



The law remained unavailable for use as a form of redress in the pursuit of Black liberation, for Black liberation is against the law and antithetical to the laws aim. Huey himself briefly turned towards criminal activities later in his life in an attempt to organize gangs but was killed in the process.

The Black Liberation Army emerged largely out of the fallout of the Black Panther Party and took an extralegal approach to Black liberation. It engaged in armed attacks, robberies, prison breaks, and other activities while rejecting the legitimacy of the law itself. Taking the lessons learned from the Black Panther Party seriously, the BLA understood that breaking the law would be required for Black liberation but refused to see what they were doing as truly criminal. They made distinctions between illegal activities that were explicitly political and those that were criminal. They argued that because their actions were political they should be tried not as criminals but as prisoners of war. When Black Liberation Army members were tried in court for crimes such as 'domestic terrorism' they famously rejected the legitimacy of U.S. courts maintaining that the court lacked the moral authority to do so. Kuwasi Balagoon in his trial statement said boldly:

*I am a prisoner of war and I reject the crap about me being a defendant, and I do not recognize the legitimacy of this court. The term defendant applies to someone involved in a criminal matter, in an internal search for guilt or innocence.*

The BLA's refusal both recognized the court as an illegitimate colonizing institution and rejected the terms in which Black radical activity is marked as criminal. Instead, BLA members reframed their activity as existing outside of the jurisdiction of the law and requiring different legal machinery. The BLA members appealed not to U.S. law but international law pertaining to the treatment of prisoners of war. In his essay *The Vengeance of Vertigo*, Frank Wilderson had this to say about Balagoon's statement:

*Its deepest insight is the conclusion that it reaches that the law is White, coupled with the inference that Balagoon was guilty prior to the Brinks expropriation. His innocence cannot be vouchsafed until all semblance of the law has been eradicated.*

The way in which the BLA positioned themselves in relation to the law, both as the wholehearted embrace of Black illegal forms coupled with the refusal to recognize the legitimacy of the law, has been an inspiration for this paper. I disagree with Wilderson's complaint that the fault of the approach was the inability to empathetically account for Black suffering within the courtroom. Rather, the only

