

1 whereupon,

2 LEROI E. JONES

3 called as a witness, duly affirmed, testified as follows:

4 EXAMINATION

5 By Mr. Jaffe:

6 Q May the record reflect that I would like to
7 repeat the conversation we had outside prior to coming in,
8 Mr. Jones. I informed Mr. Jones that although the session
9 now is what we call an executive session, not open to the
10 public, at a subsequent time when the Commission files this
11 report with the Governor we will also ask the Governor to
12 make public the transcript which is now being taken of all
13 the witnesses who appeared before the Commission. We anti-
14 cipate that the transcript will be filed with the State
15 universities and with the library in the State House, so it
16 will be a matter of public record.

17 I suggested to Mr. Jones, in view of that fact and in
18 view of the fact that he has been under indictment and has
19 been tried for a matter which is now presently on appeal I
20 did not intend to ask him, and would also ask the Commission
21 members not to ask any questions that would in any way
22 relate to any charges for which he is under indictment. I
23 assure you that would be our intention. All right, sir?

24 A All right.

25 MR. BROWN: Would that preclude him from

1 the Servi making any statement he might wish to make?

2 all the rest. MR. JAFFE: No. It would be my advice to

3 him, as I told him out in the hall, that he should

4 not do it. He has the perfect right to make any

5 statement he wants, but in my opinion as the

6 Director of this Commission I would advise him

7 not to do it. But he can do what he likes.

8 By Mr. Jaffe: program of drama and art in the streets

9 the Q Mr. Jones, also in our conversation outside in

10 the hall you said there were some other matters, pictures

11 that you wished to present to the Commission, but you don't

12 have them at this time and I gave you the right to send

13 them to one of our staff members who will then put them in

14 the record. age of the Newark community, living in the

15 Newark. A I have some copies of photographs that were used

16 by some agency as a leaflet, but I don't have the photographs

17 themselves. I have them at home, but we didn't have time.

18 Q If you furnish them to Mr. Matthews of our staff,

19 I will see they get in our official record.

20 the I wonder if you could give us your address now and a

21 little bit generally about your background, what you do for

22 a living and how long you have lived in Newark and where you

23 have lived before that.

24 A Address: 381 Broad Street, Newark. I was born in

25 Newark and except for a total of about ten years in school,

1 the Service, and living in New York I have lived in Newark
2 all the rest of the time.

3 Q of New York City?

4 A Yes.

5 Q When you were in New York City were you active
6 with MARYOU ACT:

7 A Yes. One of the summer programs in 1965 we
8 initiated was the the program of drama and art in the street,
9 the black arts program.

10 Q Are you by profession a playwright, writer?

11 A Yes, sir.

12 Q Mr. Jones, I would like to ask you a general
13 question first. I wonder if you might give us, based on
14 your knowledge of the Newark community, living in the
15 Newark community, your views as to the causes, the under-
16 lying causes and the immediate causes of the riot in Newark
17 this last summer.

18 A Well, as a general statement I think that we would
19 have to say that the main reason for the rebellion, and I
20 think that's the first definition that most of us want to
21 establish --

22 Q Would you distinguish between a riot and a rebel-
23 lion for us?

24 A As Governor Hughes termed criminal action in a
25 riot, I don't think this covers the sentiment felt by people.

1 either intentionally or unintentionally, who were involved
2 in those happenings. I don't think this covers the sentiment,
3 first of all.

4 The criminal act part of it, I suppose the looting and
5 so forth as defined by the oppressors is irrelevant to the
6 people themselves, that is, it is the very nature of the
7 definitions that limits the freedom of these people in the
8 first place. So that to term it a riot in a criminal
9 action does nothing to alleviate it and specifically define
10 what is happening at all. No one knows any more about it
11 by terming it a riot than before because actually everyone
12 knows it wasn't a riot. You don't bring in tanks, the
13 National Guard; you don't buy armored cars, bullet-proof
14 suits, M-16 rifles for a domestic riot.

15 We see now certainly by the city's reaction they
16 intend to treat it as if it were an actual war on a
17 foreign people rather than a domestic issue involving
18 citizens rioting, let's say getting out of hand, who would
19 be treated as if they were citizens who had gotten out of
20 hand.

21 I think our first point is that this has never been
22 treated that way by the police, the various parts of the
23 police force, and I think that it is only damaging for, say,
24 Governor Hughes to characterize the situation a riot or a
25 criminal action, thereby characterizing the people involved

1 rioters and criminals when this is not the nature of the
2 case at all.

3 But to get back to your first question about the
4 general cause, I think the history of the black man in this
5 part of the world is the general cause. I don't think we
6 as a people have a place in America in the sense a place
7 that can be defined by white Americans except the place
8 that we had as slaves, and I think that this particular
9 society is, for the most part, based on illusion and delusion
10 because there is no place for the majority of black citizens
11 in this white-controlled society. I think those that know
12 it consciously are those that act upon their knowledge with
13 unconscious motivation and still react in the same way,
14 that is to say, from Whitney Young who represents one part
15 of the black protest or Negro protest, all the way over to
16 Rap Brown still on each level of our lives in this parti-
17 cular society where there is a registration of protest, from
18 Whitney Young who, I would say, is a government-manipulated
19 character who functions within the precincts and within the
20 jurisdiction of the white power structure. Still in order
21 to even pretend to be a leader or to even represent himself
22 as a leader, he must be a leader by registering some amount
23 of protests, that is, even in his particular function, and
24 I think of him as a civil servant. He has a function as
25 prescribed by government.

1 So from Whitney Young to Rap Brown, using those as
2 convenient labeling limits that at each level there is a
3 registration of protests. So that means that the core of
4 black life in America there is a registration of protests,
5 and whether it is registered as violently as, say, a Rap
6 Brown or whether it is whitened and falsified through the
7 functions of a Whitney Young, the fact is that the protest
8 exists, and to term the manifestation of this all-embracing
9 protest criminal action a riot is to do nothing but to
10 aggravate it.

11 Do you want me to go on?

12 Q I would like to go on to the question of protest.
13 I would like you to discuss what you think are reasons for
14 the protest and the things that the protestors came to
15 achieve. I would like to break into those two categories.
16 I don't want to restrict you. These are general questions.

17 A I will try to break it down as best I can. Let's
18 take Newark as a local situation that we can see and know
19 nothing about to know the nature of this. We as black
20 people now, I think everyone would agree, have become an
21 urban people. We in very short time will represent the
22 numerical majority in most of the large cities in the United
23 States. The fact is that we in no way benefit by this --
24 the unemployment rate, the dropout rate, the nature and
25 quality of the education -- you understand we in no way

1 benefit by being a majority in the city. ~~comes that can be~~
2 hand Just before the rebellion here in Newark there were
3 two issues -- the medical school issue and the Callahan
4 Board of Education issue. These are two minor things in
5 terms of the history of Black America, but they are
6 characteristic. The medical school, that a great portion
7 of Newark will be torn down, thousands of black people
8 evicted from their homes with a school erected which will
9 serve almost none of the citizens of Newark, that will
10 serve for the most part suburban white people or white
11 people from other parts of this nation, but we all know
12 the black man cannot even get into college on the basic
13 level, let alone a professional level.

14 The selected Negro, and we all know this because this
15 is part of the policy of the United States; this is not
16 something that is kept by a few people -- there is always
17 one Negro selected either to handle the protest into areas
18 that can be legally acted upon by the already defined
19 structure of white people, or to provide the illusion that
20 some progress is made through other channels, these are
21 the Negroes that are utilized. ~~man in Newark, in America,~~

22 In Newark this is again the case in point: that the
23 black people who are supposed to represent us in the city
24 do not represent anything but the attempts of the white
25 power structure to redefine our attempts at liberating

1 ourselves, to redefine our frustration in terms that can be
2 handled by the establishment, to reinterpret our desires
3 in a manner that will be in keeping with the will of the
4 white power structure. No real problem is ever being
5 offered. The fact that 23,000 people can be taken from an
6 area, 23,000 black people, only five numbers on a sheet of
7 paper, to be moved for a medical school and the erection of
8 a little white city which will include Rutgers, the Newark
9 College of Engineering, the Essex County College and the
10 Medical School, a little area of white life which will
11 involve money also being made by real estate people and by
12 other white-owned businesses, the black community will not
13 benefit by this medical school at all. ~~or progress who work~~
14 ~~done~~ Again, when we talk about housing for black people,
15 then we are not talking about houses that anybody in this
16 room would accept, but we are talking about projects which
17 on a piece of paper might provide a salve for somebody's
18 conscience. But in terms of actual life being lived it
19 only serves to foster the onto-white attitude because nobody
20 walking these streets is ignorant of the fact of how white
21 people live. The poorest black man in Newark, in America,
22 knows how white people live. We have television sets; we
23 see movies. We see the fantasy and the reality of white
24 America every day. This is offered to us as a reason for
25 committing ourselves to the goals of white America.

1 ~~walk~~ The average black man knows this is fantasy except for
2 those few who are sent away to college to have their minds
3 shaped into the image of white desire.

4 Again the medical school -- attempts were made to
5 protest this through the legal aspects of municipal govern-
6 ment, protest rallies, prominent citizens speaking at the
7 city council meeting. I was at the first city council
8 meeting, but the fact is that this medical school had been
9 determined and this had been decided out of the hearing of
10 all black people who would really be affected by its
11 erection and the people who were used as the spokesmen for
12 the erection of this medical school were white people who
13 benefit or who didn't live in the area or Negroes who would
14 benefit by their connection with the white power structure.
15 We are not ignorant of this. We know this, not only myself
16 at one point but the man in the street knows this. He is
17 aware of this. He articulates it on a level that he can
18 articulate it upon. He is not sitting here talking with
19 me, you understand; nor if he talked to you would you be
20 likely to understand it in the kind of ready interpretation
21 that, say, you might understand some of my words.

22 ~~soci~~ Now, at a level that exists, let's say, a mile away
23 from this building, symbolically down beneath all these
24 words there are actual lies being lived. There are black
25 people trying to make a living. There are black people

1 walking up every morning being faced with the frustration of
2 a legal limitation upon their aspirations as men and women,
3 legal limitations.

4 The point is that the municipal government of Newark
5 benefits by the situation in Newark. If they do not benefit
6 by it, it would be changed. The power structure of the
7 United States must benefit by the situations in these
8 ghettos and slums; otherwise, they would not exist. The
9 payoffs for the medical school in hiring, in the building
10 and the trades, in the electrical unions, we know about the
11 Mafia in the Valentine Electrical Company at Rutgers and
12 the Federal Building. These are facts. The New York Times
13 prints these things and asked the Attorney General to
14 investigate them, and the Attorney General will not investi-
15 gate. The man on the street knows these things. He can't
16 articulate it in the same degree, but it is the same thing.
17 It exists in the same way.
18 At this level I am talking about where people are
19 actually living, not only is there a legal and very definite
20 limitation on their aspirations as men and women, but a
21 constant oppressive-aggressive relationship with the
22 society in the person of the police department. The police
23 department who white people think of as their servants, as
24 public servants, and they are public servants for the white
25 people in this country, but no black man in a black community

1 can ever think of the police as public servants.

2 Q Would you restrict that comment to Newark, or
3 would you say that applies throughout the country?

4 A Every city I have ever been in in America.

5 Q Would you say this is the attitude of the black
6 community, or would you say it is the attitude of the
7 police department, or both?

8 A This is the attitude of these groups living
9 together. This attitude is most aggressive and most --
10 how could you say it? It is most blatant in the police
11 department, but the attitude exists in the structure of the
12 United States itself. The police do things that are
13 expected of the police. The police act in a realistic way.
14 The police act according to the dictates of realism in
15 terms of the relationship of white people to black people
16 in this society. Police are not acting weird. The police
17 are projections of this particular society. The judge will
18 say again and again the police are shields of your com-
19 munity, talking about white people's suburban communities,
20 and they are.
21 Day in, day out the relationship of the police to the
22 black citizen is one of contempt and of oppression. This
23 has to do with whether you went to college ten years ago or
24 you never saw the inside of a grammar school, as several of
25 the police found out, black policemen, during the rebellion,

1 I think there are cases that are probably on record of two
2 or three black policemen being stopped and beaten by police-
3 men, protesting they were policemen, but being beaten because
4 they were out of uniform or they weren't in their particular
5 precinct. I think a great many of the middle class Negroes
6 found out when bayonets were thrust into their cars and
7 their cars were stopped and the abusive language and abusive
8 attitudes were put upon their heads as upon the black man
9 walking in the street you saw the nature of the regard
10 America has for the black citizen in general.

11 Q Do you think police conduct during the riots was
12 different? Was it more hostile, more oppressive during the
13 riot or rebellion?

14 A No. The police functioned pretty much the way
15 they function all the time. It is just during the rebellion
16 it was exaggerated. I am sure many people have testified
17 already about the police shooting out the windows of black
18 businesses. I think there have been pictures published in
19 magazines all across the country of black businessmen who
20 wrote the numbers of the police cars down. I don't know
21 whether this was investigated. One of the photographs that
22 I have is a photograph of policemen walking around in
23 Newark with their badges taped so no identification was
24 possible. There were two boys in the Newark area who
25 In one case James Rutledge, and this name was brought

1 up by the Newark Black Survival Committee just after the
2 rebellion, seventeen years old, who was shot by state and
3 city policemen over thirty-nine times, this is the photo-
4 graph (indicating). This is just a leaflet that had been
5 passed out, but I would certainly like to leave that. This
6 is James Rutledge.

7 MR. LEUCHTER: Were there any photographs
8 available of the policemen walking around during
9 the July period with their badges taped up?

10 THE WITNESS: Yes, I have a photograph.

11 MR. JAFFE: Pursuant to our original
12 agreement Mr. Jones is going to make whatever
13 photographs he would like available to our staff,
14 and we will then put them in.

15 THE WITNESS: Yes, we have photographs of
16 black tape across the badges. This picture was
17 distributed widely in the black community. Even
18 if this man, this boy, had done something that
19 would merit him being shot, no matter what it was,
20 the fact is he was shot in a bar, so the extent
21 of his crime could have been he was going to
22 steal some liquor.
23 We have witnesses again to verify this.
24 There were two boys in the tavern at the time who
25 were hidden behind the bar who, if they were ever

1 permitted to testify, although I understand they
2 are under some kind of duress and fear for their
3 well-being - James Rutledge stood up and they
4 asked was there anybody else in the bar, and he
5 said no. They shot him.
6 night If you shoot a man once in the head, and we
7 have some more photographs of the skull section
8 of this man's head; there are six bullets in the
9 skull section alone -- if you shoot a man just
10 once through his skull, he will stop bothering
11 you even if he doesn't die. There is absolutely
12 no understanding in the black community nor in
13 sophisticated portions of the white community
14 that would justify shooting this man thirty-nine
15 times. But I submit that in the white communities
16 in Newark, New Jersey, this act is celebrated and
17 celebrated as an act of keeping "niggers" in their
18 place, and that also if you go in places where
19 white policemen frequent socially you will find
20 out there is more than twenty-six black men and
21 women got killed during the rebellion, and that
22 when I was in jail and in custody of police that
23 police would brag about how many people were shot
24 and killed, and that many times as one time in
25 front of the Newark Street jail when I was in

1 there looking out of the window we saw a black
2 woman, a man, two other women taken from a car
3 on New Street, thrown up against the wall and
4 shot by the National Guard.

5 The story was brought up to the jail that
6 night it was done by snipers. The sniping account
7 is largely a fantasy by policemen because if
8 there were snipers, who weren't there more dead
9 policemen? It must occur to somebody with cred-

10 ability if somebody is shooting at you and they
11 are sniping at you and they mean to kill you,
12 eventually somebody is going to get killed. Yet
13 we have two policemen who were shot and killed.

14 There have been no convictions in either of
15 those cases. Yet this talk of snipers. Where are

16 actually the snipers? Has anybody caught a sniper? Has
17 anybody brought any snipers to light? Has there
18 been any kind of court proceedings on snipers?

19 There has been no evidence in this city of any

20 snipers, certainly not in the results of their
21 sniping nor in police work.

22 Also during the rebellion the black policemen
23 were kept out of the area where the actual
24 fighting was going on. Black policemen were used
25 largely to guard burning buildings, to direct

1 traffic, and they were out of the main area where
 2 the disorder was going on. That is when after the
 3 first couple of days that the actual shootings
 4 began in earnest.

5 There has been documentation of over fifty
 6 cases of murder and brutality by the police.

7 By Mr. Jaffe: in no way able to testify or would

8 Q Do you think black policemen would have made a
 9 difference?

10 A I don't think there would have been those killings.
 11 Most of those killings didn't have anything to do with even
 12 people stealing things.

13 I refer you to Thomas Hayden's book and several lists
 14 I have seen of a great many of the people that were killed
 15 or killed in the commission of other things that were
 16 actually irrelevant to what was going on -- looking out the
 17 window, bringing down garbage, riding in automobiles.

18 Q Do you think it is important to have black
 19 policemen on a police force?

20 A Well, it is important for the reason of, let's
 21 say, channeling black protests through more sophisticated
 22 fingers.

23 MR. DRISCOLL: I wonder if we can get back
 24 to the Rutledge case before I forget it. You
 25 mentioned the fact that there were two boys in the

1 bar where Rutledge was shot and that there was
2 some fear for their safety at the time; otherwise,
3 they might be available.

4 THE WITNESS: Yes, that's true. I think this
5 still exists. I am not really at liberty to go
6 into too much more, but I know this still exists,
7 that they are in no way able to testify or would
8 not. The mother of this boy, after we had gotten
9 her to a press conference, was convinced by her
10 relatives she should not try to press this matter
11 any further; that there would be people who would
12 make some definite attempts to silence her, to
13 harass her. This harassment, police harassment,
14 is an old story.

15 MR. DRISCOLL: So these two boys, even though
16 they saw a state trooper and city policeman, were
17 prevented by fear from testifying?

18 THE WITNESS: Absolutely. There is no legal
19 safety that exists for them.

20 MR. DRISCOLL: Are you in a position to say
21 whether or not they could identify the officers
22 in question by badge number or description?

23 THE WITNESS: I don't know. Certainly by
24 description.

25 MR. BROWN: Do you think these people would

1 be deterred from testifying in a court as opposed
2 to appearing before a Commission such as this?

3 THE WITNESS: The court doesn't exist on
4 another planet. There is no safety for them.

5 MR. BROWN: There is no procedure now?

6 THE WITNESS: Who would they report harassment
7 to, the police? in jail, returned to the street

8 MR. BROWN: That is why I am asking. Do you
9 know of any forum which they would recognize?

10 THE WITNESS: Yes, but I don't think it is
11 relevant to this Commission, not in the way this
12 society is. in response to white authority?

13 MR. BROWN: Is there any structured procedure
14 in the society, not talking about other processes
15 you are talking about?

16 THE WITNESS: Let's say in Newark what you
17 would need where there is a clear black majority,
18 a police force that moved according to the
19 dictates of that majority. the city

20 MR. BROWN: Suppose you had black policemen
21 and you had white authorities who would control
22 them, the black policemen would be equally useless?

23 THE WITNESS: Yes. Their decision is miti-
24 gated by higher up. could be very legitimate

25 MR. BROWN: So the answer then is the higher

1 authority within the community than those who
2 serve as units? ~~all is by the people themselves.~~

3 THE WITNESS: The control. Also the court,
4 the judicial system, and I sat in court all day
5 today watching it again, is simply a place where
6 black men are taken off the street for one reason
7 or another, put in jail, returned to the street
8 with no place except that jail as their place in
9 society, and this kind of thing is perpetuated.

10 MR. BROWN: So you view the court, the
11 prosecutor's office as an extension of the same
12 police action in response to white authority?

13 THE WITNESS: I think that we can say that
14 the police and the prosecutor and the judicial
15 system are the same. ~~you were to have political~~

16 MR. BROWN: Do you envision anything within
17 the structure, either locally, nationally, or in
18 any way, which would serve as a place of resort?

19 THE WITNESS: Locally the only resort is the
20 black power, the establishment of control by the
21 people themselves. ~~ish it~~

22 MR. BROWN: How about nationally? Is there
23 any place, organization or office or person to
24 whom you think there could be any legitimate
25 appeal in the sense of a hope? ~~is finished.~~

1 THE WITNESS: I don't know it. The only
2 thing is control of it by the people themselves.
3 For instance, living together in a black neigh-
4 borhood is not -- that is a good thing. The
5 tragedy is not having control of that, not being
6 able to have social and economic control.

7 MR. BROWN: And political control?

8 THE WITNESS: Absolutely.

9 MR. BROWN: Do you think there is any hope
10 in terms of political activity that might render
11 political control, for example, Gary or Cleveland?

12 THE WITNESS: Perhaps. It is a conditional
13 thing because finally you are at the mercy of a
14 larger structure.

15 MR. BROWN: If you were to have political
16 control in Newark, you would still be under the
17 dominance of the state?

18 THE WITNESS: You would probably have to find
19 another way to get money into the city.

20 MR. BROWN: You mean in terms of budget,
21 finances tied in with it?

22 THE WITNESS: I don't think it would be
23 coming to Trenton.

24 MR. BROWN: Was I interrupting you?

25 MR. DRISCOLL: I will say I am finished.

1 MR. BROWN: In terms of the twenty-six to
2 fifty deaths we have here, is it your feeling that
3 the black community in Newark has complete hope-
4 lessness as far as possible redress or justice
5 as far as any known structure, court or authority?
6 Is that the feeling that you get?

7 THE WITNESS: The known structure and
8 authority here is absolutely committed to the
9 conduct they have demonstrated.

10 MR. BROWN: My next question goes to the
11 question of effective prosecution in these cases.
12 If there is no effective prosecution, do you feel,
13 then, witnesses and others in a majority of these
14 cases would refuse to, let's say, submit names
15 and appear before the prosecutor and others?

16 THE WITNESS: That's right. They understand
17 there is no protection, they don't have any
18 protection from the will of the power.

19 MR. BROWN: Let's assume a body like this
20 would say there is evidence, there should be
21 prosecution and action taken. Do you feel there
22 wouldn't be any coming forth like in the case of
23 the two boys?

24 THE WITNESS: They would be in more trouble
25 if they came forward than if they didn't.

1 MR. BROWN: So the general feeling is no
2 one will come forward?

3 THE WITNESS: I know they won't come forward.

4 MR. BROWN: Can you suggest an alternative
5 in terms of securing any kind of justice or any
6 kind of proper disposition in these cases as we
7 know the structure today?

8 THE WITNESS: We are talking about Newark
9 now. Aside from the oppression of black people
10 by white people, Newark even in terms of what we
11 would consider as ethical social department is a
12 minus, a negative in that category.

13 MR. BROWN: Newark as a community you mean?

14 THE WITNESS: As a municipal community. The
15 city is run on graft and criminality whether you
16 are white or black except white people benefit
17 from it. It is run through graft and criminality.
18 That is the character of this city, whether it
19 was Bobby Kennedy who came into office and who
20 conducted an investigation who found there were
21 criminals and graft there in the city or whether
22 it was a black man. That exists. The point is
23 white people benefit by it. Therefore, they are
24 less likely to bring it down.

25 The key to this in a city like Newark is the

1 people who live in this town don't have anything
2 to say and the money that is made is carried to
3 the suburbs.

4 Negro judges? MR. BROWN: The people we describe would be

5 the white and black people who are not in power?
6 Judge, but They would suffer from the same corruption?

7 THE WITNESS: White or black except there is
8 and the wo a kind of blood connection between the so-called
9 white people who are not in power. In the courts
10 any white boy walking in with a light case is
11 going to walk out. That is a kind of common thing.
12 You observe any court on any day, on any day, and
13 if you are in the legal business you might know
14 that, that any white boy can walk in a court and
15 walk out with a reprimand or a suspended sentence.
16 But the black man going in these courts, the
17 attitude of the court is he is guilty.

18 MR. BROWN: Would you describe any difference
19 in the attitude of white and black judges? For
20 example, the Negro judges are so rare to be almost
21 discounted.

22 THE WITNESS: I don't have much personal
23 experience with black judges, but I would assume
24 to become judges, except on rare occasions, they
25 would have to be extensions of the power structure.

1 their too. objective about those good intentions see

2 By Mr. Jaffe: see upon our lives. The dogs are

3 Q what is the opinion in the black community on
4 Negro judges? Do they feel they get fairer justice?

5 A I am sure they would rather go before a black
6 judge, but this might be and usually is an illusion.

7 Q You were delineating for us the various causes
8 and the various reasons for the protest.

9 MR. BROWN: Could I ask one question before
10 you get into that? There is in the city one
11 Negro councilman, West.

12 THE WITNESS: Two, Turner.

13 MR. BROWN: Have you observed any action on
14 the part of these people since they represent a
15 part of the structure --

16 THE WITNESS: No.

17 MR. BROWN: (Continuing) -- since they
18 represent an item in the power structure? Have
19 you sensed any activity on their part to help the

20 Q situation in any way?

21 THE WITNESS: No. The only way either one
22 of them was just slightly identified with black

23 A people was during the dog issue. Again we know

24 the white people are convinced by their own

25 things the rhetoric of their good intentions, but we who are

1 their chi more objective about those good intentions see
2 only the effects upon our lives. The dogs are
3 concept) only to be used in industrial areas. That is a
4 lie. Everybody knows that is a lie. Spina knows
5 instance, it is a lie; we know it is a lie. To say that
6 the title and print that in the newspapers is to assume we
7 budget, are crazy or we don't matter. Because any black
8 students man knows what those dogs are for, anyone.

9 deprived. That To pack a city council so that you can pass
10 school that the dogs with residents from the Italian part of
11 existed. the community and the Polish and the Irish are
12 They can part of the community where the dogs will be
13 about that patently used against black people is to permit a
14 hiring or war to go on through the quasi-legal structure of
15 abstract the city council and it is to equip even the
16 Education extreme actions, even the white extremists, to
17 education equip them with a legal means of making war on
18 The black people.

19 you are By Mr. Jaffe: Yes, Harold Aubby is the

20 Q You were delineating what you thought were the
21 causes. You discussed the police, the medical school con-
22 troversy, the lack of political control. Are there others?

23 A Social control as to education, that we have no
24 control over the way our children are educated. These are
25 things that don't matter to white people because they put

1 their children in schools they control.

2 Q Are you in favor of the neighborhood control
3 concept?

4 A Of course. This is the only form of control. For
5 instance, at Robert Treat School where I am the chairman of
6 the Title I Advisory Committee we recently saw their Title
7 I budget, and they published a figure that said out of 1200
8 students at the school, 613 are listed as educationally
9 deprived. That is fifty percent. There would be no white
10 school that would ever publish a figure like that if it
11 existed. They would have their jobs lost by that evening.
12 They can feel safe to publish that figure and do nothing
13 about that simply because we don't control whether they are
14 hiring or firing, but the Board of Education, which has an
15 abstract connection with our community because the Board of
16 Education represents the will of the white people --

17 MR. BROWN: You have a black president of the

18 Board?

19 THE WITNESS: Yes, Harold Ashby is the Board,
20 but he represents again, and even to most black
21 people, not just me -- you can walk out in the

22 street and ask -- majority are black, and to make

23 MR. BROWN: You are giving the sense of the

24 community?

25 THE WITNESS: Yes, as I know it.

1 By Mr. Jaffe: WYLER: Would you equate tutorial

2 Q What would be the kind of things that you would
3 recommend if you had neighborhood control of education?
4 Let's talk about the Robert Treat School. That would be the

5 A I wish I had brought the proposals we have made
6 because we have made concrete proposals. For instance, they
7 are going to spend \$28,000 for three remedial reading
8 teachers in the Title I program. These are only going to
9 teach 100 out of the 600 educationally deprived. We know
10 if they say there are 600 deprived, we figure there is more.
11 If you are going to spend \$28,000 to help 100 students, why
12 not take the \$28,000 and get twenty-eight college students
13 and twenty-eight community people and start a tutorial
14 program and actually work on the program rather than paying
15 three remedial teachers who are taking that \$28,000 out of
16 the community again and then there is no result in the
17 education at all. WITNESS: The people who need the help

18 The fact is another one of the concrete proposals --
19 you are talking about cultural groups to take these young
20 students to see the jails, to see these courthouses, to find
21 out why the great people of Caldwell, Essex County, Sing
22 Sing are black, the great majority are black, and to make
23 some inroads in terms of the needs of the black community,
24 what the black community decides they need and what they
25 want. MR. BROWN: How would you equate a non-organized

1 BISHOP TAYLOR: Would you equate tutorial
2 teaching with remedial reading? You think it can
3 substitute for remedial reading?

4 THE WITNESS: Definitely. That would be the
5 best way to teach it, tutorial.

6 MR. BROWN: You are not excluding tutorial
7 programs?

8 THE WITNESS: That is what is needed, com-
9 munity tutorial programs, not remedial teachers
10 who come in and teach a couple of days a week to
11 a limited number of students and then take that
12 money out. That whole approach to it is invalid.

13 MR. BROWN: Would you make any distinction
14 between qualified white teachers and/or black, or
15 qualified black tutorial helpers and white
16 tutorial helpers?

17 THE WITNESS: The people who need the help
18 should determine.

19 MR. BROWN: The people themselves?

20 THE WITNESS: Of course. If you have to be
21 licensed in the same general definition that
22 serves white America, then it is of no benefit.
23 Then you have to wait empty-handed again for the
24 same structure to produce nothing for you.

25 MR. BROWN: How would you equate a non-degreed

1 person with insight and who has ability and is
2 black as opposed to the so-called white person
3 who has the criteria, the degree and so forth?

4 THE WITNESS: For instance, this is something
5 we questioned in Robert Treat. If you find out
6 the test they use to determine the I.Q.'s, and I
7 think this is now a well-publicized --

8 MR. BROWN: They are not valid. You know
9 that.

10 THE WITNESS: No, they are not valid. It is
11 the same idea existing about the teachers
12 themselves. That whole approach to it is invalid.

13 MR. BROWN: How would you evaluate this not
14 officially validated teacher in terms of his
15 teaching the student? The blind leading the blind,
16 would not help, but how would you evaluate this
17 non-criteria teacher? What would you look for?

18 THE WITNESS: Ability to hold the students'
19 attention and teach. High school students and
20 college students, also mothers who have some
21 degree of understanding of reading and writing.

22 MR. BROWN: You would take that mother,
23 whether black or white, if she meets the criteria
24 of understanding?

25 THE WITNESS: We are talking about a black

1 finally do community, so I assume she would be black.

2 except in its MR. BROWN: If you had a choice between a
3 calling a person who is white who met the criteria of
4 equipping understanding, ability and rapport, would you
5 or do you reject that teacher or would you accept him,
6 whether white or black, to be able to meet the
7 mood? the black community only?

8 That THE WITNESS: I think that is academic in a
9 situation as this. We are dealing with a black
10 their own community and the point is we want to equip the
11 community to people in the black community so they can educate
12 themselves. It doesn't have anything to do with
13 the white community, not at all. blessed

14 By Mr. Jaffe: One of the things we want to do

15 Q When you talk in terms of needs in the black com-
16 munity, talk in terms of the black community determining
17 its needs in an educational context, are you talking in
18 terms of a black community or are you talking in terms of
19 an integrated community? the stores and their

20 A Integrated communities usually are white com-
21 munities. They are culturally white. A so-called inte-
22 grated community exists within the structure of a white com-
23 munity. Integrated means those Negroes who have enough
24 money to move out where white people live. In the ghettos,
25 the black community, if the people there become self-sufficient

1 finally doesn't have anything to do with the white community
2 except in its ability to deal with the white community.

3 Q Do you see part of your educational process as
4 equipping the children to move into the integrated society,
5 or do you see them remaining in the black community?

6 A No, equipping them to handle their own lives.

7 Q Within the black community only?

8 A That's right. No, to move in the world as men and
9 women, which is the goal of education. Where they live is
10 their own choice. The point is living in the black com-
11 munity handicaps them to exist as completely, let's say, is --

12 MR. BROWN: Functional? his own life, the

13 THE WITNESS: Or a completely blossomed
14 human being. One of the things we want to do
15 through Title I is let them see their community
16 through knowledgeable insights. Instead of taking
17 them to the Museum of Modern Art, take them to
18 their own community. Let them know why these
19 people own these stores and their fathers don't.
20 Let them know why these people sit in these bars
21 when white people go off to work. Let them
22 understand their community in a realistic term
23 and then they can do what they want about change.

24 By Mr. Jaffe:

25 Q Do you think that the American Negro will

1 eventually be integrated into the society, or do you think
2 that there will always remain that portion of the society
3 called the black ghetto?

4 A I think that the only real place black people
5 have ever had is as slaves, the only real place they have
6 had where there was no actually, you know, kind of abstract
7 theorizing on their right to exist that way or not was as
8 slaves. The rest of our existence in this particular part
9 of the world has been conditional.

10 BISHOP TAYLOR: What do you think will be
11 the ultimate solution to the problem?

12 THE WITNESS: Power over his own life, the
13 ability to develop his own laws, what determines
14 good, what determines bad in terms of his needs,
15 what determines right and wrong, what determines
16 beautiful, ugly according to his needs, because
17 that is what white people do.

18 MR. BROWN: That is for all societies?

19 THE WITNESS: All nations do this.

20 MR. BROWN: In terms of your separate
21 educational concepts there is a separate educa-
22 tional community in the South. How would you dis-
23 tinguish?

24 THE WITNESS: It is the most colonialized.
25 It exists off the leavings of white education.

1 It is not an actual separate educational system
2 in the fact of teaching about these people from
3 their point of view. It is always from a white
4 point of view and the materials and the desig-
5 nation of success is from a white point of view.

6 MR. BROWN: As a product of a black educa-
7 tional system in the South I would like to ask
8 you if you think that the growth from the Booker
9 T. Washington concept at Tuskegee, which was
10 always black, which was self-help, which was
11 really a rejection in effect of the higher
12 academic qualifications at the time and the sub-
13 sequent development of Negro history which we all
14 had in the southern schools, do you think this
15 was a valid and effective contribution to education?

16 THE WITNESS: Not Booker T. per se because
17 again he was empowered --

18 MR. BROWN: I am talking about the growth.

19 THE WITNESS: The black colleges you are
20 talking about now?

21 MR. BROWN: Black college or black high
22 school.

23 THE WITNESS: I think that is fine except
24 that the people who are running them and teaching
25 have to have the power to determine what they will

1 teach, and that is to be based on the needs of
2 the people attending the school. I need to know
3 less about Mozart than about my own life.

4 MR. BROWN: But you do know more Mozart than
5 most people.

6 THE WITNESS: I know more about Mozart than
7 black or white.

8 MR. BROWN: That hasn't hurt you.

9 THE WITNESS: It has.

10 MR. BROWN: Has it?

11 THE WITNESS: It has.

12 MR. BROWN: With your great reputation in the
13 fields of the arts it seems to suggest you have

14 been -- in the quality of education then in

15 integr THE WITNESS: I came out of an integrated

16 education. At Barringer where they are having

17 the trouble, the only thing about that trouble

18 they are having, in the old days when I went

19 there the Italians used to try to beat us up all

20 the time because they had a big majority, but now

21 it is a little different and now they want

22 protection over there. When we were walking those

23 halls there was no protection for us and nobody

24 asking for protection for us.

25 MR. BROWN: But this doesn't make the

1 protection wrong, does it? Is it possible for you

2 THE WITNESS: Why do you need protection now
3 when you didn't need it in 1950? Our protection
4 then was the fact we always stayed together and
5 walked home with our track shoes slung across our
6 shoulders. That was our protection. Now the
7 fact that some white students are in jeopardy
8 makes it a legal issue that has to be brought in
9 and the fact that the police department sons and
10 daughters go to that school so it makes it right
11 away an issue that is again not really elucidated
12 publicly. I was told what was being done. It was

13 MR. DRISCOLL: Do I gather that you are more
14 interested in the quality of education than in
15 integration? What are you going to do with it?

16 THE WITNESS: That's right, the quality of
17 education. BROWN: This I came in in 1966. The

18 MR. DRISCOLL: In other words, you would like
19 to upgrade the teaching and fit the teaching to
20 the needs? Is that a fair statement of your
21 position?

22 THE WITNESS: That's right, to introduce
23 reality and truth.

24 MR. DRISCOLL: You mentioned that you had
25 made certain recommendations for the school in

1 your neighborhood. Would it be possible for you
2 to send us a copy of those recommendations?

3 THE WITNESS: Sure.

4 MR. BRISCOLL: I would be very much interested
5 in reading them.

6 THE WITNESS: We are meeting tomorrow at
7 one-thirty at Robert Treat to determine whether
8 or not we can change that \$28,000. Again, here is
9 another case, and just briefly: the money in
10 under Title I, before we raise this question of
11 what was being done with it, nobody in the black
12 community was told what was being done. It was
13 spent. When we came to the Board of Education, we
14 said, "You have \$69,000 that belongs to the black
15 community. What are you going to do with it?"
16 Then they were really embarrassed.

17 MR. BROWN: Title I came in in 1966. The
18 Board of Education appointed people on committees
19 who have to supervise this money under Title I and
20 unless I am mistaken, there has to be some kind of
21 participation in the Title I distributions. Was
22 there any publication of this so the public knew?

23 THE WITNESS: No.

24 MR. BROWN: They are just learning about
25 Title I now?

Q THE WITNESS: In our particular community

A before the women were mobilized into asking there
 character was no knowledge of it because nobody in the com-
 my person munity, where the majority of people are unem-
 is ninety ployed, young men and young women, are going to
 has almost vote yes on a thing that says vote yes to three
 my only people who are going to take \$28,000 up to of the
 ground on Bloomfield. Is you so that you can carry it off

substance and MR. BROWN: The Board of Education in no way
 absolute. publicized this? I your own resources, control your

energy. You THE WITNESS: Not to where it actually affects
 You must the community. among your own people as they

need to have. MR. BROWN: Because there is an actual film
 to have the on Title I which is supposed to be shown in all
 communities.

prob THE WITNESS: I doubt if it was shown on
 Howard Street. In realistic times there is
 nothing that America does that affects black
 people positively at all in realistic terms.

By Mr. Jaffe:

Q You used the phrase "black power" a little while
 before. I wonder if you would define it.

A Control over resources, social, political, with
 economic resources, cultural resources. That is black
 power. That is simple enough.

1 Q Do you view achieving this by political means?

2 A However. It will be political in the overall
3 characterization, but the fact that if I am a writer and
4 my percentage of my work is ten percent and your percentage
5 is ninety percent, say that I live on a piece of land that
6 has ninety percent of all the gold in the world and that
7 my only connection with that gold is digging it out of the
8 ground and giving it to you so that you can carry it off
9 somewhere and make money off it, the control must be
10 absolute. You must control your own resources, control your
11 energy. You must say what you will do with those energies.
12 You must dispose of them among your own people as they
13 need to have them disposed, not the way alien interests need
14 to have them disposed.

15 MR. DRISCOLL: Mr. Jones, isn't one of your
16 problems that while you may have pretty close to
17 a majority in the City of Newark approximately
18 forty percent of that so-called majority is
19 people under eighteen years of age or whatever
20 the precise age is?

21 THE WITNESS: Forty percent. Yes, it might
22 be something like that.

23 MR. DRISCOLL: So in the ballot box, while
24 you have more souls, you have fewer votes?

25 THE WITNESS: Fewer votes than our numerical

1 population.

2 MR. DRISCOLL: That is correct.

3 THE WITNESS: Sure.

4 MR. DRISCOLL: Have you by implication sug-
5 gested that some form of councilmanic home rule
6 should be set up for certain wards in the City
7 of Newark?

8 THE WITNESS: That's the implication. The
9 fact is again in terms of voting who controls the
10 election machines controls the voting finally. So
11 then that becomes a conditional advantage.

12 MR. LEUCHTER: Don't you foresee in a few
13 years, Mr. Jones, with a substantial black
14 majority in Newark, overwhelming I think you
15 indicated earlier, as will happen in many major
16 cities within a matter of years, Newark will have
17 a black mayor and black council?

18 THE WITNESS: Yes.

19 MR. LEUCHTER: Won't it be inevitable?

20 THE WITNESS: Not inevitable in terms of
21 what the power structure will do to prevent
22 it. You can always pay somebody who looks like
23 me or who looks like any black man sitting
24 around here to represent you. I think it will
25 inevitably happen that control of this city goes

1 to black people. I will say that definitely.

2 CHAIRMAN LILLEY: Mr. Lofton.

3 MR. LOFTON: Mr. Jones, you indicated, I
4 think in response to Mr. Jaffe's question in
5 terms of the mean by which black power in
6 terms of political, economic and so forth would
7 be achieved. It would be achieved in the overall
8 sense within the political dimension. Do I
9 sense by your response to this question that it
10 is your feeling within the black community that
11 there is a substantial body of feeling that
12 violence is a legitimate means by which this
13 objective can be achieved?

14 THE WITNESS: Well, yes, I think there is a
15 great feeling in the black community only because
16 we have seen any other kind of way that has been
17 legitimized by the white power structure to end
18 up as fraud, illusion and the fact that there is
19 an excessive amount of violence put on the black
20 community, a day to day existence. It is sort of
21 a reaction of violence. These rebellions begin,
22 are ignited by some kind of very small incident,
23 and this act of violence picks up the momentum
24 and surges out of control.

25 I think violence is becoming something every

1 American understands. Which end of it is the
2 arm determine his understanding of it, whether
3 the violence is being done to him or for him
4 because the white community can justify any
5 violence done to the black community.

6 MR. LOFTON: If I understand what you are
7 saying then, what you have espoused is before
8 you can expect to remove the effects, which is
9 the violence, you have to remove the cause which
10 you characterize as the frustration?

11 THE WITNESS: That is true, but I also would
12 say that the soul of America seems to me to be
13 that frustration is for black people. That is the
14 soul of this. I don't see, in lieu of any kind of
15 legal workings of it, how it is going to put
16 itself out of business. I don't think there are
17 any kinds of legitimate aspirations by white
18 people -- of living has soared, the black standard

19 MR. LOFTON: What you are really saying is
20 what this Commission can expect and what America
21 can expect because of this lack of will or lack of
22 moral commitment to do this that there is going to
23 be violence because it is a natural outgrowth of
24 this reticence to move in these areas?

25 THE WITNESS: The people who control this

1 society are bent on the course the society has
2 gone in. This is not accidental. I mean the
3 national product, the money made, the gross
4 national product is very, very high, and it has
5 been going up and it hasn't been going up
6 because white people understand colored people
7 better, but because they have been more successful
8 in limiting them. The gross national product is
9 soaring. The standards of living for white
10 people are very high. It is again at the expense
11 of another race, another nation.

12 MR. DRISCOLL: You don't think there has been
13 any improvement to speak of as far as the
14 standard of living of the Negro?

15 THE WITNESS: No, because you have to
16 understand it is connected. It goes like this
17 (indicating). It doesn't move. Where the white
18 standard of living has soared, the black standard
19 of living in comparison has really gone no place.
20 at all.

21 MR. BROWN: The fact is a presidential
22 committee has issued a statement three weeks ago
23 saying while white standards have risen, certainly
24 the Negro middle class standards have risen. The
25 standards of the deprived Negro have dropped.

1 THE WITNESS: Right. The black tokens have
2 to reflect the movement of the street as a whole.
3 For instance, the salary of Whitney Young has to
4 go up because he has got a harder job to do con-
5 vincing all these black people there is going to
6 be progress in this society, so his salary has to
7 go up.

8 MR. GIBBONS: You have described the events
9 in Newark as a rebellion. Do you think this Com-
10 mission would be inaccurate in describing it in
11 any other terms?

12 THE WITNESS: Well, it depends on your
13 purpose. If it was to actually describe it, it
14 would be a rebellion.

15 MR. GIBBONS: If we describe it as a rebel-
16 lion, keeping in mind one of our purposes is to
17 create for the Governor and legislature a climate
18 for a possible remedial legislation --

19 THE WITNESS: What kind of remedial legis-
20 lation would he initiate?

21 MR. GIBBONS: If we describe what took place
22 as a rebellion, what kind of remedial legis-
23 lation is possible other than repression?

24 THE WITNESS: Than suppression?

25 MR. GIBBONS: Yes.

1 THE WITNESS: According to the psychology of
2 the oppressors, none. That is the point I was
3 making before about there is no desire to change
4 because the only understanding that the white man
5 has --

6 MR. GIBBONS: This white man didn't understand
7 this as a rebellion. I saw it as a legitimate
8 protest that got out of hand and into the hands
9 of certain lawless people, and I am perfectly
10 willing to describe it as that. But in fact if I
11 am wrong and it is not that and it is a rebel-
12 lion, what can you expect from a state other than
13 self-preservation?

14 THE WITNESS: Nothing.

15 MR. GIBBONS: That makes our task rather
16 hopeless.

17 THE WITNESS: I think it defines it more
18 accurately because I don't think that the reason
19 this Commission is meeting is to change the
20 structure of the present form, the social form.
21 I don't think this is why this Commission is
22 meeting. I think this Commission is meeting to
23 provide the illusion of progress and reasonableness
24 toward what really is the problem, to provide that
25 illusion.

1 The point is this Commission doesn't provide
2 that illusion to black people in the street; it
3 provides that illusion for white people and
4 middle class Negroes, but it doesn't provide that
5 illusion for the black man in the street because
6 he doesn't even know this Commission exists. It
7 is like self-hypnosis.

8 By MR. DRISCOLL: If I thought you were right,
9 I would resign.

10 THE WITNESS: I know that.

11 By MR. DRISCOLL: When you were talking about
12 the medical school, you referred to payoffs at
13 Rutgers in connection with the construction. Did
14 I understand you referred to Valentine and Com-
15 pany?

16 THE WITNESS: This is some information that
17 the New York Times made available a couple of
18 months ago about the connection with the Valentine
19 Electrical Company with the Mafia being named,
20 Richie Boiardo, et cetera. The connection was
21 specifically with Rutgers University's electrical
22 work done and also the Federal Building. I
23 think an investigation was asked for by someone,
24 and Attorney General Sills tried to pass it on to
25 someone else who refused to do it, saying there

1 A wasn't enough evidence. But the New York Times
2 what that and Life Magazine thought there was enough
3 about. If evidence to publish stories about it. I think
4 have to be Life had a series about it.

5 CHAIRMAN LILLEY: Gentlemen, if there isn't
6 any objection I would like to let Mr. Jaffe con-
7 or not the tinue. He has an incomplete line here.

8 organized By Mr. Jaffe: is it a plan?

9 Q In some of your answers to Mr. Lofton I was
10 wondering how do you view the long-term relationship
11 between the black and white communities in America.

12 A Or, as it exists now certainly in a city like
13 Newark it is a colonial relationship.

14 Q Let's assume, for example, that the Negroes
15 became the political majority in this city. What role would
16 there be left for the white minority in the city?

17 A That would be for those black people to determine
18 actually. I think in the matter of self-determination we
19 always know the needs of our own people come first as they
20 come first with the whites. A lot of the black people are
21 finding out that the needs of the white community always
22 come first before the black community. That is a natural
23 thing. I said, at every level legitimate black protests to

24 Q Do you think there would be a role for a white
25 minority? what are your views on the poverty program?

1 A There would have to be if they stayed in the city.
2 what that is I think is kind of far-fetched to speculate
3 about. If they were in the city, there would certainly
4 have to be a role for them. What it would be would have to
5 be determined by the nature of their residence.

6 Q I wonder if you have some thoughts as to whether
7 or not the riot, rebellion as you call it, last summer was
8 organized in any way. Was it a plan?

9 A I would say the very fact that there were twenty-
10 six black people killed and only two white people would
11 certainly put the lie on that, that it was organized,
12 unless there is some mighty bad marksmen out there, or
13 planners. It couldn't be organized.

14 Q Why do you think it happened this summer rather
15 than last summer?

16 A This is sort of an invisible pot boiling in
17 people's minds, I guess; just boiled over. A lot of things
18 have gone down in this country from Adam Clayton Powell, the
19 killing off of Adam Clayton Powell, or the killing off of
20 Mohamed Ali or the killing off or attempted killing off of
21 Rap Brown and Stokely Carmichael or the jailing of even
22 Reverend Martin Luther King.

23 As I said, at every level legitimate black protests is
24 thwarted on that level by the white power structure.

25 Q What are your views on the poverty program? How

1 useful do you think they are?

2 A I think again the poverty program provides an
3 illusion of progress. I am taking this from Nkrumah, his
4 book on neo-colonialism in which I make a kind of an
5 analysis between what he calls neo-colonialism and what we
6 know as the anti-poverty program. It is the illusion of
7 progress, the illusion of self-control that is being offered,
8 or autonomy, but in any instance where actual control by
9 black people of the monies or the services that are offered
10 by the -- any determination of that is automatically
11 thwarted. For instance, recently they found out or they
12 said that a leaflet that was defending me or my reputation
13 was printed in one of the anti-poverty offices. I don't
14 know if this is true. Immediately the police came to the
15 anti-poverty agency to arrest somebody apparently for
16 printing a leaflet. Whether that has become illegal in
17 America already is questionable.

18 But the fact if the head of that agency had seen fit
19 to print a leaflet defending me, then if he was really the
20 head of that agency and if he were really empowered by
21 black people to act upon their best interests, then he could
22 have done that no matter whether the white man liked it.
23 But the fact is he couldn't.

24 Q What about the concept generally of aid to the
25 black community financially and special programs to the

1 black community? Do you favor this concept?

2 A I have to favor it. I have to say that any money
3 coming into the black community is good. The only fact is
4 that the anti-poverty programs are seriously limited, and
5 that is the intention: to limit them and to frustrate
6 again and to take certain black people who have a genuine
7 desire to help their people and render them helpless
8 through the kind of illusion of progress that the anti-
9 poverty -- there have been that I know of many, many
10 instances where when an anti-poverty program begins to
11 function -- I saw in the case of the brother in Tennessee
12 who was with the school, or again at the Black Arts where
13 through anti-poverty monies we were putting on three shows
14 a day seven days a week outside on different corners of
15 Harlem where it was determined by white people that the
16 plays that they saw were unfit for black consumption, saying
17 the taxpayers' money shouldn't be spent on that. But they
18 will not understand that we are taxpayers. Nor will they
19 go out into the community and ask the people who saw the
20 plays whether they liked the plays. But they then can sum-
21 marily reshape the program to make it impossible for that
22 to happen again. It is a fraud. It is a serious attempt to change the social
23 structure. What do you think are the basic needs now of the
24 black community?
25

1 **A** The basic need of a black community is unity and
 2 power.

3 **Q** Are you talking about political power?

4 **A** Yes, political power, or the power to make defi-
 5 nitions, which is the most important power there is.

6 **Q** Do you think there is a need for other kinds of
 7 substantial programs in the social context?

8 **A** Programs that are defined by the white society?

9 **Q** Defined by the black community. How would you
 10 define those programs?

11 **A** There are all kinds of programs.

12 **Q** Give us a couple of examples of the kinds of
 13 programs that you would define.

14 **A** As being useful to the black community, or as
 15 formulated, I think it would be irrelevant to this panel.
 16 But in terms of what the white community can do, certainly --

17 **Q** Give us that.

18 **A** See, you have to remember my basic disbelief in
 19 the willingness of the white society to change.

20 **Q** Just give me the things that you think the whites
 21 can do.

22 **A** I think they can educate their own people, No. 1.
 23 But also in terms of serious attempts to reshape the social
 24 structure, empowering black people, usually the best way
 25 I know is through money, to empower black people to act for

1 themselves.

2 Q Create a society wherein black people could act
3 for themselves? That is what the white community could do?

4 A Absolutely. But the only fallacy there, it won't
5 be up to black people to do that because the fact that
6 change means the loss of control by whites over blacks.

7 Q So what are you suggesting for the white com-
8 munity?

9 A I can't suggest anything for the white community
10 because they will do what they want to do anyway.

11 BISHOP TAYLOR: What do you suggest for the
12 white community?

13 THE WITNESS: As I said, unity and power, it
14 doesn't mean control over one's life -- political, social
15 autonomy, control over one's resources.

16 By Mr. Jaffe:

17 Q What do you think the mood of the Negro is today
18 in Newark?

19 A Resignation, I suppose, but not perhaps in the
20 way you might interpret that.

21 Q How would you interpret it?

22 A Resignation to the fact of the social realities,
23 of being an oppressed people from whatever level they might
24 view that, whether they are activists and want to change it
25 or whether they are quiet and just want to lay with it and

1 hope it doesn't kill them; resignation to the character of
2 this particular society; resignation to the understanding
3 of the realities of it. There has been no change. Newark
4 has gotten worse since the rebellion. Now police come up
5 and down the streets harassing people. At Spirit House on
6 Sterling Street we have a small community theater, small
7 kids, old people. The police come by there without fail
8 each evening and shine lights in the windows and put tickets
9 on automobiles and drag young boys off the streets and tell
10 them they stink and ride them around the corner and let them
11 out, punch them a couple of times. This is an act or reality.
12 For every cry of police brutality there is a counter cry
13 from the white person in charge of police brutality that it
14 doesn't exist.

15 So it is not a situation that encourages any realist
16 to expect any kind of dramatic change born out of quiet
17 social theories.

18 Q If the white society integrated the Negro society,
19 would you be in favor of that?

20 A Yes. How do you mean that?

21 Q In terms of community life.

22 A Society has to decide what it wants to do. A
23 society has to decide that. Black people have to decide
24 what they want to do with their lives and their children and
25 their future. The fact is it is the fact of the white man's

1 deciding that is the confrontation. This history we have
2 of this imposed path the white man has made for us since
3 taking us from our homes some three and a half centuries
4 ago and placing us here -- you see, the fact is our people,
5 the history of our race has only momentarily ended up here
6 in the West as the News, say, in Babylon or Syria or in
7 Egypt; that we are a captive people and the realities that
8 we are heir to in America are those of a captive people.
9 We are being dealt with as captives by the victors; that's
10 all. sense at this time in terms of its being possible

11 This is the reality of the situation no matter how
12 certain skillful Negroes might be able to exist within the
13 kind of fringe benefits of being articulate slaves, still
14 we are a captive people. The fact that black power is
15 supposed to frighten white people or drive them to the
16 point where they want to suppress the desire for it seems
17 to me to indicate some kind of guilt or unwillingness on
18 the part of white people to extend what finally is absolute
19 equality to the black man. There is no such thing as
20 equality unless we are absolutely free to do what we want
21 to do within the confines of civilized social conduct, where
22 we are absolutely free to do what we want to. We never will
23 be free to do that because that is not the purpose of the
24 society. The purpose of this society was to oppress and
25 exploit us, and it still does. This is a fact.

1 CHAIRMAN LILLEY: Any questions, gentlemen?

2 MR. BROWN: In terms of the adjustment of
3 the black community to survive as opposed to any
4 pie in the sky hope that this Commission or any
5 other would suddenly change the white attitudes,
6 can you think of any immediate attack, and pos-
7 sibly following up Mr. Gibbon's question in a way,
8 of any immediate attack on any existing attitude
9 or structure in the community that would make
10 sense at this time in terms of its being amenable
11 to this? For example, you are attacking the
12 educational structure through your activities with
13 Robert Treat School.

14 THE WITNESS: We are attacking the edu-
15 cational structure because being a cultural
16 workman, an artist, I believe that education, as
17 I certainly know it, is the key, that the change
18 of consciousness is the key to have black people
19 possess the power they need to change their lives.

20 MR. BROWN: In the context of Mr. Gibbon's
21 question again, do you feel this is a possible
22 approach toward changing the system; that there
23 can come through the ability to self-determine
24 and to use this media as a means of achieving
25 black power?

1 THE WITNESS: But this has to be done by
2 black people. The key to confrontation is the
3 psychological attitude of the white man where he
4 feels deep down that he has been empowered by God
5 to decide the destiny of black people and Asiatic
6 people and Latin-American people.

7 MR. BROWN: I am not quarreling with that at
8 all; I am talking about a technique of fore-
9 seeable relief. You are giving a lot of time
10 because you are a person of the arts. Do you
11 feel that the educational system can be so
12 changed in this city that predictable recommen-
13 dations could affect this route and help to
14 change the idea of the black realization?

15 THE WITNESS: Yes, but there would be the
16 added pressure upon white people that they get out
17 of the affairs of black people.

18 MR. BROWN: That is what you really suggest?

19 THE WITNESS: Of course, that is what I
20 suggest, but whether it is this society's intention
21 to see that it happens or not is something else.

22 MR. BROWN: Isn't there one phase where
23 Negroes come a cropper? We want them to get out,
24 but we want the \$28,000 for Title I? Isn't that
25 where we are checked into the locks?

1 THE WITNESS: Not really because we want that
2 money to change the school into an image of the
3 black man's needs.

4 MR. BROWN: But will that ever be effective
5 until we can in some way control the spending of
6 the money?

7 THE WITNESS: That is what we mean, the
8 actual spending of the monies. Also the ways for
9 getting that money, too.

10 MR. BROWN: Title I itself represents a
11 technique which, if used properly, will help.
12 Title I came from a congressional action where
13 money was provided and where the authority was so
14 provided so we can use it.

15 THE WITNESS: The way it is being utilized
16 in the majority of cases it doesn't do anything.

17 MR. BROWN: No question about that, but my
18 point is this: let's assume the legislative
19 power that would control the dispensing of this
20 money would then serve the purpose of Title I or
21 Title One Hundred Twenty-One. This reflects
22 really in a civilized society the legitimate use
23 of political power because it starts. You don't
24 envision within the civilized process any means
25 in the foreseeable future of obtaining this kind

1 of power? ... the implications about, total control

2 THE WITNESS: No, because of all I think
3 that's not a correct definition of the processes
4 that exist in this particular society. ...

5 MR. BROWN: I thought you said within the
6 civilized society. ...

7 THE WITNESS: I would assume civilized would
8 evolve past the point it exists now. ...

9 MR. BROWN: I am asking why you call this a
10 civilized society. I consider that an unexpected
11 admission on your part.

12 THE WITNESS: No. I think any change will
13 be the civilizing of it. ...

14 MR. BROWN: Will be the civilizing of an
15 essentially brutal society? ...

16 THE WITNESS: Definitely. ...

17 MR. BROWN: In terms of black power do you
18 feel if there is this achievement of political
19 power within the foreseeable future, this is cer-
20 tainly a preferable alternative to violence? ...

21 THE WITNESS: You mean the achieving of black
22 power? ...

23 MR. BROWN: If it is possible within the
24 foreseeable future this is a preferred alternative?

25 THE WITNESS: Of course. I think we have to

1 remember all the implications about, total control
2 of one's resources right away means that someone
3 thinks you are going to make war on them. The
4 minute you say you want to control your resources,
5 the person already in control of those resources
6 says, "You want to make war on me."

7 MR. BROWN: But aren't you meaning that and
8 falling into that way of thinking when you call
9 it a rebellion?

10 THE WITNESS: It is a rebellion against alien
11 control of resources.

12 MR. BROWN: But it is not the kind of ille-
13 gitimate war that is talked of when you say you
14 want to control resources; therefore, there is
15 war within the framework of a republic?

16 THE WITNESS: If I go into a storekeeper and
17 I say, "We are going to nationalize your store,"
18 he would say, "You are making war on me; I am
19 calling the police." Whether it is a store on
20 Howard Street or whether it is Socony-Vacuum, you
21 know.

22 MR. BROWN: Within the framework of the
23 republic this has been the cry of the economic
24 overlords in terms of social security, in terms
25 of concern with the underprivileged nations of

1 the world, so that has been evolved within the
2 social structure in terms of white antagonism
3 and white opposition.

4 THE WITNESS: But that provides a flexi-
5 bility for the power structure that allows them
6 to exist a little longer. There is no desire for
7 change. For instance, the New Deal was
8 Roosevelt's attempt to make the society more
9 flexible, not to change it. The same way with
10 Kennedy. There is no attempt to change the
11 society but to make it more flexible.

12 MR. BROWN: Isn't your idea one that creates
13 a society so flexible that there is a self-
14 determination of people? There would be a self-
15 determination of the Negro minority now?

16 THE WITNESS: Totally.

17 MR. BROWN: So that is a flexibility?

18 THE WITNESS: But I don't think of black
19 people as a minority.

20 MR. BROWN: Let me ask you a very personal
21 question. If you think this Commission is a com-
22 pletely useless device used to palliate white
23 people, why would you give us your time?

24 THE WITNESS: I don't think it is a useless
25 device.

1 with MR. BROWN: You think it can have some use?
2 sure. THE WITNESS: Yes. I think it can have some
3 use. I have a kind of schizophrenic regard for
4 it because I understand its use to white people
5 because it allows them the illusion of ration-
6 alism and progress.

7 MR. BROWN: What can its use be to the com-
8 munity in trouble, including the black people?

9 THE WITNESS: The only possibility is the
10 publication of certain truths, legitimatizing of
11 certain truths they already know.

12 MR. BROWN: Suppose, for example, the unbe-
13 lievable should happen and this Commission should
14 say there has been police brutality, that this
15 is wrong. Would that mean to the black com-
16 munity hope and a new window of access?

17 THE WITNESS: But whom would you report this
18 wrong to?

19 MR. BROWN: You say you must rely on the
20 people. You would report it to the people.

21 THE WITNESS: If we can go into the black
22 community and pick a police commissioner for that
23 black community and pick the police chiefs and
24 the sergeants and we have our own police department
25 and we know these police when they get through

1 with their eight hours live right next door to us,
2 sure, then we are talking about something.
3 But if you are talking about putting one
4 black man on the force, a police captain, the day
5 after the rebellion starts, you are not talking
6 about anything but illusion and lies.

7 MR. BROWN: Suppose there were a recommen-
8 dation from the Commission that Title I control
9 be different so the black community can control
10 directly its plans, propositions that would be
11 valid, but which would have some rationale.
12 Wouldn't that be a recommendation? by facts. This

13 is a THE WITNESS: Sure, if it meant that Title I
14 could take the educational system of black people
15 from the hands of white people into the hands of
16 black people. *illuminating us.*

17 MR. BROWN: But you would actually have to
18 have it taken away from any white person and given
19 to any chosen black person? *question of police*

20 THE WITNESS: It is not "any white person";
21 it is the "great white person" that is all white
22 people. It represents the cultural reality of
23 America, of the psychological characteristics of
24 the white man's mind. *is the question of police*

25 MR. BROWN: The gifted Lerol Jones doesn't

1 represent all black people.

2 and THE WITNESS: No, but I represent more black
3 people than this Commission.

4 MR. BROWN: That might well be true. I don't
5 know. Thank you.

6 CHAIRMAN LILLEY: Thank you, Mr. Jones.

7 MR. DRISCOLL: I can't resist this. Assuming
8 that this Commission really wants to do a job,
9 promote the welfare of people generally, black
10 and white. You surely must recognize the dif-
11 ficulties confronting us when we hear evidence of
12 police brutality but not backed up by facts. This
13 is a very acute situation where, if we could put
14 our fingers on proof, I think you could put your
15 faith in the Commission that it wants to do a job.
16 This is the dilemma confronting us.

17 Are you in a position to help us resolve
18 that dilemma?

19 THE WITNESS: The documentation of police
20 brutality?

21 MR. DRISCOLL: Yes.

22 THE WITNESS: In certain ways. Certainly by
23 providing names of people who might be coming
24 forth, but again there is the question of police
25 brutality issue. All over this nation there has

1 whereupon been a cry of police brutality from black people,
2 and it means as a people we are liars because it
3 is never acted on and always repudiated by the
4 called as people that are in charge of it.

5 MR. DRISCOLL: We have heard, too, but if you
6 could help, I am sure we would appreciate it.

7 the CHAIRMAN LILLEY: Mr. Jones, you have given
8 us a good two hours and we appreciate it. We
9 hope when you see the report of this Commission
10 you will feel that your willingness to come here
11 was justified.

12 July Thank you very much.

13 MR. BROWN: I would like to put on the
14 record when I said the gifted Leroi Jones doesn't
15 represent the Negro people I meant all people
16 don't have the gifts you have.

17 record of this Commission, and I wonder if at
18 this time we can mark it in evidence and have
19 Mr. Yivisaker summarize for us the contents of
20 the statement and his participation in the
21 Plainfield situation.

22 (EXHIBIT NO. C-64 WAS RECEIVED IN EVIDENCE.)

23 WITNESS YIVISAKER: Thank you, Mr. Drifts.
24 I have asked that Joel Burns will also be
25 sworn to describe at the appropriate time his

Whereupon, [redacted] and [redacted] in [redacted].

PAUL N. YLVISAKER

AND

JOEL H. STERNS

called as witnesses, duly sworn, testified as follows:

EXAMINATION

MR. JAFFE: Mr. Ylvisaker has informed

the Commission that he has with him a statement of the chronology of the events as he recollects them in Plainfield. I have informed Mr.

Ylvisaker that the Commission is primarily interested in his activities in Plainfield during the month of July of 1967 at this time. He has testified on previous occasions about many other matters of interest to the Commission.

I have asked Mr. Ylvisaker to give us that statement which will be made part of the record of this Commission, and I wonder if at

this time we can mark it in evidence and have Mr. Ylvisaker summarize for us the contents of the statement and his participation in the Plainfield situation.

(EXHIBIT NO. C-64 WAS RECEIVED IN EVIDENCE.)

WITNESS YLVISAKER: Thank you, Mr. Jaffe. I have asked that Joel Sterns with me also be sworn to describe at the appropriate time his