situation and the factors that have caused it and in what will be most effective in creating the consciousness that can act to change it.

The programs which we are submitted to under the facade of rehabilitation is relative to the ancient stupidity of pouring water on a drowning man, inasmuch as we are treated for our hostilities by our program administrators with their hostility as a medication.

In our efforts to comprehend on a feeling level an existence contrary to violence, we are confronted by our captors with as to what is fair and just, we are victimized by the exploitation and the denial of the celebrated due process of law.

In our peaceful efforts to assemble in dissent as provided under this nation's United States Constitution, we are in turn murdered, brutalized and framed on various criminal charges because we seek the rights and privileges of All American People.

In our efforts to intellectually expand in keeping with the outside world, through all categories of news media, we are systematically restricted and punitively offended to isolation status when we insist on our human rights to the wisdom of awareness.¹

For the purposes of this paper, we see in the above paragraphs, and throughout the July Manifesto as a whole, the existence of three main themes. First, inmate recognition of their own alienation and of its base in their social relations in the prison, which are a manifestation of the alienation inherent in bourgeois commodity production. Secondly, the limited amount of already existing codification (Constitution, Bill of Rights, Penal

Law) has assisted them in their efforts through self education to heighten their consciousness. Thirdly, further codification possesses further educative possibilities and can provide them with a modicum of protection against the arbitrariness of the institutions dominating their lives.

In attempting to analyze the Attica Inmates' Manifesto and subsequent insurrection it may not be too misleading to look at, and perhaps draw a limited analogy with, Hegel's discussion of dominion and oppression or master and slave, which is found in his Phenomenology of Mind and discussed by Mitchell Franklin in his article "The Role of Legal Method in the Philosophies of Law of Hegel and Savigny."

The master alienates or seizes or appropriates the work or artifact produced by the worker. But in his turn the worker through his work or the artifact created by him struggles to negate or to alienate the alienation or the ownership of the owner. The property created by the worker is enjoyed by the owner; but such satisfaction also limits the consciousness of the property holder. The worker has created this historically limited consciousness. As new and more advanced productive possibilities and relations emerge in later history, the consciousness of the master appears as historically limited or fettered consciousness committed to production and production relations which have lost their historic validity. But the worker perceives in the new productive possibilities and relations real possibility of alienating the alienation. The fettered consciousness struggles to break the obsolete fetters and thus to alienate the alienation or obsolete appropriation of his work. Thus, as the old legal order, consecrating the old property relations, is threatened, it becomes arbitrary and equivocal. What had seemed to be an established legal order, based on the rule of law, is threatened by the new, but real, possibilities, which require new social relations or new property relations. The old rule of law becomes the victim of such new possibilities because it reflects the course and outcome of the struggle between the old and new social forces, one struggling, sometimes without self confidence, to maintain the actuality of its actuality, and the other strug-

gling to establish the actuality of its possibility by negating the other.... Dialectically actuality is infected with its opposite, real possibility, which also is actual, provided this can be established by praxis or social struggle.²

True, the essential purpose of prisons in American society is not commodity production, although the New York State Prison System does in fact maintain a state wide prison industrial complex, as reflected in demand number five of the Manifesto.³ The domination of each individual prisoner is more complete (or is it only different in form?) than that which could be accomplished by:

1. the objectification of labor, followed by its appropriation by the master, 2. the alienation of one from his life activity or from his act of production.⁴ Certainly there was not a realization on the part of prisoners as workers of new productive possibilities within the prison walls in turn rendering old social relations obsolete and exposing the fettered yet resisting consciousness of declining social forces.

How then do we explain the high level of consciousness achieved by large segments of the prison population (at the very minimum a large leadership group), as manifested by: 1. the content of their demands and manifesto 2. the actual strategy and tactics adopted in the course of the subsequent revolt? How is it that we account for the fact that it is American prisons today more than the loci of commodity production whose inmates are achieving such levels of political consciousness? In other words, how is it that the alienation of the alienation (on a level of consciousness) was able to take place in the relative absence of real appropriated practical activity?

In their manifesto the inmates give an indication of the extent of the State's efforts through its penal institutions and prison administrators, to systematically brutalize, degrade, and dehumanize its prisoners. In other words, it is a manifestation of the prisoners' recognition of the fact that in bourgeois society they are promised certain basic, human inalienable rights of which the State is determined to strip them. Whether the dehumanization and brutalization of prisoners is a result of economic considerations or a belief that prisoners should be punished or both, the effect is the same. Probably the economic factor is the more important. As Peter Kropotkin suggests, "...we may see throughout the bulky literature of 'prison-discipline' that the greatest admiration is bestowed precisely on those systems which have obtained the results of discipline with the least possible number of warders. The ideal of our prisons would be a thousand automatons, rising and working, eating and going to bed, by electric currents transmitted to them from a single warder."⁵ On the second page of the Manifesto the inmates state the following:

We, the inmates of Attica Prison, have grown to recognize beyond the shadow of a doubt that, because of our posture as prisoners and branded characters as alleged criminals, the administration and prison employees no longer consider or respect us as human beings, but rather as domesticated animals selected to do their bidding in slave labor and furnished as a personal whipping dog for their sadistic, psychopathic hate.

We, the inmates of Attica Prison, say to you, the sincere people of society, the prison system of which your courts have rendered unto, is without question the authoritative fangs of a coward in power.

Respectfully submitted to the people as a protest to the vile and vicious slavemasters.⁶

They use the terms master and slave, and although they do not mention alienation or appropriation or seizure it is that that they are describing. They are speaking not only of the appropriation of their labor, as in Hegel, but in addition of the constant attempt that is made to appropriate their whole beings in a total denial of their humanity. These attempts at appropriation manifest themselves in many forms: the assignment of numbers; the special dress of prisoners, appropriation of labor, the attempt to give the prisoners a totally unhistoric existence. But the guards are not mistaken for the masters, they are merely the representatives of the masters, tools themselves and thus full of psychopathic hate, "the authoritative fangs of a coward in power."⁷

Despite attempts of the State to extract the inmates from history, it has not been possible to erase the consciousness developed in working class families, the bourgeois educational system, military service and commodity production. In contradiction to the necessity of the bourgeoisie to appropriate the reason of the proletariat is the increased necessity of the bourgeoisie to educate the proletariat. This necessity finds its base in the development of the forces of production which eludes direct control by the capitalists. Although they would if possible fetter the educational development of the proletariat, the requirements for better equipped workers to function in a society undergoing rapid technological change overcomes this desire. Karl Liebknecht in his work on militarism says:

But Capitalism has no use for a stupid crowd, either,

because of the economic functions performed by the masses, especially by the proletariat. In order to be able to exploit, to make the biggest possible profits (this is its inevitable life task) Capitalism is forced by a tragic fate to produce systematically on a vast scale amongst its slaves that very intelligence which, as capitalism knows full well, must be the cause of its own death and destruction. All attempts at skillful manoeuvring and at a cunning co-operation with the Church and the school to steer the ship of Capitalism between the Scylla of an intelligence so low that it renders exploitation altogether too difficult and turns the proletarian himself into an unsuitable beast of burden, and the Charybdis of an education - necessarily destructive of Capitalism - which increases class-consciousness on all sides and revolutionizes the exploited - all such attempts are bound to fail.⁸

To counter the class consciousness and revolutionizing of the exploited that Liebknecht talks about, the Capitalists attempt to buy off visible leadership within the proletariat with the "superprofits" obtained through Imperialism. Lenin says:

Obviously, out of such enormous superprofits (since they are obtained over and above the profits which capitalists squeeze out of the workers of their "own" country) it is possible to bribe the labour leaders and the upper stratum of the labour aristocracy. And that is just what the capitalists of the "advanced" countries are doing: they are bribing them in a thousand different ways, direct and indirect, overt and covert.⁹

Obviously, Imperialism is necessitated by demands other than bribing the labor aristocracy i.e. the ever present war between the capitalists themselves for raw materials and markets for sale of goods and investment capital.

Imperialism, of course, while benefitting the bourgeoisie creates contradictions which in turn lead to the destruction of the bourgeoisie and the rise of the proletariat. Of importance here is the creation of large standing armies to seize and hold

imperial possessions. These armies, which are drawn from the proletariat, require well trained and educated soldiers because the development in the techniques and technology of warfare has paralleled that of production. Liebknecht says:

The true "military spirit", also called "patriotic Spirit" and in Prussia-Germany "spirit of loyalty to the king", means, in short, readiness at all times to strike at the enemy at home or abroad at the word of command. To produce this spirit perfect stupidity or, at least, a very low level of intelligence is needed which makes it possible to drive the masses in the direction dictated by the interests of the "existing order", as one would drive a herd of cattle. The admission of the minister of war, von Eppem, that he preferred a soldier who was loyal to the king, even though he were a bad shot, to a soldier whose way of thinking was less correct even though he were a good shot, must surely have come from the bottom of the heart of this representative of German militarism. But here militarism finds itself between the devil and the deep sea. The technique of arms, strategy and tactics now make a great demand upon the intelligence of the soldier and therefore, the soldier who is more intelligent, *ceteris paribus*, is also more thorough. For this reason alone militarism could effect nothing with merely a stupid crowd at the present time.¹⁰

This education and the socialization achieved under military service increases if not class consciousness at the potentiality and raw material for that development. Service in an imperial army in an imperial war itself has had revolutionizing effects on the soldiers in those armies as evidence by the role which the Russian army and navy played in the Russian Revolutions and the control the Bolsheviks exercised over the army during the Kerensky regime (e.g. the counterrevolutionary attempt by Kornilov), the vanguard role played by the sailors at Kiel and the reserve army units in the German Revolution of November 1918 and later by veterans in the League of Red Front Fighters, and the activities today of American

veterans returning from Viet Nam.

The bourgeois educational system and the widening experience of military service has particularly increased the consciousness of the Black man. Since the 1950's there have been increasing demands on the capitalist system by Black people, who are becoming aware of the contradiction between bourgeois ideology and actuality. In prisons this movement has taken a very assertive form - the Black Muslim movement which has further aided expanding consciousness by encouraging self-education and the development of discipline.

However, with increased self-consciousness on the part of the oppressed classes, the bourgeoisie and its State have similarly developed more sophisticated means to appropriate the reason of these classes. Perhaps the following quote from Spinoza can serve as a beginning point from which to examine some of the appropriative influences existent within the general society.

Obedience does not consist so much in the outward act as in the mental state of the person obeying; so that he is most under the dominion of another who with his whole heart determines to obey another's commands; and consequently the firmest dominion belongs to the sovereign who has most influence over the minds of his subjects... Furthermore though it is impossible to govern the mind as completely as the tongue, nevertheless the less minds are, to a certain extent, under the control of the sovereign, for he can in many ways bring about that the greatest part of his subjects should follow his wishes in their beliefs, their loves and their hates.¹¹

The question it seems is how and under what influences one comes to a certain belief as to what is his advantage or his interest. It seems that it is not only material conditions and relations of production, ultimately yes but not necessarily at a particular

given moment.¹² Although Spinoza was neither a dialectician nor acquainted with the infrastructure and the superstructure, he gives some insight into what constitutes the appropriation of man's reason by superstructural institutions as well as those of the infrastructure. This subject is greatly expanded upon by Wilhelm Reich in the Mass Psychology of Fascism. In other words one of the most important functions of any state as well as of the other dominant superstructural institutions is the cultivation of ideologies, for example, nationalism, white supremacy, equality under the law, sanctity of private property and the self made individual. They serve not only to prevent the development of correct consciousness by society's exploited classes, but through highly developed techniques of reason appropriation to impose upon the masses a false consciousness, a consciousness contrary to their true interests.

In other words obsolete capitalist relations of production can continue to exist only so long as the new possibilities are not recognized by those who will benefit from their realization. More concretely, the currently dominant forces must increasingly perfect their techniques of reason appropriation. For example, rather than flow up from the people to be put into effect by the institutions of government, public opinion has been increasingly manufactured, managed and imposed on the people from the top, from those forces which continue to control the governmental machinery against the interests of the masses. Vast sums are expended by political parties and their candidates to sell the masses on their particular stances (or non stances) on various political social and economic issues. Public relations firms and media projection play

an ever increasing role in the political process. This is also readily observable in the economic arena, with the creation of false demands for wasteful products through the use of manipulative, appropriative techniques of advertising. A not insignificant proportion of workers and other employees through something akin to corporate patriotism as well as immediately perceived economic benefit, actually identify their interests with the interests of their oppressors. In short, the continued survival of American capitalism and its state is dependent upon successfully preventing the development of the prerequisites (i.e. the capacity for highly questioning, reasoned, critical thought) of Jefferson's public opinion state. It necessitates a citizenry which merely reacts to state and corporate initiated exortations of various sorts.

When people enter the prison their former social relations are so limited as to be effectively cut off. So also are the highly sophisticated methods which serve to appropriate the reason of oppressed classes outside. They are replaced by the primitive brutal means described by the inmates in their Manifesto. Although the "punishment" for prisoners was to cut off their historic social relations - that which gives man his humanity - new social relations are developed within the prison. Much of prison life is in fact highly social in its nature in spite of the relative unimportance of commodity production within the prison walls. A common experience of subjugation by a common oppressor can accomplish much in the way of producing a sense of solidarity among those oppressed.

An extremely important vehicle for increasing this solidarity among inmates has been their common experience with the law, in

particular that law which is already somewhat codified (e.g. the Penal Code and especially the United States Constitution and its Bill of Rights). This pre-existing codification of bourgeois Enlightenment values in the Constitution has served to expose the contradiction existing between state rhetoric and objective reality.

We are firm in our resolve and we demand, as human beings, the dignity and justice that is due to us by our right of birth. We do not know how the present system of brutality and dehumanization and injustice has been allowed to be perpetrated in this day of enlightenment, but we are the living proof of its existence and we cannot allow it to continue.¹³

Because these laws are codified, the inmates have had the access to them they would not have had under a common law system. The inmates were able to learn what, according to its bourgeois authors, the law purports and how it is to be administered. The inmates took the laws and Constitution at face value and attempted to secure those rights guaranteed by the Bill of Rights. Because the bourgeoisie will not and can not grant these rights, it has become apparent to the inmates that there exists a contradiction between what the law promises and what it gives. It has also become evident that there is a distinct difference between the way the law is applied to various strata of society and the severity of punishment incurred by those strata. The inmates, therefore, demand equality of treatment, "...we seek the rights and privileges of All American People"¹⁴ and due process of law, "...we are victimized by the exploitation and the denial of the celebrated due process of law".¹⁵ The American bourgeoisie even with its limited

codification of law has become faced, as evidenced by the events at Attica, with the same dilemma as the French and German bourgeoisies after their revolutions. This contradiction and its obvious resolution is outlined by Engels in Anti-Duehring:

And in the same way the bourgeois demand for equality was accompanied by the proletarian demand for equality. From the moment when the bourgeois demand for the abolition of class privileges was put forward, alongside of it appeared the proletarian demand for the abolition of the classes themselves - at first in religious form, basing itself on primitive Christianity, and later drawing support from the bourgeois equalitarian theories themselves. The proletarians took the bourgeoisie at their word: equality must not be merely apparent, must not apply merely to the sphere of the state, but must also be real, must be extended to the social and economic sphere.

The demand for equality in the mouth of the proletariat has therefore a double meaning. It is either - as was especially the case at the very start, for example in the peasants' war - the spontaneous reaction against the crying social inequalities, against the contrast of rich and poor, the feudal lords and their serfs, surfeit and starvation; as such it is the simple expression of the revolutionary instinct, and finds its justification in that, and indeed only in that. Or, on the other hand, the proletarian demand for equality, drawing more or less correct and more far-reaching demands from this bourgeois demand, and serving as an agitational means in order to rouse the workers against the capitalists on the basis of the capitalists' own assertions; and in this case it stands and falls with bourgeois equality itself. In both cases the real content of the proletarian demand for equality is the demand for the abolition of classes. Any demand for equality which goes beyond that, of necessity passes into absurdity.¹⁶

This contradiction and its exposure serves two essential purposes:

1. it has a great educative, radicalizing effect upon the prisoners themselves, and
2. coupled with strategically correct usage of communications media (e.g. insistence upon projection to the public of the totality of the events of September 9 - 13) it demonstrates

to the public the tremendous gap existing between the bourgeois rehabilitative ethic and the reality of prison life.

This exposure of the contradiction between ideology and reality with its accompanying demand for equality by an increasingly stronger and more class conscious proletariat forces the bourgeoisie into actions designed to obscure or resolve these contradictions which in turn heighten class consciousness and force the bourgeoisie into new efforts at resolution.¹⁷

Historically, codification has been championed by an ascending subordinate class. Such was the case with the French and German bourgeoisies who developed civil codes to escape the fetters of feudal common law.¹⁸ In America it has been the proletariat sometimes in alliance with certain sections of the bourgeoisie¹⁹ that has struggled for codification. At the beginning of the 19th century "Democratic Societies" composed mainly of urban workers and small farmers "demanded that legislators, executives, and judges abandon the use of 'dark, intricate, antiquated formalities', and 'obsolete phraseology' which only lawyers and classical scholars could understand."²⁰ Hegel argued for codification saying, "To hang the laws so high that no citizen could read them... is injustice of one and the same kind as to bury them in row upon row of bound tomes, collections of dissenting judgements and opinions, records of customs, etc,... so that knowledge of the law of the land is accessible only to those who have made it their professional study."²¹ Livingston arguing in much the same vein said that Louisiana saw, "the danger of permitting a particular class of men to become the sole depositories of this knowledge and the

sole interpreters of the laws."²²

Additional understanding of the importance of a demand for codification of law may be gained from a further look at the thought of Edward Livingston.

Everywhere, with but few exceptions, the interest of the many has, from the earliest ages, been sacrificed to the power of the few. Everywhere penal laws have been framed to support this power; and those institutions, favourable to freedom, which have come down to us from our ancestors, form no part of any original plan, but are isolated privileges....²³

This quote from Edward Livingston almost seems to recognize the existence of infrastructure - superstructure, or in other words, the impossibility of the existence of an unhistoric educator, either as political leadership or as prison administrator. However, the content of his penal code and the means by which he hoped its implementation would be accomplished testify to the contrary. The following excerpt from Livingston in whom the most progressive ideas of the Enlightenment were embodied, clearly shows his belief in political society's responsibilities to those whom it has classed as criminals. (In addition, we may note that it also recognizes the importance of work, or productive activity of life activity, or as Marx put it, of man's "life essence".²⁴

"Political society," he reports, "owes perfect protection to all its members in their persons, reputations and property; and it also owes necessary subsistence to those who cannot procure it for themselves. Penal laws to suppress offences are the consequences of the first obligation, those for the relief of pauperism of the second..." "This relief," moreover, "must be given by providing means of employment for the industrious and gratuitous support for the helpless." He is not impressed by arguments that "the duty to provide for the poor

is rather a moral than a civil obligation," binding, "last of all society." Furthermore "the argument is founded on the false principle, that the moral obligation of charity in individuals...is superior in degree ...to that social duty which every nation owes to the individuals which compose it; which duty is not only protection, but mutual support."²⁵

In addition, Livingston was aware that the periodic fluctuations and upheavals within the economy over which working men had no control, were the major causes of unemployment, to which he, in turn, credited with causing antisocial criminal behavior.²⁶

Livingston could not, of course, have been expected to realize that unalienated productive activity is an impossibility in bourgeois society. In spite of the frequency and intensity with which he championed the cause of working men, he was incapable of truly grasping the concept of class or the importance of one's relationship to the means of production.

He was, nevertheless, very much aware of, and indeed this seemed to be the motivating force behind his codification efforts in general, the tremendous potential for arbitrariness, and discretionary abuse with which Anglo-American common law is rent.

Judges...acquire a habit...of taking a side in every question they hear debated. ...neutrality...can not be expected... In the theory of our law, judges are the counsel for the accused, in practice they are, with a few honourable exceptions, the most virulent prosecutors.²⁷

Livingston's distrust of official discretion extended to the personal setting, thinking it "unsafe to adopt a system that depend entirely for its success on the personal qualities of the one who is to carry it into effect."²⁸

The inmates at Attica have understood also, the risks of a legal method that allows for the arbitrariness of authority be it judges or prison officials. They have studied their own cases and those of others with great care and have broken through the legal method that renders most of the law incomprehensible to the layman and in which hides the discretion of judges. However, because of their situation in which they are feeling the effects of that discretion they have no illusions, as did Livingston, about the possibilities of some benefactor out of history granting them Enlightenment justice. Rather, they demand codification for minimal protection, and, as importantly, for the educative function it can fulfill. The Manifesto of the inmates states:

27) WE DEMAND that there be one set of rules governing all prisons in this state instead of the present system where each warden makes rules for his institution as he sees fit.

19) WE DEMAND that the State Legislature create a full-time salaried board of overseer for the State Prisons. The Board would be responsible for evaluating allegations made by inmates, their families, friends and lawyers against employees charged with acting inhumanely, illegally or unreasonably. The board should include people nominated by a psychological or psychiatric association, by the State Bar Association or by the Civil Liberties Union, and by groups of concerned, involved laymen.²⁹

The inmates understand that with a system of "codified" rules they can set in process the system of law, contradiction, solution and further contradiction that can be deciphered from case law in the process of "distinguishing a case on a judge's discretion." This process has been explained above, and it has helped to educate the inmates. They understand that with codification this

process will be much more clear.

The old rule of law becomes the victim of such new possibilities because it reflects the course and outcome of the struggle between the old and new social forces, one struggling, sometimes without self confidence, to maintain the actuality of its actuality, and the other struggling to establish the actuality of its possibility by negating the other.... Dialectically actuality is infected with its opposite, real possibility, which also is actual, provided this can be established by praxis or social struggle.³⁰

Thus the education process will go on for codification gives men more room to demand justice while making the contradictions and limits of that justice ever more clear. It is particularly important to note that demand number 19 will work to limit the authority of the representatives of the master so oppressive to inmates and which the inmates understand will exist inspite of whatever success they may achieve in "codification" due to their situation. Many of the other demands indicate other progressive insights particularly along the lines of the importance and value of creative work but for the purposes of this analysis, we will restrict our discussion to those that have the most immediate legal relevance.

F O O T N O T E S

- 1 The Attica Liberation Faction Manifesto of Demands and Anti-Repression Platform (1971) 4.
- 2 Franklin, The Role of Legal Method in the Philosophies of Law of Hegel and Savigny, 7, 8.
- 3 Manifesto, op. cit. 5.
- 4 Marx, Economic and Philosophic Manuscripts, in Writings of the Young Marx on Philosophy and Society (East and Gudsat tr. 1967) 292, 293.
- 5 Kropotkin, In Russian and French Prisons (1887) 325.
- 6 Manifesto, op. cit. 2.
- 7 Ibid at 2.
- 8 Liebknecht, Militarism and Anti-Militarism (1907) 23-24.
- 9 Lenin, Selected Works Vol. I (1963) 677.
- 10 Liebknecht, op. cit. 20.
- 11 Spinoza, "A Theologico-Political Treatise," The Chief Works of Benedict de Spinoza (Elwes' tr., 1883), I, 214, as quoted in Franklin, Hegel's Theory of Alienation, 63.
- 12 Engels' Letter to J. Bloch, London, September 21-22, 1890, in Karl Marx and Frederick Engels, Selected Works Vol 3 (1970)
- 13 Manifesto, op. cit. 8.
- 14 Ibid at 4.
- 15 Ibid at 4.
- 16 Engels, Herr Eugen Duehring's Revolution in Science (Anti-Duehring) (1939) 117-118.
- 17 Engels, Letter to C. Schmidt, London, October 27, 1890, loc. cit. supra, note 12, at 492.

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- 5 Kropotkin, In Russian and French Prisons (1887) 325.
- 6 Manifesto, op. cit. 2.
- 7 Ibid at 2.
- 8 Liebknecht, Militarism and Anti-Militarism (1907) 23-24.
- 9 Lenin, Selected Works Vol. I (1963) 677.
- 10 Liebknecht, op. cit. 23.
- 11 Spinoza, "A Theologico-Political Treatise," The Chief Works of Benedict de Spinoza (Elwes' tr., 1883), I, 214, as quoted in Franklin, Hegel's Theory of Alienation, 63.
- 12 Vide Engels Letter to J. Bloch, London, September 21-22, 1890, in Karl Marx and Frederick Engels, Selected Works Vol 3 (1970) 487.
- 13 Manifesto, op. cit. 8.
- 14 Ibid at 4.
- 15 Ibid at 4.
- 16 Engels, Herr Eugen Duehring's Revolution in Science (Anti-Duehring) (1939) 117-118.
- 17 Engels, Letter to C. Schmidt, London, October 27, 1890, loc. cit. supra, note 12 at 492.

- 18 Vide, Franklin, op. cit. supra note 2.
- 19 Foner, History of the Labor Movement in the United States, Vol. I (1947) 79.
- 20 Ibid at 86.
- 21 Hegel, Philosophy of Right (Knox tr. 1952) 138.
- 22 Livingston, Complete Works of Edward Livingston on Criminal Jurisprudence (1873) 161, as quoted in Franklin, Concerning the Historic Importance of Edward Livingston, 11 Tulane Law Rev. 183.
- 23 Ibid at 171.
- 24 Marx, op. cit. 294.
- 25 Livingston, op. cit. 207, 208.
- 26 Franklin, loc. cit. supra note 22 at 208.
- 27 Livingston, The Complete Works of Edward Livingston on Criminal Jurisprudence, Vol. I (1873) 70, as quoted in Hall, Edward Livingston and His Louisiana Penal Code, 22 American Bar Association Journal 196.
- 28 Ibid at 126.
- 29 Manifesto, op. cit. 7.
- 30 Franklin, op. cit. supra note 2 at 8.

THE ATTICA LIBERATION FACTION MANIFESTO OF DEMANDS

AND

ANTI-REPRESSION PLATFORM

WE, THE IMPRISONED MEN OF ATTICA PRISON, SEEK AN END TO THE INJUSTICE SUFFERED BY ALL PRISONERS, REGARDLESS OF RACE, CREED OR COLOR.

THE PREPARATION AND CONTENT OF THIS DOCUMENT HAS BEEN CONSTRUCTED UNDER THE UNIFIED EFFORTS OF ALL RACES AND SOCIAL SEGMENTS OF THIS PRISON.

IT IS A MATTER OF DOCUMENTED RECORD AND HUMAN RECOGNITION THAT THE ADMINISTRATION OF THE NEW YORK STATE PRISON SYSTEM HAVE RESTRUCTURED THE INSTITUTIONS WHICH WERE DESIGNED TO SOCIALLY CORRECT MEN INTO THE FASCIST CONCENTRATION CAMPS OF MODERN AMERICA.

DUE TO THE CONDITIONAL FACT THAT ATTICA PRISON IS ONE OF THE MOST CLASSIC INSTITUTIONS OF AUTHORITATIVE INHUMANITY UPON MEN, THE FOLLOWING MANIFESTO OF DEMANDS ARE BEING SUBMITTED:

(The following appeared on the original in longhand)

Attention!

A copy of this manifesto has been forwarded to the following representatives of this State, and has been acknowledged by the Commissioner of Correction:

The Governor of the State of New York;
The New York State Legislature;
The Commissioner of Correction.

/s/ Charles Carpent(rest illegible)
Secretary
Attica Liberation Faction

"MAN'S RIGHT TO KNOWLEDGE AND THE FREE USE THEREOF"

We, the inmates of Attica Prison, have grown to recognize beyond the shadow of a doubt that, because of our posture as prisoners and branded characters as alleged criminals, the administration and prison employees no longer consider or respect us as human beings, but rather as domesticated animals selected to do their bidding in slave labor and furnished as a personal whipping dog for their sadistic, psychopathic hate.

We, the inmates of Attica Prison, say to you, the sincere people of society, the prison system of which your courts have rendered unto, is without question the authoritative fangs of a coward in power.

Respectfully submitted to the people as a protest to the vile and vicious slavemasters:

THE GOVERNOR OF NEW YORK STATE
THE N.Y.S. DEPARTMENT OF CORRECTIONS
THE N.Y.S. LEGISLATURE
THE N.Y.S. COURTS
THE UNITED STATES COURTS
THE N.Y.S. PAROLE BOARD

And those who support this system of injustice.

The inmates of this prison have vested the power of negotiation regarding the settlement of the stipulated demands within the judgement and control of these men:

DONALD NOBLE	26777
PETER BUTLER	26018
FRANK LOTT	26148
CARL JONEL-EL	24534
HERBERT BLYDEN X.	22480

All and any negotiation will be conducted by Prison and State Authorities with these five men.

These demands are being presented to you. There is no strike of any kind to protest these demands. We are trying to do this in a democratic fashion. We feel there is no need to dramatize our demands.

We, the men of Attica Prison, have been committed to the N.Y.S. Department of Correction by the people of society for the purpose of correcting what has been deemed as social errors in behavior. Errors which have classified us as socially unacceptable until reprogrammed with new values and more thorough understanding as to our value and responsibilities as members of the outside community. The Attica Prison program in its structure and conditions have been enslaved on the pages of this Manifesto of Demands with the blood, sweat and tears of the inmates of this prison.

The programs which we are submitted to under the facade of rehabilitation is relative to the ancient stupidity of pouring water on a drowning man, inasmuch as we are treated for our hostilities by our program administrators with their hostility as a medication.

In our efforts to comprehend on a feeling level an existence contrary to violence, we are confronted by our captors with as to what is fair and just, we are victimized by the exploitation and the denial of the celebrated due process of law.

In our peaceful efforts to assemble in dissent as provided under this nation's United States Constitution, we are in turn murdered, brutalized and framed on various criminal charges because we seek the rights and privileges of All American People.

In our efforts to intellectually expand in keeping with the outside world, through all categories of news media, we are systematically restricted and punitively offended to isolation status when we insist on our human rights to the wisdom of awareness.

MANIFESTO OF DEMANDS

- 1) WE DEMAND the constitutional rights of legal representation at the time of all parole board hearings; and the protection from the procedures of the Parole Authorities whereby they permit no procedural safeguards such as an attorney for cross-examination of witnesses, witnesses in behalf of the parolee, at parole revocation hearings.
- 2) WE DEMAND a change in medical staff and medical policy and procedure. The Attica Prison hospital is totally inadequate, understaffed, prejudiced in the treatment of inmates. There are numerous "mistakes" made many times, improper and erroneous medication is given by untrained personnel. We also demand periodical check-ups on all prisoners and sufficient licensed practitioners 24 hours a day instead of inmate help that is used now.
- 3) WE DEMAND adequate visiting conditions and facilities for the inmates and families of Attica prisoners. The visiting facilities at this prison are such as to preclude adequate visiting for the inmates and their families.
- 4) WE DEMAND an end to the segregation of prisoners from the mainline population because of their political beliefs. Some of the men in Segregation Units are confined there solely for political reasons and their segregation from other inmates is indefinite.
- 5) WE DEMAND an end to the persecution and punishment of prisoners who practice the Constitutional Right of peaceful dissent. Prisoners at Attica and other N.Y.S. Prisons cannot be compelled to work, as these prisons were built for the purpose of housing prisoners and there is no mention as to the prisoners being required to work on prison jobs in order to remain in the mainline population and/or be considered for release. Many prisoners believe their labor power is being exploited in order for the state to increase its economic power and to continue to expand its correctional industries (which are million-dollar complexes), yet do not develop working skills acceptable for employment in the outside society, and which do not pay the prisoner more than an average of forty cents a day. Most prisoners never make more than fifty cents a day. Prisoners who refuse to work for the outrageous scale, or who strike, are punished and segregated without the access to the privileges shared by those who work; this is class legislation, class division, creates hostilities within the prison.
- 6) WE DEMAND an end to political persecution, racial persecution, and the denial of prisoner's right to subscribe to political papers, books or any other educational and current media chronicles that are forwarded through the United States Mail.
- 7) WE DEMAND that industries be allowed to enter the institutions and employ inmates to work eight hours a day and fit into the category of workers for scale wages. The working conditions in prisons do not develop working incentives parallel to the many jobs in the outside society, and a paroled prisoner faces many contradictions of the job that adds to his difficulty in adjusting. Those industries outside who desire to enter prisons should be allowed to enter for the purpose of employment placement.

- 8) WE DEMAND that inmates be granted the right to join or form labor unions.
- 9) WE DEMAND that inmates be granted the right to support their own families; at present, thousands of welfare recipients have to divide their checks to support their imprisoned relatives who, without the outside support, can not even buy toilet articles or food. Men working on scale wages could support themselves and families while in prison.
- 10) WE DEMAND that correctional officers be prosecuted as a matter of law for any act of cruel and unusual punishment where it is not a matter of life and death.
- 11) WE DEMAND that all institutions using inmate labor be made to conform with the state and federal minimum wage laws.
- 12) WE DEMAND an end to the escalating practice of physical brutality being perpetrated upon the inmates of N.Y.S. prisons.
- 13) WE DEMAND the appointment of three lawyers from the N.Y.S. Bar Association to full-time positions for the provision of legal assistance to inmates seeking post-conviction relief, and to act as a liaison between the Administration and inmates for bringing inmate complaints to the attention of the Administration.
- 14) WE DEMAND the updating of industry working conditions to the standards provided for under N.Y.S. law.
- 15) WE DEMAND the establishment of inmates workers insurance plan to provide compensation for work-related accidents.
- 16) WE DEMAND the establishment of unionized vocational training programs comparable to that of the Federal Prison System which provides for union instructions, union pay scales, and union membership upon completion of the vocational training course.
- 17) WE DEMAND annual accounting of the Inmates' Recreational Fund and formulation of an inmate committee to give inmates a voice as to how such funds are used.
- 18) WE DEMAND that the present Parole Board appointed by the Governor be eradicated and replaced by the parole board elected by popular vote of the people. In a world where many crimes are punished by indeterminate sentences and where authority acts within secrecy and within vast discretion and given heavy weight to accusations by prison employees against inmates, inmates feel trapped unless they are willing to abandon their desire to be independent men.

- 19) WE DEMAND that the State Legislature create a full-time salaried board of overseer for the State Prisons. The Board would be responsible for evaluating allegations made by inmates, their families, friends and lawyers against employees charged with acting inhumanely, illegally or unreasonable. The board should include people nominated by a psychological or psychiatric association, by the State Bar Association or by the Civil Liberties Union, and by groups of concerned, involved laymen.
- 20) WE DEMAND an immediate end to the agitation of race relations by the prison administration of this state.
- 21) WE DEMAND the Department of Corrections furnish all prisoners with the services of Ethnic Counselors for the needed special services of the Brown and Black population of this prison.
- 22) WE DEMAND an end to the discrimination in the judgement and quota of parole for Black and Brown people.
- 23) WE DEMAND that all prisoners be present at the time their cells and property are being searched by the correctional officers of state prisons.
- 24) WE DEMAND an end to the discrimination against prisoners when they appear before the Parole Board. Most prisoners are denied parole solely because of their prior records. Life sentences should not confine a man longer than ten years as seven years is the considered statute for a lifetime out of circulation, and if a man cannot be rehabilitated after a maximum of ten years of constructive programs, etc., then he belongs in a mental hygiene center, not a prison.
- 25) WE DEMAND an end to the unsanitary conditions that exist in the mess hall: I.E., dirty trays, dirty utensils, stained drinking cups and an end to the practice of putting food on the tables hours before eating time without any protective covering put over it.
- 26) WE DEMAND that better food be served to the inmates. The food is a gastronomical disaster. We also demand that drinking water be put on each table and that each inmate be allowed to take as much food as he wants and as much bread as he wants, instead of the severely limited portions and limited (4) slices of bread. Inmates wishing a pork-free diet should have one, since 85% of our diet is pork meat or pork-saturated food.
- 27) WE DEMAND that there be one set of rules governing all prisons in this state instead of the present system where each warden makes rules for his institution as he sees fit.

I N C O N C L U S I O N

We are firm in our resolve and we demand, as human beings, the dignity and justice that is due to us by our right of birth. We do not know how the present system of brutality and dehumanization and injustice has been allowed to be perpetrated in this day of enlightenment, but we are the living proof of its existence and we cannot allow it to continue.

The taxpayers who just happen to be our mothers, fathers, sisters, brothers, daughters and sons should be made aware of how their tax dollars are being spent to deny their sons, brothers, fathers and uncles of justice, equality and dignity.

ATTICA LIBERATION FACTION

/s/ Donald Noble

Donald Noble 26777

/s/ Peter Butler

Peter Butler 26018

/s/ Frank Lott

Frank Lott 26148

/s/ Carl Jones-El

Carl Jones-El 24534

/s/ Herbert X. (Blyden)

Herbert Blyden X. 22480

Corrections to paper on Attica

page 13, last seven lines:

tice of one and the same kind as to bury them in row upon row of learned tomes, collections of dissenting judgements and opinions records of customs, etc,... so that knowledge of the law of the land is accessible only to those who have made it their professional study"²¹ Livingston arguing in much the same vein said that Louisiana saw, "the danger of permitting a particular class of men to become the sole depositories of this knowledge and the

page 14 beginnin of the last ten lines

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page 15 last 4 lines

Livingstone's distrust of official discretion extended to the peno-
correctional setting thinking it "unsafe to adopt a system that
must depend entirely for its success on the personal qualities of
the man who is to carry it into effect."²⁸

page 16 beginning of last 5 lines

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