

A WRONG THAT MUST BE RIGHTED

In the Land of the Free, dedicated to Anita Roddick, is not only the best documentary of the year, it is also spearheading the campaign for justice for two black inmates who have been kept in solitary confinement in Louisiana for 37 years after being convicted on suspect evidence of the murder of a white prison warden

Andrew O'Hagan



BORDERED on three sides by the Mississippi River, the Louisiana State Penitentiary is the biggest prison in the United States. They call it The Farm. It was built on the site of a former slave plantation, many of the enslaved coming from the part of Africa that gives another name to the prison: Angola, an institution now famed in legend and song, where certain prisoners are known to have spent their whole lives.

Huckleberry Finn once floated his raft downstream under a full moon, and some of the most punished inmates often think of that. Two such men, Herman Wallace and Albert Woodfox, have been thinking about it during periods of solitary confinement that have lasted for almost 40 years.

Is solitary confinement a form of state-sponsored torture? Recent Presidential candidate John McCain certainly thought so, in relation to his own two-year incarceration in Vietnam. "It's an awful thing, solitary," he says. Yet during all the years of McCain's freedom, the years of family, politics and Republican glory, Wallace and Woodfox have been penned in cells nine feet long.

There are two and a half million people in American prisons, 25,000 of them held in solitary confinement. The plight of Wallace and Woodfox – and of Robert King, in solitary at Angola for 29 years and now released – is the subject of this year's best documentary film, *In*

the Land of the Free, which shows the cases of the Angola 3 to have been a horrible series of miscarriages.

The film is dedicated to the late Anita Roddick, who made Angola her last great campaigning cause, and it proves not only the likely innocence of these men but raises profound questions about the use of solitary confinement.

The power of this magical film is to lend an ear to injustice, in the tradition of the great campaigning films of the past. And it leaves you feeling that "solitary" – a system loved by patriots and Republicans everywhere, most recently at Guantánamo – is actually an offence against the US Constitution and a blatant

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example of that "cruel and unusual punishment" outlawed in the Bill of Rights.

The story is astonishing. Woodfox was a petty criminal who lived in New Orleans. Wallace was much the same, only harder-core, eventually being convicted of armed robbery. By the end of the Sixties, each man was a long-term prisoner in the New Orleans Parish Prison. At the time of his conviction, Woodfox escaped, making his way to Harlem, where he got involved in the Black Panther movement. When caught, he was placed in the Tombs Penitentiary in New York, a hotbed of Panther insurrection. Then, one day, he was taken to Angola, where he was kept on the same landing as Wallace.

King, another burglar in the New Orleans prison system, became a Panther after witnessing on TV a shootout

involving the police and black revolutionaries. But it would be some years before he found himself incarcerated at Angola with Woodfox and Wallace, who in the meantime were framed for the killing of a prison officer on 17 April 1972. It was the first killing of an employee at Angola for nearly 40 years.

The prison officer's name was Brent Miller. Angola was a cauldron of hatred at the time: new young prisoners were routinely raped and brutalised, and Angola was said to be the bloodiest prison in the whole of the United States.

Newly politicised, Wallace and Woodfox tried to create a "unity of purpose" at the prison, putting an end to the regime of brutality and prisoner-run "security". There was a work strike in the cafeteria the day of Miller's death, and the young officer was left alone in one of the dormitories with more than 100 inmates, who trickled away to breakfast, leaving him alone with an old black prisoner. He was stabbed 32 times.

Nothing provokes the anger and recklessness of prison authorities like the murder of one of their own. There had been many terrible brutalities at Angola, but the murder of Miller – a 23-year-old who left behind a young wife – set some terrible wheels in motion. His colleagues, thirsty for immediate vengeance, rounded up four men known to have associations with the Panther movement. It was quickly established that one of them had been placed in the frame by the prison authorities and was actually elsewhere at the time of the killing. Another man, Chester Jackson, turned state's evidence in return for a plea of manslaughter.

He said he had held the victim down. That left two remaining radicals, Wallace and Woodfox, to carry the can. "I trusted they had the right people," said Miller's wife, a widow at 17 years old.

An all-white jury in Saint Francisville, Louisiana, took no time to find both men guilty of murder. It is now clear they were convicted more due to the overzealous needs of Miller's fellow officers than on evidence. The chief witness, a prisoner called Hezakah Brown, initially said he saw nothing. Later, prison officers visited him in the night, telling him "you will get your freedom" if he would bear false witness against the two men. "You could put words into his mouth," the warden later said.

Immediately after testifying in the case – swearing he saw Wallace and Woodfox stabbing the victim – Brown was moved to a low-security part of Angola, a house on the grounds indeed. For the remainder of his prison term, as documents confirm, he was given a weekly carton of cigarettes.

Vadim Jean's documentary is painstaking in its efforts to look again at the evidence, and the results are visually as well as morally compelling. Angola, with its swampy environs and brutal atmosphere, is straight out of Stephen King's *Green Mile* by way of a dozen old blues songs.

The effort to stand up for black rights would not go unpunished in such a zone, and that is what the *film* so subtly, so carefully, so powerfully brings you to see. As well as the disqualification of the main witness, there was the question of a bloody fingerprint found beside Miller's body. It matched neither of the accused, but the Angola authorities, despite having the prints of every prisoner on file, made no attempt to match it with the true killer.

Wallace and Woodfox were found guilty and placed in solitary confinement, where they have stayed for the past 37 years. Lost to mercy. Lost to justice. And lost to reason in what Americans like to call the most democratic nation on earth. They were soon followed into those kennels by King, another man suspected of being a ring-leader in a black militant conspiracy.

The *film* is not one-sided, and it spends

time with those who believe that these men were plain guilty. Over those long years in solitary, the three men, two of them still in Angola, tell (by telephone, or directly to camera) of the days passing into years as they tried to remain sane.

It was only in the 1990s that a new generation of lawyers and activists saw the horrid scale of the injustice, both in relation to the original conviction and in the manner of the punishment. These men were scapegoats and there are those, as the *film* shows, who will still do anything to oppose their bid for freedom. When King was eventually freed, in 2001, you could see he was a man whose life had been ruined by forces beyond himself, though his spirit appears to have survived. "I may be free of Angola," he says, "but Angola will never be free of me."

Vadim Jean, born in Bristol, a former Evening Standard Most Promising Newcomer Award winner, should be garlanded again for *In the Land of the Free*. It does that thing we hope that art can sometimes do, seeking to right a wrong, willing a single vision into a cloudy subject, in that way introducing a notion of justice and clarity that was long missing. The *film* allows us to look back upon a terrible period of brutality and suspicion, on all sides, to see that there may indeed have been a number of victims surrounding the murder of Brent Miller. The supposed perpetrators are two of them, and over the entire period of my own life they have languished alone in a terrible prison. They are still there today, wondering what it must be like to be Huck on his journey downstream.

■ *In the Land of the Free* premieres at the Human Rights Watch Film Festival on 24 March before general release on 26 March. The festival (www.hr.w.org) runs 17-26 March at the Ritzy, ICA and Curzons Soho and Mayfair. For more information about the campaign, go to www.inthelandofthefreefilm.com

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