

## **A PRIMER: New Afrikan History of Struggle and Perspective**

“Violence In America  
Is As American As Apple Pie!”  
—Jamil Abdul Al-Amin (former H. Rap Brown)

### **INTRODUCTION**

In late Summer 2016, a few prisoners at Attica encouraged me to once again teach a Black history class. I had taught the subject in three other prisons over my 46 years of imprisonment. But in recent years, I had not been teaching, rather concentrating on legal work, especially trying to win parole. As a result of the growing activism in the Black community in response to increased police killings of unarmed Black men, I decided to again teach. The Attica prisoner organization, Afrikan-American Cultural and Study Group (AACSG) obtained approval from the prison administrators for me to be a facilitator, permitting me to teach a class. Originally, I was going to simply give a series of lectures; however, after I found there was great interest by many young prisoners, the lectures turned into a study course. The study course spanned from 1861 to 1980.

I decided to present this history in increments, highlighting what I believed to be important events that impacted the Black freedom fight in the American experience. It is generally known Afrikans in the diaspora had always fought to win their freedom from the beginning of chattel slavery. There had been over 250 slave insurrections and revolts in nearly 300 years of slavery. However, it was not until the civil war did the actual conditions exist to end Afrikan chattel slavery.

Therefore, I began the course with the first act by President Abraham Lincoln that effectively impacted the lives of Afrikan slaves as part of the civil war. It has been historically established that President Lincoln would not have ended chattel slavery if he could win the war and unite the country without ending slavery. Since a major source of revenue for the Confederate Army were products produced by slave labor, it was essential to end that source of war revenue. As a military strategy, President Lincoln decided in 1861 to implement the Confiscation Act.

It was astounding to me when I started the class to learn to what extent these prisoners, many of them in their 20's and 30's, had no knowledge of the civil war, severely lacking any American history. Obviously, Black history, for all intents and purposes, is American history. Therefore, I sought to share with these students how each Presidential proclamation, Congressional enactment or Supreme Court decision subject to our struggle and fight for freedom impacted America. Concomitantly, as the result of the persistent and pervasive racial divide, many laws based on civil and human rights are due to our fight opposing acts or institutions of white supremacy and/or capitalist exploitation. It is with this understanding the Black history class started, knowing what was being taught these prisoners will one day take home, back to the community. It was my hope these prisoners would be prepared to contribute to society, and the continued fight for freedom.

After I was taken to the Special Housing Unit for teaching about the Black Panther Party by Attica administrators, friends and supporters wanted to know exactly what I was teaching. I was asked to send my syllabus or curriculum for folks to check out. Because I did not have a

syllabus or curriculum, generally teaching from available materials and books, initially I intended to write a brief synopsis of the core subject points being taught. As I was writing, my thinking began to change, as it is impossible to share all I wanted to give these students in a synopsis. Therefore, I commenced to write a small book, but decided to release it online in hope of reaching more people, open discussion on the subject and importance of knowing our history of struggle, and to be more engaging. The book will be released in installments, permitting time for folks to read, digest and critically consider what is being shared and why(?). I start this book at this epoch as it was during the civil war, in my opinion, the potential existed for Afrikans in America to begin the process of taking control of their inalienable human rights, and to manifest their destiny.

First Installment

**“Free at Last ...Free at Last ...”**

### **CONFISCATION ACT**

**1861-2.** In Jefferson Davis’ inaugural address, he declared, as the President of the Confederate States, Afrikan chattel slavery is “necessary to self-preservation.” The civil war started when the Confederate State began its secession from the United States, attempting to preserve the plantation slavocracy. In response, President Abraham Lincoln initiated the Confiscation Act as a military strategy to strip the Confederates of a revenue stream to continue the war. In so doing, President Lincoln employed an age-old tactic in military strategy, recognizing the Confederate reliance on Afrikan slavery and seeking to maintain this peculiar institution, opposing the United States. The civil war became heated when fighting broke out in 1861 in South Carolina when Confederate forces attacked Fort Sumter (see the movie “Glory”). The Southern states’ efforts to become independent of Washington D.C. federal governing were because they wanted to maintain Afrikan chattel slavery as a way of life of white supremacy, human trafficking and exploitation.

The Confiscation Act of 1861 and 1862, and the Militia Act paved the road toward the end of Afrikan chattel slavery as it was then practiced. The Act of April 16, 1862 ch. 54, 1, 12 Stat. 376, stated “Neither slavery nor involuntary servitude shall hereafter exist in said District (District of Columbia).” The Act was directed at Afrikan slavery, and attempts to extend the bill to include white persons failed. The Act of June 19, 1862, 12 Stat. 432, applied the same prohibitions to the Territories. Essentially, these Acts sought to end Afrikan chattel slavery in the areas where the Confederates were reaping profits for their war effort. The Confiscation Bill declared that slaves of rebels “shall be forever free of their servitude and not again held as slaves.” In fact the Act of July 16, 1862 (Militia Act), ch. 195, 9, 12 Stat 599 and the Northwest Ordinance, 1 Stat. 53 (1787) followed the draft of Thomas Jefferson of the Ordinance of 1784, and were directed against the legal enforcement of “conditional servitude under indentures of covenants,” a practice which had long existed in Virginia, “at least to the extent that such indentures were not entered in voluntarily, without compulsion of a previously existing debt or obligation.” By the Confiscation Act, President Lincoln created the foundation to end Afrikan chattel slavery, leading to separating slaves from slave masters as part of the war strategy. The Confiscation Act informed now freed Afrikans that any territory under the command and control of the Yankee army in the pursuit of the war was binding, while the Militia Act created the means for these freed slaves to join the Yankee army and fight their former slave masters. It has been reported that 186,000 Afrikans joined the army and 29,000 became sailors, of which the

numbers are probably higher due to mulattos who were registered as whites. Hence, the Confiscation Act seized the land, ensuring it would no longer be Confederate holding, and said Afrikan slaves were free. The land, for all intents and purposes, became liberated territory for the express use of the freed slaves.

### **Emancipation Proclamation**

**1863.** Following the Confiscation Act, on January 1, 1863, President Lincoln established the Emancipation Proclamation, stating:

“I do order and declare that all persons held as slaves within said designated States and parts of States henceforth shall be free; and the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.”

This proclamation did not end slavery, but rather defined the course of history that was to follow. For example, slave States that were not fighting to secede the U.S. Government were permitted to continue to hold slaves; Missouri, Kentucky, Maryland, and Delaware were exempt from the Proclamation. Soon after the Confiscation Act and the Emancipation Proclamation were instituted into law, the course of slavery forged towards peonage and involuntary servitude. However, the Act and Proclamation were liberating in terms of freeing Afrikan slaves as the Yankees further progressed into Confederate territories. Many of the freed Afrikans joined the Yankee Army, establishing Afrikan regiments in the fight. Afrikans in America fighting for their freedom has been a never-ending battle. From fighting against slave traders, slave holders, and the onslaught of white supremacists, the continuum... Although it was unclear whether President Lincoln had the constitutional authority to free the slaves with the Act and Proclamation, Congress subsequently proposed the Thirteenth Amendment in 1865.

### **Special Field Order No. 15**

**1864.** During the continuation of the civil war, after the Act and Proclamation, by orders of General William Tecumseh Sherman and U.S. Secretary of War Edwin McMaster Stanton in late 1864 by Special Field Order No. 15, which set aside:

**“... the islands from Charleston South, the abandoned rice fields along the rivers from 30 miles back from the seas and the country bordering the St. John’s River, Florida ...”**

for the emancipated Afrikans in America.

**“... in the possession of which land the military authorities will afford them protection until such time as they can protect themselves or until Congress shall regulate their title ...”**

It is these lands under the control of free Afrikans that granted them to eventually establish Freedmen’s Bureaus. These Freedmen’s Bureaus generally created liberated and autonomous sovereign territory. The freed territories in the control of free Afrikans was the first time Afrikans sought to govern themselves, creating social order absent slave masters and fear of the whip. The Freedmen’s Bureaus evolved into quasi-governing institutions in absence of U.S. Government controls. The Freedmen’s Bureaus organized in the liberated territories medical services; set up schools; made it possible for contracts to be written and enforced; managed the

leasing and selling of abandoned and confiscated lands; resettled Afrikans in the liberated territory, especially those who found their way from hidden Maroon communities; provided assistance and legal protections and were an integral part of Reconstruction. It was through the Freedmen's Bureaus the call was made for Congress to grant the millions of freed Afrikans forty acres and a mule. However, this proposal by Thaddeus Stevens to Congress was defeated in the House of Representatives 126 to 37. Although the Freedmen's Bureaus were established by Congress in 1865, this organized body of freed Afrikans, through trial and error, indicated how they could in fact govern themselves.

### **Thirteenth Amendment**

**1865.** In 1911, the U.S. Supreme Court stated in *Bailey v. Alabama*, 219 U.S. 219:

“The language of the Thirteenth Amendment was not new. It reproduced the historic words of the ordinance of 1787 for the government of the Northwest Territory and gave them unrestricted application within the United States and all places subject to their jurisdiction. The plain intent was to abolish slavery of whatever name or form, and all badges and incidents; to render impossible any state of bondage; to make labor free, by prohibiting that control by which the personal service of man is disposed of or coerced for another's benefit, which is the essence of involuntary servitude.”

Although the Thirteenth Amendment was intended to free Afrikan slaves from chattel bondage, the Amendment forbade the slavery of any other nation of people in the United States, the slavery and involuntary servitude of Chinese, Native Americans, Mexicans and Anglo-Saxons according to the following cases: *Slaughter House Cases*, 83 U.S. 36, 21 L.Ed. 394 (1873); *U.S. v. The Chocktaw Nation*, 193 U.S. 115, 48 L.Ed. 640, 24 S.Ct. 411, *Hodges v. U.S.*, 1 L.Ed. 65, 27 S.Ct. 6. The Thirteenth Amendment of the U.S. Constitution reads as follows:

Section 1: Slavery Prohibited.

“Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”

Section 2: Power to enforce amendment.

“Congress shall have power to enforce this article by appropriate legislation.”

While the Thirteenth Amendment ended barbaric Afrikan chattel slavery, it preserved and instituted penal slavery and involuntary servitude, portending today's conditions of mass incarceration and the re-enslavement of Afrikans (other peoples of color and poor whites) in the prison system.

Specifically, the Thirteenth Amendment, which is the forerunner of the Fourteenth Amendment, are interrelated based on the historical intent of each congressional proclamation. They are legally and politically violative of international charters to which the United States is a party. Since the adoption of the Thirteenth Amendment into law on December 18, 1865, the intent was to free Afrikans from chattel slavery; along with the May 21, 1866 Slave Kidnapping Act and the March 2, 1867 Anti-Peonage Act, sought to ensure the freedom of immigrants of kidnapped victims of slavery who had since been stripped of original name, religion, culture, and

language. For example, the Afrikan population in America is now a miscegenation of many ethnic groups, the Mandinka, Hausa, Fulani, Igbo, Mandingo, Baga, Seminole, Cherokee, Taino, Arawak, Afrikan enslavers/rapists—Dutch, Portuguese, English, Arab, Spanish, etc., which amalgamated these Afrikan(s) into New Afrikans; of which some now identify themselves as African-Americans after having been named Negros, and many other derogatory names, and unfortunately adopting “Nigga” to assuage self-identity psychological trauma. Prior to the ratification of the Fourteenth Amendment in 1868, which only 21 States ratified before 1870, Afrikans in America had become an autonomous sovereignty for over three years. However, the U.S. Congress failed to provide the Freedmen’s Bureaus the economic mechanism to permit these freed Afrikans to economically integrate into the Reconstructed Southern economy. Thusly, the majority fell back into semi-slave peonage and sharecropping survival conditions, suffering the indignities of the Black Codes that essentially made the control of these Afrikans by white employers nearly as they had been controlled by slaveholders.

### **The Fourteenth Amendment**

**1868.** The conclusion of the civil war found the Confederate Army disbanded, but continuing to seek the means to reimpose the peculiar institution. Millions of Afrikans were being organized by the Freedmen’s Bureaus in areas under their control. During this time, the federal government was restructuring the now reconstituted United States. The U.S. government needed to decide and resolve what to do with approximately four million Afrikans. Based on what had been established by Field Order #15, these Afrikans were still under the protection of the Yankee armed forces. In their defeat, the Southern states passed Black Codes to regulate former slaves and preserve traditional Southern social order despite the abolition of slavery. In 1866, the first Civil Rights Act was passed by Congress, however, then President Andrew Johnson [he inheriting the office after Lincoln’s assassination] attempted to veto the Act. The 1866 Civil Rights Act was composed in an effort to prohibit the Confederates under the terrorist Ku Klux Klan formation to undermine the reconstruction of the Southern states and other former slaveholding states. It was this development that brought forth the proposal to provide 40 acres and a mule to these free Afrikans. Unfortunately, the House of Representatives defeated this proposal by Thaddeus Stevens in a 127 to 37 vote. Hence, the Civil Rights Act of 1866, that conferred citizenship on freed Afrikans and assured all citizen rights under the law, was being challenged by the Southern former confederate states with the imposition of Black Codes, and the tacit opposition of Congress to provide economic support for these freed Afrikans. Therefore, the Confederates having reconstituted themselves into the Ku Klux Klan, the Camelias and other secret terrorist orders, opposing all aspects of Reconstruction, increased terrorizing the freed Afrikans, seeking to reestablish the Southern order of containment and control of the freed Afrikans. Hence, Northern Congress, refusing to recognize the new Southern state governments evolving in Reconstruction, and to ensure the Civil Rights Act would not be held unconstitutional by the U.S. Supreme Court, rewrote the Act as the Fourteenth Amendment, granting U.S. citizenship to the over 4 million freed Afrikans.

The major problem with the imposition of citizenship of now freed Afrikans as part of the Reconstruction process was these Afrikans never had a choice in the matter. Accordingly, pursuant to international law, these newly freed Afrikans should had been provided three choices in determining their future. To return back to Afrika; to establish their own national identity and homeland within the domestic territory of the U.S.; or to become naturalized citizens. Not being

offered or provided the opportunity for a plebiscite vote on their destiny, but rather having citizenship imposed by an act of Congress, generally maintained the paternal relationship of the U.S. deciding what is in the best interest of Afrikans in America. It should be further noted that the Civil Rights Act of 1866, was again rewritten and passed in 1870, 1871, which were to prohibit Ku Klux Klan terrorism, and again in 1875, each of which served to strengthen the original purpose of the Thirteenth and Fourteenth Amendment combatting the racist Confederate backlash. Needless to say, this question of citizenship continues to plague the relationship of Afrikans in America with the U.S. government. This conflict of being treated as second-class citizens in every dimension of U.S. governing, as the Civil Rights Act of 1957 and 1964 attest, informs of the continuum of struggle. So, it can be easily understood that when General Robert E. Lee surrendered to General Ulysses S. Grant on April 9, 1865, ending the Civil War, it did not end the conflict of race divisions and economic exploitation of Afrikans in America.

### **The Fifteenth Amendment**

**1870.** By this time, Reconstruction was moving forward. The U.S. Congress was seeking reconciliation with the defeated South and to restore a uniform economic system. This includes the integration of the nearly 5 million Afrikans the 14th Amendment made citizens. During this period, 22 Afrikans had been elected to Congress. Blanche K. Bruce and Hiram Revels served in the Senate and were sent to Congress from the State of Mississippi. Twenty Afrikans served in the House of Representatives. To safeguard these gains, Congress voted upon and passed the Fifteenth Amendment that holds:

“Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of **race, color, or previous condition of servitude.**

Section 2. The Congress shall have power to enforce this article by appropriate legislation.”

Emphasis added to point out it has been 147 years since the enactment of this constitutional amendment, and in such time many of those readily identified in this law by “race, color, and previous conditions of servitude,” to this day are being denied the right to vote. This includes the millions of former prisoners who, by virtue of the 13th Amendment, were placed in conditions of slave labor and involuntary servitude. Prisoners’ civil rights of being allowed to vote is revoked. The U.S. Government effectively retreated from the strategic (some would argue tactical) objective of the civil war, when many Civil Rights Acts were made hollow and unenforceable. For the next 100+ years, the descendants of Afrikan slavery have suffered the indignities of second-class citizenry, while entrenched white supremacy in both state and federal institutions continues to oppress and deny Afrikan aspirations for freedom and equality. This includes the abridging of the Voters Rights Act of 1965, and today’s voter suppression and gerrymandering to keep Afrikans in America disenfranchised. It was in 1877 the first major migration of Afrikans to Northern cities began; states like Arkansas, Oklahoma, Texas and Kansas and northern cities found a drastic increase of freed Afrikans. The Reconstruction era was unable to prohibit the South from implementing the Black Codes and prevent the terrorism of the Ku Klux Klan. By 1879, Kansas had an increase of 7,000, and lesser numbers to Iowa, Nebraska and Missouri.

## Hayes/Tilden Compromise

**1876.** As had been established by the Emancipation Proclamation and Field Order #15, the Afrikans in the liberated territories were under the protection of federal troops. However, as Reconstruction allowed for Afrikan autonomy and a growing socio-political organizing capacity, the Ku Klux Klan intensified its campaign of terror, precipitating what would be 100 years of lynching. The Presidential election of 1876 between Rutherford B. Hayes representing Northern politics, and Samuel J. Tilden representing Southern politics, was contentious subject to the race divide. Tilden, a virulent racist, appealed to the base nature of white supremacy of the South. During this same period, the U.S. Supreme Court eroded constitutional and legislative gains by Afrikans, via rulings favorable to the South. This being done despite Congress passing into law, in 1871, a second Ku Klux Klan Enforcement Act to enforce the 14th Amendment, and outlaw the Ku Klux Klan. With the dissolution of the war-weary aging coalition of abolitionists, Radical Republicans and Northern Industrialists, due to disenchantment, and the effort to build peace in the South, Rutherford B. Hayes had to compromise to win the Presidency. The election resulted in Hayes receiving 109,000 votes, and Tilden with 264,000 of the popular votes. However, Hayes had a one-vote margin in the Electoral College, and to prevent the resuming of hostilities, Hayes agreed to remove federal troops from all Afrikan liberated territories. Ultimately, this allowed the Ku Klux Klan and other white supremacists to virtually wreak murderous havoc. The Hayes/Tilden Compromise was one in a series of egregious devastating acts of political white supremacy expediency to the overall detriment of freed Afrikans.

## Epilogue

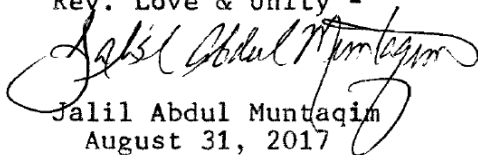
This is the First Installment of “A PRIMER: ...” It is offered in hopes of inspiring activists to initiate further research into the New Afrikan history of struggle to establish a durable foundation for the development of a theoretical and ideological determination in this generation of activism. These points of view of our history of struggle won’t be taught in public or private schools. It is the history of struggle the U.S. Government wishes to keep obscured and tucked away in archives, preventing any serious cause for a true revolution and/or serious reconciliation in race relationships that includes reparations. For as long as the U.S. Government tacitly supports white supremacy, especially by failing to recognize how the racist past impacts today’s racial and class divide, then, we MUST strengthen our resolve by learning this history, teaching it, and challenging the system on the basis of its racist past that negatively impacts today’s relationships. Just as many Afrikan peoples in America are ignorant of this history, the same is true for the majority of Euro-Americans. There is a steep learning curve that must be scaled, tooth and nail, to not only borne into existence a Black Consciousness Movement, but to demand reparations.

It must be clearly understood the struggle is opposition to racist capitalist-imperialism, the twin dynamics of national oppression and repression. By discovering and uncovering this history, activists will be more prepared to challenge the system with forethought and revolutionary zeal. The current struggle to diminish or vanquish Confederate symbols and monuments of hate serves to expose the socio-psychological and cultural remnants of age-old institutionalized manifestations of white supremacy. Since thought precedes actions, how one thinks determines how one behaves, it should be obvious these monuments represent conditional response of behavior that affirms white supremacy as a principle ideology of America. This is

particularly interesting when considering the majority of these monuments were erected during the period of Jim Crow segregation. It is time to smash this American anachronistic ideology, and build an ideological determinant of America that is people centered irregardless of “race, color or previous conditions of servitude.”

It is obvious to me that lessons in Black/Afrikan history should be taught in all public schools, and certainly in all U.S. prisons. Given the number of young Black men and women in the U.S. prison system, part of the rehabilitation process needs to be focused on education. I am of the opinion, although I am nowhere near being a scholar, the Black academic community should be creating a national curriculum of Afrikan/Black history, and challenge the national education system for its implementation as part of the core curriculum of U.S. education. This is especially true for prisoners of whom the majority are functional illiterates, a deliberate condition the U.S. Government seeks to perpetuate, having withdrawn Pell Grants and other incentives for higher education in prisons. The task of these installments is to present a perspective that history is not static. Our history of struggle is dynamic in as much as lessons are presented that improve our capacity to engage in future struggles. These lessons inform of our weaknesses and collective strengths in ensuring our (r)evolutionary development toward total and complete emancipation from every vestige of white supremacists efforts to suppress and/or deny our self-determination and freedom. Again, I sincerely hope those reading these offerings will recognize the potential to broaden our understanding of our history of struggle in juxtaposition to today’s struggles. This especially pertains to Black Live Matter activists, and the many who gratuitously use the name and history of the original Black Panther Party for Self-Defense.

Remember: We Are Our Own Liberators!  
Rev. Love & Unity -



Jalil Abdul Muntaqin  
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