



**SEEKING SIMPLE JUSTICE:
DEMANDING HUMANE TREATMENT AT PELICAN BAY**

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DR. MAULANA KARENGA

It is of great moral and social significance that our ancient African ancestors, in introducing the concept of human dignity, chose a nameless prisoner by which to define and defend it, for this choice of a socially-devalued person demonstrates both the indispensability and inclusiveness of this fundamental ethical concept. In the sacred texts of ancient Egypt, the *Husia*, in which the concept of dignity first appears in the written moral discourse of the world, the Sage Djedi defines dignity as a possession of all humans, even those who are among the most marginalized, stigmatized, devalued and disdained. Thus, in this sacred narrative, the Sage Djedi tells the Pharaoh Khufu that he should neither kill nor experiment on this nameless prisoner, for he too is an image of the Divine, a possessor of dignity, and thus, worthy of the rightful respect due him as a human being.

The ancestors and *Seba Maat*, moral teachers of the *Husia*, understood that our most cherished ethical concepts and principles must be defended and practiced at their most vulnerable and challenging levels, not simply when and where most comfortable and convenient. This includes critical points where the powerful meet the powerless or less powerful; where the rich encounter the poor; where the able-bodied interact with the disabled; where those in authority engage those “under” them; where the victim confronts the victimizer; and where we all encounter and engage the stranger, the different, disdained and devalued.

For it is much easier to perceive other humans we love, like, admire or feel similar to as having this inherent, transcendent and divine worthiness we call human dignity. And we are more likely to forgive them their transgressions and offenses and stand with

them in trial and imprisonment. But the stranger who is both an outsider and an offender is another issue. Certainly, there is also the rightful sense of the need for justice to be done, when an offender causes serious harm, injury, death and destruction. However, in our society, the desire for vengeance and justice are often rolled into one and vengeance becomes the driving force, frequently without the mercy and the moral consideration that would support humane treatment of the specific offenders or their devalued kind.

It is in this framework that I raise the issue of prisoners’ rights in general and the specific case of the inhumane treatment of prisoners in Pelican Bay State Prison of California. It is an urgent case, and the prisoners in the Security Housing Unit (SHU), in spite of risk of almost certain increased inhumane treatment, have begun an indefinite hunger strike to expose and demand an end to the cruel and unusual punishment they are subjected to daily. Uniting across racial lines in spite of racial divisions in prison and guards’ manipulation and promotion of them, they have called on prisoners throughout the California system to join them in this strike.

They have put forth five basic demands which fall well within the legal rights of prisoners in this country and the legal and human rights stipulated in UN Covenants and related international documents. These are: (1) elimination of group punishment (often racial) and following the practice of individual accountability; (2) abolishment of the “debriefing” (informant) policy and modification of the gang status criteria which leads to assigning gang status by false and faulty evidences and to prisoners being forced to provide information (often false) on gang activity to avoid long-term isolation, and thus endangering their lives and the lives of their

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families; (3) compliance with the recommendations of the U.S. Commission on Safety and Abuse in Prisons (2006) which support ending long-term solitary confinement and especially, the torturous conditions of isolation involving no human contact and sensory deprivation; (4) provision of adequate food prepared under sanitary conditions; and (5) expansion and provision of constructive programs and privileges for prisoners held indefinitely in SHU, including programs “to engage in self-help treatment, education, religion and other productive activities” and privileges of one phone call per week and sweat suits and caps for the cold.

Although the prisoners are seeking simple justice and the humane treatment this clearly requires, the established system will not confess or concede quickly. Pelican Bay Prison is posed as a model institution for systematic and severe punishment, sustained isolation and brutal breaking of the spirit of all sent there. So, they will resist change, even to save lives, for their approach is ostensibly based on the assumptions that these are devalued and disposable persons and that society supports this policy of teeth-and-nail toughness on crime and criminals. Thus, the support for these prisoners must involve a larger struggle for prisoners’ rights as a whole.

Since the 60s and early 70s, the raising of concerns for prisoners’ rights has been in marked decline due to a series of interrelated factors. Among these are: periodic spikes in crime; the horrendous nature of some crimes committed and given center stage on the nightly news; and the resultant increased sense of public and personal insecurity. Also, there is manipulation of real concerns about public safety into irrational fears, group hatred and

blood vengeance by politicians, police, and private prison owners and advocates interested in election, justifying brutal suppressive practices and securing the alligator share at the shrinking public-fund watering hole.

But it also has to do with the decline in movements for social change, over-focus on single group issues without linkage to the larger struggle, and the routinization of progressive activists who, though they refer repeatedly to the prison-industrial complex, do not always put proper emphasis on the prisoners themselves, their rights, and the moral and humanitarian issues raised by their abusive treatment.

Thus, those, guilty and innocent alike, who find themselves convicted are carted away, warehoused, punished “appropriately,” however severe and savage, duly disdained and morally and mentally set aside as an unworthy and disposable form of human life. And yet, the best of our spiritual and ethical traditions whether Maatian, Christian, Muslim, Ifa, Jewish, Buddhist, Hindu, Sikh or other teaches and tells us otherwise.

Certainly, we as African people must stand up in defense of the nameless, voiceless, stigmatized, devalued and vulnerable. And with Djedi, we must speak truth to power and to the people, saying in righteous resistance to prisoner abuse by those in authority, “Not to human beings. Surely it is morally unacceptable to do such things to the noble images of the Divine.” For they too must be treated with the respect due their inherent dignity and status as human beings, regardless of the conditions of life in which they have put or find themselves.

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