



---

The Political Repression of the Black Panther Party 1966-1971: The Case of the Oakland Bay Area

Author(s): Charles E. Jones

Source: *Journal of Black Studies*, Jun., 1988, Vol. 18, No. 4 (Jun., 1988), pp. 415-434

Published by: Sage Publications, Inc.

Stable URL: <https://www.jstor.org/stable/2784371>

---

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at <https://about.jstor.org/terms>



JSTOR

Sage Publications, Inc. is collaborating with JSTOR to digitize, preserve and extend access to *Journal of Black Studies*

# **THE POLITICAL REPRESSION OF THE BLACK PANTHER PARTY 1966-1971 The Case of the Oakland Bay Area**

CHARLES E. JONES  
*Old Dominion University*

**Throughout American history**, certain organizations have been pulled into the maelstrom of political repression. Repression is “government action which grossly discriminates against persons or organizations viewed as presenting a fundamental challenge to existing power relationships or key governmental policies, because of their perceived political beliefs” (Goldstein, 1978: xvi). These events are generally perceived as aberrations in America despite their reoccurrence (Levin, 1971; Wolfe, 1973; Goldstein, 1978).

In the late 1960s, the Black Panther Party was one of several organizations claiming repression at the hands of government officials. Recent releases of the Federal Bureau of Investigation’s (FBI) Memoranda, describing the activities of COINTELPRO (Counterintelligence Program), lend credence to the Black Panther Party’s accusations. One such memorandum indicated that the Racial Intelligence Section of COINTELPRO was established to “expose, disrupt, misdirect, discredit or otherwise neutralize the activities of black nationalists” (Blackstone, 1975: 30). Public statements made by key governmental officials in the late 1960s also support these claims of the Black Panther Party. Then Vice

JOURNAL OF BLACK STUDIES, Vol. 18 No. 4, June 1988 415-434  
© 1988 Sage Publications, Inc.

415

President Spiro Agnew viewed the Black Panther Party as a “completely irresponsible anarchistic group of criminals” (American Civil Liberties Union, 1969). In a similar vein, J. Edgar Hoover, director of the FBI, considered the Black Panther Party the “number one threat to the security of the United States” (American Civil Liberties Union, 1969). Reflecting this same attitude, Jerris Leonard, assistant attorney general during the Nixon administration, characterized the Black Panthers as “nothing but hoodlums” and insisted that “we’ve got to get them” (American Civil Liberties Union, 1969). Attitudes such as these indicate that the Nixon administration was strongly disposed to using the federal government to repress the Black Panther Party. At the local level of government, the president of the Cleveland Fraternal Order of Police typified the attitude of many law enforcement authorities when he stated, “The country doesn’t need the Black Panther Party, to my way of thinking they should be wiped out” (American Civil Liberties Union, 1969).

In short, the Black Panther Party has charged that it was victim of a governmental campaign to destroy the organization. However, the American ethos suggests that political repression is not a permanent fixture of the American political process. This study will attempt to demonstrate that *government actors and agencies at the highest and lowest levels of government engaged in a systematic pattern of political repression to render the Black Panther Party ineffective.*

### THE BLACK PANTHER PARTY

The Black Panther Party was founded by Huey P. Newton and Bobby Seale in Oakland, California, in October 1966 (Marine, 1969; Seale, 1970). Newton’s and Seale’s frustration and disillusionment with local black organizations such as the Soul Students Advisory Council and the Afro-American Association provided the catalyst for forming the Black Panther Party (Marine, 1969: 24-34). Specifically, Newton and Seale argued that these groups

were dominated by a “middle-class” orientation that prevented them from addressing the needs of the masses of black people.

The basic ideology of the Black Panther Party was a blend of Marxism-Leninism and black nationalism that Newton identified as revolutionary black nationalism (Pinkney, 1978: 98). Newton, the organization’s major theoretician, adopted the principles of scientific socialism as well as elements from the writings of Fanon, Mao, and Debray, and applied them to the specific problems plaguing the black community in the United States. Newton notes that “the Black Panther Party grew out of the Black Power movement, but the party transformed the ideology of Black Power into a socialist ideology, a Marxist ideology” (*Black Panther*, September 1, 1971: 10).

Two major incidents in 1967 propelled the Black Panther Party into national prominence. The first was the disruption of the California State Legislature by an armed delegation of 29 Panthers on May 2. The Panthers were protesting the consideration of a bill that would have made carrying a loaded weapon within city limits a crime. According to the Panthers, this proposed legislation would adversely affect the Panther Police Patrol. Members of the Panther Police Patrol carried tape recorders and cameras to deter the police from abridging the rights of any black stopped for questioning. In addition, they also carried loaded weapons to protect themselves from possible police retaliatory action.

The second major incident occurred on October 28 of that year, when a Panther Police shoot-out erupted, leaving one police officer dead and Huey Newton wounded. Newton’s subsequent arrest on murder charges became a rallying point for the Black Panther Party, which resulted in national visibility and status.

In a span of two years, the Black Panther Party grew from a local to a national organization. The Party had a membership of over 2,000 and 32 chapters in 15 states (*Black Panther*, November 1, 1969: 20). Where the organization was financially able it implemented community development projects such as the Free Breakfast Program, Liberation Schools, and Medical Clinics. Such programs increased Party membership and support from the black community across the country. It is plausible that this growth in

size and visibility led government officials to conclude that the Black Panther Party constituted a potential threat to the American system of government and thus merited both monitoring and adopting concrete steps to undermine the organization.

### **POLITICAL REPRESSION: AMERICAN STYLE**

Literature on political repression in the United States is extremely sparse. Whether this is a deliberate oversight or is the result of a genuine belief that political repression is not a permanent and recurring fixture of the American political system is unclear. Nonetheless, a review of this literature reveals three major characteristics of political repression in the United States: Repression tends to be legalistic and subtle (Levin, 1971; Wolfe, 1973; Grossman, 1976); it is constrained by norms and procedures (Balbus, 1973); and it is administered by multiple levels of government (Kopkind and Lang, 1970; Wolfe, 1973).

The legalistic and subtle nature of political repression in the United States is reflected in the tendency for government officials to use the laws and courts to repress organizations that they perceive as threatening the status quo (Levin, 1971: 207; Wolfe, 1973: 95-102). Levin (1971: 8) contends that this legalistic approach to repression requires only a minimal level of violence, a clear advantage in the government's efforts to repress a target group without drawing inordinate public attention. This is not to say that violence never predominates; rather, it is seldom the primary method chosen in the liberal democratic state.

The second characteristic of political repression in the United States is the clearly defined norms and procedures within which government officials must operate, the neglect of which necessitates the forfeiture of legitimacy (Balbus, 1973). This second characteristic is related to the legalistic quality of political repression in America—but a major distinction exists between the idea of using the legal system as a primary instrument of political repression, and employing a legalistic norm-bound method of im-

plementation. Balbus (1973: 7) contends that repression in the United States is circumscribed by norms and procedures that are indeed binding on political elites. These binding restraints compose what Balbus identifies as a formal legal rationality, which includes the rule of law, due process of law, and civil liberties (p. 6). He notes that "formal rationality dictates that only certain means can be employed to achieve political ends and therefore operates as a continual constraint on political efficiency and expediency" (p. 6). Thus when political elites overstep the boundaries established by formal rationality, they are confronted with the unabated difficulty of maintaining their legitimacy.

The participation of several different levels of government constitutes the third major characteristic of political repression in America, a factor directly related to the federal structure of the political system. In the United States the power to govern is divided among national, state, and local governments. Each of these has its own ruling body capable of making some independent decisions in the preservation of its power. Consequently, the separate responsibilities of the respective levels of government can produce multiple levels of repression. Kopkind and Lang (1970) define the higher level of repression as those acts emanating from the national government, while the lower levels of repression are those acts that are committed by state and local government actors. An example of higher-level repression would be a raid directed by the FBI; alternatively, the harassment of an individual or organization by the local police authorities would constitute an act of lower-level repression.

### **PROCEDURE OF THE STUDY**

There is little systematic and scholarly information available on political repression of the Black Panther Party. Previous studies have focused on particular incidents of political repression such as the December 4, 1969, Chicago raid (Chandler, 1970; Clark and Wilkens, 1973), the New York Panther 21 conspiracy case (Chevingny, 1972; Zimroth, 1974), the New Haven 14 case (Freed,



1973), and the FBI campaign to manipulate and sabotage relations between the Black Panther Party and "US," a California-based cultural nationalist organization (Karenga, 1976).

The exception to this has been a study conducted by Huey P. Newton, the former cofounder and minister of defense of the Black Panther Party. Newton (1980) expanded the focus of previous studies by examining a range of incidents of political repression. In addition to the FBI's attempt to discredit Party programs and leadership, he also examined the repressive tactics engineered against the Black Panther Party by the Central Intelligence Agency and the Internal Revenue Service. Although a step beyond most other work available, Newton neglected to examine the more common, routine acts of political repression involving the rank-and-file members of the Party. Although Newton's study cannot be considered objective, it is a unique and valuable source.

This study represents an attempt to overcome some shortcomings of the previous studies of political repression of the Black Panther Party by conducting an in-depth examination of the repressive tactics employed by government officials against the Party at its home base—in the Oakland Bay Area—between 1966 and 1971. This time was selected because 1966 marks the birth of the Party. By the end of 1971 the Party had been effectively neutralized. The ultimate change in the Party's role and ideology as an effective revolutionary force was seen in its entrance into local electoral politics (Pinkney, 1978: 112).

The research method employed in this study is that of content analysis. Although content analysis is a method of analysis primarily employed to study human communication, it is an appropriate method for analyzing other forms of social behavior as well (Babbie, 1979: 233-264). Primary data were obtained from two newspapers—the *San Francisco Chronicle* and the *Black Panther*—and from government documents. Each encounter between the Black Panther Party and government officials that was reported in the resource materials was categorized according to Wolfe's Classification of Political Repressive Acts (see Table 1). This was done to determine the nature, pattern, and occurrence of political repression levied against the Black Panther Party.

## LEGAL REPRESSION OF THE BLACK PANTHER PARTY

According to some observers, a major characteristic of political repression in the United States is often the use of the legal system to stifle dissent (Levin, 1971; Wolfe, 1973; Grossman, 1976). This certainly appears to be the case in the systematic repression visited upon the Black Panther Party. The content analysis findings reported in Table 1 indicate that the Black Panther Party was the victim of 92 acts of legal repression. This figure represents nearly three-fourths of the total repressive acts (128) levied against the Black Panther Party during the time period observed.

The laws most frequently used to repress the Panthers in the Oakland Bay Area were those of harassment and public order. Political and process laws were employed but only minimally. There was no evidence that the inclusion law was used for repressive purposes. This was primarily due to the fact that all the members of the Party were U.S. citizens.

Harassment laws were employed 42 different times. Wolfe (1973: 95) defines *harassment* as “when a simple law that was originally passed with no political purpose is used to repress.” The typical harassment violations were assault, robbery, weapon charges, and attempted murder (see Table 2). Out of the 42 Panthers arrested on charges that fall under the definition of harassment laws, 15 eventually had their charges dropped. For example, on two occasions members of the Panther Party were arrested for armed robbery and both times the charges were dropped. The first occasion was on April 13, 1968, when four Panthers—Robert Bay, Terry Caridy, Richard Linyard, and Glen Stafford—were arrested for allegedly robbing a shoe store courier. Soon afterward, on April 18, the charges were dropped (*San Francisco Chronicle*, April 19, 1968: 3).

Harassment laws assisted in rendering the Black Panther Party ineffective in several different ways. One major result of the abuse of harassment laws was to cause the dissipation of organization funds and the disruption of its normal activities. When Panther members were arrested, the organization was forced to spend its



**TABLE 1**  
**Coding Scheme: Wolfe's Classification of**  
**Political Repression in the United States**

Category	Definition	Example
1) Legal Repression	The use of laws and or the legal system for the purpose of stifling dissent	
Harassment Laws	When a law that was originally passed with no political purpose is used to repress	Robbery, Assault charges
Inclusion Laws	Determines who should be included in society	Restrictive Immigration Policies
Process Laws	A law that punishes a person for considering and planning to commit a criminal act	Conspiracy charges
Public Order Laws	Actions which create disorder	disturbing the peace; illegal use of sound equipment
Preventive Practices	Practices employed to control the members of an organization and to discourage others from joining that organization	Frequent arrest and long jail sentences
Political Laws	A law which is enacted for the specific purpose of stifling dissent	Smith Act
2) Political Intelligence-Covert Repression	The practice of spying on an organization and causing disruption within that organization	informers and agent provocateurs, sending anonymous letters
3) Violent Repression	To stifle dissent by using the police and or the military	Raids, the use of the National Guard

SOURCE: Wolfe (1973: 93-124).

**funds to meet the cost of bail and lawyers for those members of the organization who were in jail; these funds could otherwise have been used for community programs, political information, cam-**

**TABLE 2**  
**Acts of Political Repression Levied Against the**  
**Black Panther Party in the Oakland Bay Area 1966-1971**

Category	Arrests/Incidents
1) Legal Repression	
Harassment Laws	43
Inclusion Laws	0
Process Laws	4
Public Order Laws	44
Preventive Laws and Practices	0
Political Laws	1
	92
2) Political Intelligence- Covert Repression	
Political Espionage	26
Agent-Provocateur	1
	27
3) Violent Repression	
Raids	5
National Guard	0
Shoot Outs	4
	9 (N = 128)

SOURCES: *San Francisco Chronicle* (May 3, 1967: 1; May 24, 1967: 2; October 29, 1967: 1; January 17, 1968: 2; February 28, 1968: 5; April 7, 1968: 3; November 20, 1968: 1; December 29, 1968: 1; April 29, 1969), *Black Panther* (August 6, 1969: 13; September 6, 1969: 12; February 6, 1971: 5; July 3, 1971: 14), U.S. Congress (1976: 187-223).

paigns, and organization expansion. In part because of this police abuse of authority, the Party was unable to devote the time and resources needed to build a mass political organization.

A second way in which harassment laws aided in rendering the Black Panther Party ineffective was by creating adverse publicity for the Party. When the public read about members of the organization being arrested for robbery while in a Panther van, they began to view the Panthers negatively and as little more than a

group of thugs and criminals. However, the public was often not aware of how government officials used criminal laws as a pretext to arrest Panthers for the purpose of disrupting Party activities. The consequence of this practice was that the Party lost public support for its policies. Because it was very difficult to convince the public that the Party was a victim of malicious governmental repression, the Panthers were forced to devote much of their energy to finding ways of gaining sympathy on "law and order" issues where the public was predisposed to support the police and law enforcement generally.

The second kind of law employed extensively to repress the Black Panther Party was the public disorder law. This law makes it illegal to create a disorder—that is, disturbing the peace. Forty-four Panthers were arrested for violating public disorder laws (see Table 2). Charges against fourteen of the Panthers were eventually dropped. Arresting members of the Black Panther Party on public disorder charges was relatively easy because government officials possess an enormous amount of discretion. A case in point was the arrest of 23 Panthers who were protesting the consideration of legislation that would have prevented the Panthers from carrying their weapons in public. The Panthers did not break any California law, but the Attorney General's Office charged them with disturbing the peace and set bail at \$2,200 for each person. The outcome of public disorder laws is similar to that of harassment laws. Once again the Party was forced to divert its energies and resources toward bailing its members out of jail. Hence this distraction prevented the Panthers from effectively implementing the organization's programs and policies, that is, the Free Breakfast Program and the free health clinics.

There was only one incident of repression by a political law; that was the enactment of the Mulford-sponsored gun bill, which made it illegal to carry loaded weapons within the Oakland city limits. The fact that only one political law was used is not surprising since, as Wolfe has noted, government officials seldom need to enact political laws because they have so many other, equally effective, legal means at their disposal.

Undoubtedly, the 92 arrests of Panther members during this period served to intimidate potential Black Panther Party members as well as current members. After two arrests for gun violations, George Murray, the Party's minister of education, resigned and left the organization. Indeed, frequent arrests and prison sentences for members of an organization are effective methods for discouraging individuals from joining that organization.

### **COVERT REPRESSION OF THE BLACK PANTHER PARTY**

A total of 27 incidents were uncovered in which political intelligence operations were employed to neutralize the Black Panther Party. These acts were perpetrated in an attempt to disrupt the Party's Free Breakfast Program, the operation of its newspaper, and speaking engagements, and to cause dissension within the ranks of the organization.

The Panthers' Free Breakfast Program was the target of several different covert actions, one of which was the use of anonymous letters sent to contributors to the program. The FBI sent inflammatory letters to Mayfair Markets, Safeway Stores, Inc., and the Jack-in-the-Box Corporation in an effort to dissuade these companies from contributing to the Free Breakfast Program in an attempt to stifle that program (memorandum from San Francisco Field Office to FBI Headquarters 11/30/60, cited in U.S. Senate Select Committee, 1976: 210).

Another tactic employed by the FBI was to discourage property owners and churches from allowing the Panthers to use their facilities for the Free Breakfast Program. During 1970, the FBI sent an anonymous letter to a property owner in Haight-Ashbury that read:

Dear Mr. (excise):

I would call and talk to you about this matter, but I am not sure how you feel, and I do not wish to become personally embroiled with neighbors. It seems that the property owners on

(excised) street have had enough trouble in the past without bringing in the Black Panthers. Maybe you are not aware, but the Black Panthers have taken over (address deleted). Perhaps if you drive up the street you can see what they are going to do to property values. They have already plastered a nearby garage with big Black Panther posters.

—A concerned property owner

[memorandum from San Francisco Field Office to FBI Headquarters 10/21/70, cited in Senate Select Committee, 1976: 200].

These attempts to disrupt the Panthers' Free Breakfast Program were part of the FBI's strategy to thwart Black Panther Party efforts to build a larger base within the black community. The Black Panther Party had been operating its Free Breakfast Program in a number of cities across the nation, several of which were in the Oakland Bay Area.

A second target of the FBI's covert action was the Party's newspaper. The organization's official newspaper, the *Black Panther*, which sold for 25 cents a copy, had a nationwide circulation. By 1970, the Party sold over 100,000 copies of the paper each week (U.S. House of Representatives, 1971: 86). The FBI initiated several actions to disrupt the operation of the newspaper because of its wide circulation. To this end, FBI headquarters sent a memorandum to San Francisco, requesting proposals for ways to hinder the paper's success. This memorandum stated:

The Black Panther Party newspaper is one of the most effective propaganda operations of the BPP. Distribution of this newspaper is increasing at a regular rate thereby influencing a greater number of individuals in the United States along the black extremist lines. Each recipient is requested to submit by 6/5/70 proposed counter-intelligence measures that will hinder the vicious propaganda being spread by the BPP. The BPP newspaper has a circulation in excess of 139,000. It is the voice of the BPP and if it could be effectively hindered it would result in helping cripple the BPP. A deadline is being set in view of the need to receive recommendations for the purpose of taking appropriate action expeditiously [memorandum

from San Francisco Field Office to FBI Headquarters 5/15/70, cited in U.S. Senate Select Committee, 1976: p.200].

Soon afterward, the San Francisco Field Office submitted a scheme for disrupting the operation of the newspaper. The San Francisco Office recommended the following actions:

A vigorous inquiry by the Internal Revenue Service to have the "Black Panther" report their income from the sale of over 100,000 papers each week. Perhaps the Bureau through liaison at SOG [seat of government] could suggest such a course of action. It is noted that International Revenue Service at San Francisco is receiving copies of Black Panther Party funds and letterhead memoranda [memorandum from San Francisco Field Office to FBI Headquarters, 5/22/70, cited in U.S. Senate Select Committee, 1976: 214].

The interference with the operation of the Black Panther Party's weekly newspaper by the FBI was in direct violation of the First Amendment right protecting the freedom of the press. The FBI systematically attempted to hinder Panther efforts to provide the public with alternative views, at a time when the Panthers were gaining increasing support for their organization.

Efforts pursued by the FBI to prevent the organization from circulating its viewpoints also included disruption of the Party's speaking engagements. In 1969, the San Francisco office of the FBI initiated actions to prevent Bobby Seale from fulfilling scheduled speaking engagements in Oregon. The following is the result of one such action implemented by the FBI, after a bombing incident in Eugene, Oregon:

As this was on the eve of Seale's speech, this seemed to be very poor advance publicity for Seale. . . . It was . . . determined to telephone Mrs. Seale (Bobby Seale's mother) claiming to be a friend from Oregon, bearing the warning that it might be dangerous for Seale to come up. This was done.

Shortly thereafter, Mrs. Seale reported this to the BPP headquarters, claiming an unknown brother had sent a warning to



Bobby from Oregon. Headquarters took this very seriously and when Bobby arrived shortly thereafter, he decided not to go North with "all the action going on up there." He subsequently canceled a trip to Seattle. It is believed that the above-mentioned telephone call was a pivotal point in persuading Seale to stay home [memorandum from San Francisco Field Office to FBI Headquarters 5/15/70, cited in U.S. Senate Select Committee, 1976: 214].

Fruitful sabotaging of speaking engagements such as this caused the Black Panther Party to lose funds needed to bolster the overall effectiveness of the organization. Similarly, it hampered the Panthers' ability to recruit new members.

In the same category, a third major FBI program was aimed at causing dissension both within and without the Party. The FBI sent anonymous letters to members of the Black Panther Party, exploiting existing problems and possible rifts within the organization. Through the use of this tactic, the FBI hoped to create dissension, distrust, and paranoia among Party members. Along these lines, in July 1969 the FBI initiated a plan to discredit Donald Freed, who headed the "Friends of the Panthers," an organization of white sympathizers of the Black Panther Party. In a phase of the plan implemented in Oakland, the FBI had leaflets placed in a park near a Black Panther Party-sponsored National Conference, alleging that Freed was a police informant (U.S. Senate Select Committee, 1976: 208). The FBI attempted once again to discredit the Panthers and cause a rift between the Black Panther Party and white organizations with the use of a letter to Ed Pearl, a member of the Peace and Freedom Party. The following is an FBI memorandum describing the letter:

The writer states that although he is not a member of the BPP, he is a Mexican who is trusted by BPP members. The writer advised that he has learned from BPP members that certain whites in PFP who get in the way of the Panthers will be dealt with in a violent manner. The object sought in this letter is to cause a breach between the PFP and the BPP. The former organization had been furnishing money and support to the latter [memorandum from C. Moore

to W. C. Sullivan, 12/27/68, cited in U.S. Senate Select Committee, 1976: 208].

Another scheme, engineered by the FBI to discredit the leadership of the Party, “leaked” information to friendly newspapers reporting that Huey Newton lived in a luxury apartment. The FBI gave this information to the *San Francisco Examiner*, which published an article about the apartment in February 1971. The article stated, “Huey P. Newton, BPP Supreme Commander, had moved into a \$650-a-month apartment overlooking Lake Merritt in Oakland, California, under the assumed name of Donn Penn” (U.S. Senate Select Committee, 1976: 219-220). Soon after the article appeared in print, the FBI sent copies of it to various chapters of the Black Panther Party across the nation. Following this, a memorandum was sent to FBI Headquarters, explaining the result of this particular plan. The memorandum stated:

BPP Headquarters was besieged with inquiries after the printing of the *San Francisco Examiner* article and the people at headquarters refused to answer the news media or other callers on this question. This source has further reported that a representative of the Richmond, Virginia BPP contacted headquarters on 2/18/71, stating they had received a xeroxed copy of . . . the article and believed it had been forwarded by the pigs but still wanted to know if it was true [memorandum from San Francisco Field Office to FBI Headquarters, 2/15/71, cited in U.S. Senate Select Committee, 1976: 220].

This type of counterintelligence activity proved a valuable tool in rendering the Black Panther Party ineffective by creating mistrust and dissension among the members of the organization. One other counterintelligence program employed by the FBI was the exploitation of the rift between Huey Newton and Eldridge Cleaver. The two leaders differed over tactics; Cleaver wanted the Party to engage in urban guerrilla warfare, while Newton stressed the need for survival programs and building a stronger community base. The FBI sent various anonymous letters to Newton and Cleaver with the intention of increasing suspicion and animosity

between them. One letter written to Eldridge Cleaver by the FBI and signed "Connie Matthews," who was Newton's personal secretary, read as follows:

Things around headquarters are dreadfully disorganized with the Comrade Commander not making proper decisions. The newspaper is in shambles. No one knows who is in charge. The Foreign Department gets no support. . . . I fear there is rebellion working just beneath the surface. . . . We must either get rid of the Supreme Commander [Newton] or get rid of disloyal members [memorandum from San Francisco Field Office to FBI Headquarters 2/15/71, cited in U.S. Senate Select Committee, 1976: 204].

Similar letters were sent to Huey Newton criticizing Eldridge Cleaver. On one occasion, the FBI mailed an anonymous letter to Newton claiming that Cleaver was "playing footsie" with Timothy Leary, who had escaped from prison in California and had a reputation for being a drug user (U.S. Senate Select Committee, 1976: 202). Leary was asking Cleaver for political asylum in Algeria. The FBI, aware of the Panthers' policy against drug use, saw an opportunity to exploit the differences between the two leaders further.

The San Francisco Field Office happily noted that the Black Panther Party was in a state of disarray in February of 1971, in good part due to the Bureau's covert actions against the two leaders since the previous November. This office stated:

Fortunes of the BPP are at low ebb. . . . Newton is positive there is an informant in Headquarters. Cleaver feels isolated in Algeria and out of contact with Newton and the Supreme Commander's [Newton's] secretary [Connie Matthews] has disappeared and been denounced [memorandum from San Francisco Field Office to FBI Headquarters, 2/15/71, cited in U.S. Senate Select Committee, 1976: 206].

The covert actions employed by the FBI against the Black Panther Party support Levin's thesis that repression in the United States is subtle. In spite of its subtlety, this form of repression is

very effective, as evidenced by the experiences of the Black Panther Party.

### **THE VIOLENT REPRESSION OF THE BLACK PANTHER PARTY**

A minimal amount of violent repression was levied against the Black Panther Party between the years 1966 and 1971 (see Table 2). Raids, which are the primary method of violent repression, occurred only five times during the above period. None of these resulted in a shoot-out, although four of them did result in the arrest of some Party members. In addition, there are four incidents in which the police and the Panthers exchanged gunfire that resulted in the death of one Panther and a police officer. Also, the raids that took place in the Oakland Bay Area were relatively peaceful, with the exception of one conducted by the San Francisco Police Department against the Black Panther Party Field Office, on April 28, 1969. On this occasion, the police used tear gas to flush out the Panthers and arrested a total of 16 Party members on a charge of illegal use of sound equipment. However, the charges against 12 of the Panthers were dropped.

Two explanations are offered for the small number of violent acts of repression employed against the Black Panther Party in Oakland Bay Area. One is that repression in the United States is primarily legalistic. The use of massive amounts of violent repression against the Black Panther Party was unnecessary because other tactics employed by government officials were very successful. The other explanation is Balbus's thesis that, in the United States, elites are constrained by certain norms and procedures. When government officials neglect to abide by these norms and procedures, unwanted attention is drawn to their attempt to stifle dissent—which in turn increases the number of sympathetic supporters for the organization being repressed. Consequently, political elites must utilize overt repression with caution or risk widening the scope of conflict. Pivens and Cloward (1977: 29) describe the risk involved:

Neither could the government run the risks entailed in using massive force to subdue the strikers in the 1930s. It could not, in other words, simply avail itself of the option of repression. For one thing, the striking had aroused strong sympathy among groups that were crucial supporters of the regime. For another, unless insurgent groups are virtually of outcast status, permitting leaders of the regime to mobilize popular hatred against them, politically unstable other groups cannot be safely predicted.

A case in point was the Chicago raid on December 4, 1969, when Fred Hampton and Mark Clark were killed. A major segment of the public became outraged at this overt act of political repression and began to question government actions against the Panthers (Chandler, 1970; Clark and Wilkens, 1973).

### CONCLUSION

This study analyzed the systematic political repression of the Black Panther Party in the Oakland Bay Area between 1966 and 1971. The repression levied against the Panthers coincided with the characteristics of political repression in a liberal-democratic state such as the United States. Overall, 92 of the total 128 acts of political repression fall within the category of legal repression. These findings support the contention that repression in the United States tends to be legalistic in nature (Levin, 1971; Wolfe, 1973; Balbus, 1973).

In addition, the small number of violent acts of political repression substantiates Balbus's thesis that the method in which political elites can repress a political organization is constrained by operative norms and procedures. Thus there is a tendency to repress via political intelligence. The study found that the Black Panther Party was the victim of 27 acts of political "intelligence." Finally, the study's findings indicate that officials from the various levels of government actively participated in the repression of the Panthers.

The overall outcome of this repression was that it prevented the Black Panther Party from becoming an effective revolutionary

force within the Black Liberation Movement. The repression hampered the community outreach efforts of the Party, and it also created distrust and dissension within the organization. This is not to suggest that state repression was the sole reason for the Party's demise. To be sure, there were other factors at work, such as a recruiting emphasis on the black lumpen proletariat, the lack of ideological clarity, and organizational weaknesses, all contributing to the Party's decline. Nonetheless, political repression did play a pivotal role in the eventual collapse of the Black Panther Party.

In closing, a major implication of this study is somewhat pessimistic. It can be posited that as long as governmental officials rely on political intelligence and the legal system to repress dissident organizations rather than overt tactics of repression, it will be difficult both to detect political repression and to convince the American public that the government is actually engaged in illegal activities. Unless we choose to learn the lessons offered by the experiences of the Panthers and other organizations of the 1960s, future political repression may well be successful.

## REFERENCES

- American Civil Liberties Union (1969) "News release," pp. 263-265 in P. S. Foner (ed.) *The Black Panthers Speak*. New York: J. B. Lippincott.
- BABBIE, E. R. (1979) *The Practice of Social Research*. Belmont, CA: Wadsworth.
- BALBUS, I. (1973) *The Dialectics of Legal Repression*. New York: Russell Sage.
- BLACKSTONE, N. (1975) *Cointelpro: The FBI's Secret War on Political Freedom*. New York: Vintage.
- CHANDLER, C. (1970) "The Black Panther killings in Chicago." *New Republic* 162 (January): 41-49.
- CHEVINGNY, P. (1972) *Cops and Rebels: A Study of Provocation*. New York: Pantheon.
- CLARK, R. and R. WILKENS (1973) *Search and Destroy: A Report by the Commission of Inquiry into the Black Panthers and Police*. New York: Metropolitan Research Center.
- FREED, D. (1973) *Agony in New Haven: The Trial of Bobby Seale, Ericka Huggins and the Black Panther Party*. New York: Simon & Schuster.
- GOLDSTEIN, R. (1978) *Political Repression in Modern America: 1870 to the Present*. New York: Schenkman.
- GROSSMAN, J. B. (1976) "Political justice in the democratic state." *Polity* 8 (Spring): 358-388.
- KARENGA, M. (1976) *The Roots of the U.S.-Panther Conflict: The Perverse and Deadly Games Police Play*. San Diego, CA: Kawaida.



- KOPKIND, A. and F. LANG (1970) "The face of repressions." *Current* 115 (February): 36-38.
- LEVIN, M. (1971) *Political Hysteria: The Democratic Capacity for Repression*. New York: Basic Books.
- MARINE, G. (1969) *The Black Panthers*. New York: New American Library.
- NEWTON, H. P. (1980) "War against the Panthers: a study of repression in America." Ph.D. dissertation, University of California, Santa Cruz.
- PINKNEY, A. (1970) *Red, Black and Green: Black Nationalism in the United States*. New York: Cambridge Univ. Press.
- PIVENS, F. F. and R. CLOWARD (1977) *Poor People's Movement: When They Succeed, How They Fail*. New York: Pantheon.
- SEALE, B. (1970) *Seize the Time: The Story of the Black Panther Party and Huey Newton*. New York: Random House.
- U.S. House of Representatives, Committee on Internal Security (1971) *Gun Barrel Politics: The Black Panther Party*. Washington, DC: H.R. 92-470, 92nd Congress, 1st Session.
- U.S. Senate (1976) *Final Report of the Select Committee to Study Government Operations with Respect to Intelligence Operations*. Washington, DC: S.R. No. 94-755, 94th Congress, 2nd Session.
- WOLFE, A. (1973) *The Seamy Side of Democracy: Repression in the United States*. New York: David McKay.
- ZIMROTH, P. (1974) *Perversion of Justice: The Prosecution and Acquittal of the Panther 21*. New York: Viking.

*Charles E. Jones is an Assistant Professor of Political Science at Old Dominion University. He received his B.A. in 1976 from Fayetteville State University. He earned his M.A. in 1979 from the University of Idaho and a Ph.D. in 1985 from Washington State University. His recent publications include "Simultaneous Movement in Conflicting Directions?" (coauthor Nicholas P. Lovich) in the Review of Personnel Administration and "An Overview of the Congressional Black Caucus, 1970-1985" cited in Tandy Tollerson and Franklin D. Jones (eds.) Readings in American Political Issues (Kendall/Hunt, 1987). He is currently working on a book that examines the role and effectiveness of the Congressional Black Caucus.*