Critical Resistance to the Prison-Industrial Complex

Overview: Critical Resistance to the Prison-Industrial Complex

Guest Editors

T HE STATISTICS ARE BY NOW WELL KNOWN. THEY ARE, HOWEVER, NO LESS shocking. THE United States, with five percent of the world's population, incarcerates 25% of the world's prisoners. Since 1990, the prison population in the U.S. has doubled, reaching the dubious mark of two million incarcerated in the year 2000. Since 1978, the number of prison and jail inmates has tripled. In California, it has grown sixfold. Moreover, 1.5 million children in the U.S. are growing up with a parent incarcerated. Though most of those incarcerated are male, women make up the fastest growing sector of the prison population, with California the home of the largest women's prisons in the world.

The statistics for people of color are even more alarming. One-half of the two million incarcerated in the U.S. are African American. One out of every 35 African Americans is behind bars. In 1989, the rate of incarceration of African Americans surpassed that for blacks living under apartheid in South Africa. One in three African American male youths is under some type of correctional supervision. The numbers for Latino youth are one in 10.

African Americans constitute 14% of drug users nationally, roughly the same percentage as their representation in the general population. In sharp contrast, African Americans represent 35% of drug arrests, 55% of drug convictions, and 75% of prison admissions for drug offenses.

In New York, a state in which African Americans and Latinos comprise 25% of the population, they nonetheless represent 83% of all state prisoners and 94% of those convicted of drug offenses in 1999. Although white youth charged with violent offenses are incarcerated on average for 193 days after trial, African-American youth are held 254 days and Latino youths are incarcerated the longest — 305 days.

Due to the incarceration binge, almost four million (one in 50) adults are currently or permanently barred from voting. Of that figure, 1.4 million have already completed their sentences. In Florida, where the presidential race was recently decided, 600,000 are barred from voting.

In many Southern states, up to one-third of African American males are permanently disenfranchised, and given current incarceration trends, that number is projected to rise as high as 40%. Today, 1.4 million African American men nationwide (or 13%) are not eligible to vote because of criminal convictions, a figure seven times the national average.

In the last 20 years, California has spent more than five billion dollars building and expanding over 23 prisons, yet the state has built only one new university. Similarly, in the state the total annual bill for prisons and jails has grown about sixfold, to $31 billion, putting budgets for corrections on par with funding for higher education.

Over the past two years, Critical Resistance (CR) has been creating a national movement that challenges the prison-industrial complex (PIC). The initial CR international conference in September 1998 succeeded in putting the term "prison-industrial complex" on a national agenda for change. Even Secretary of State Colin Powell recently told the National Governors' Association, "There is nothing more important for Americans to do than to build our kids and stop building jails." At this critical moment, we must push that agenda through to realization.

Since the PIC has only been able to achieve its massive buildup through a campaign of willful misinformation, we see our work to re-inform and reeducate — including this special issue of *Social Justice* — as crucial to halting mass incarceration and to resuscitating a healthy, democratic discourse of informed participants on the subject of crime. CR intends to influence the direction and content of that discussion, to help shape and reformulate its priorities, and to do that by making our vision of a more just and humane society common sense.

This special issue of *Social Justice*, edited by Critical Resistance, focuses on prison abolition as a goal and theme. The issue is broadly divided into *system analyses* and articles centering on *organizing for change*, that is, reports of struggles against the system and toward the realization of new visions. The first part deals with the politics of prisons and crime, as well as the interplay between immigration, militarization of the border, and the social control of Native populations. The second part examines the elements of public safety and well-being. It also includes discussions on the role of conferences in building movements and the prospects for prison abolition today. The final section offers resources in the form of selected videos, films, and pertinent web sites.

I. The Politics of Prisons

Ed Mead's "Reflections on Crime and Class" leads off this section of seven contributions on crime and imprisonment. Although prisons are normally regarded as places of dread, the contemporary marketing of prison imagery, in the form of tourist visits of facilities, HBO specials, or hip-hop glorifications of prison, creates the impression to the free world that these institutions are somehow desirable. That such commodification helps to promote acceptance of prison expansion is the theme of Paul Wright's "The Cultural Commodification of Prisons." In "The Industry of Fear," Mumia Abu-Jamal argues that the fear of violence stimulated by the media is used to justify horrific treatment in an ever-expanding net of incarceration. Powerful interests support the fear industry; as such, powerful social forces, from the grass-roots up, need to be energized,

activated, and mobilized to undo the considerable psychosocial damage done to the community mind. "Prisons, Social Control, and Political Prisoners," by Marilyn Buck, examines the role of political prisoners and politicized social prisoners. Increasingly, the globalization of markets and profit-seeking has pressed U.S. prisons to become profit-generating enterprises — hence, the prison-industrial complex. Nevertheless, prisons continue to serve their main purpose of warehousing and "disappearing" the "unacceptable." "Urban Pedagogies and the Celling of Adolescents of Color*,"* by Garrett Duncan, gives examples of how images of "dangerous youth" are used to justify incarceration. The essay centers on how the association between urban schools and prisons reflects the historical relationship between the white-controlled public education of subjugated U.S. populations and the economy. Specifically, under segregation, urban pedagogies work through students of color to make them less economically competitive and to prepare them to occupy and accept subordinate roles in the socioeconomic system. In "Crime and Social Control," Christian Parenti looks at past approaches to "street crime" and at the role of criminalization in keeping poor people from organizing. Finally,"Prison Psychosis," written by Grayson Taylor and intro-duced by Terry Kupers, analyzes the role of racism and solitary confinement in the creation of psychoses in prison.

II. Native Populations: Confronting the INS and Reservation Politics

Some of the most pernicious and oppressive forms of law enforcement developed in recent years have targeted immigrants and Native Americans. Over the last 20 years, immigration to the United States has increased dramatically. Among the reasons is that economic restructuring in the South, or Third World, is destroying local economies and deracinating entire populations, leading to mass urbanization and then to mass emigration. In addition, the U.S. has transformed its industrial base from manufacturing to services. This requires enormous amounts of inexpensive labor, which is frequently supplied by immigrants.

Thus, the South supplies and the North consumes in a nearly perfect system for the business classes. Yet immigrants are not just labor; they are human beings who quickly form stable communities, formulate political demands, and organize to win better treatment. Justice for Janitors in Los Angeles is one such movement rooted in immigrant communities. What does all this mean for capital? If immigrants are allowed to organize, they will drive up the price of labor and demand social justice. Such developments hurt profits and threaten a white supremacist worldview and power structure.

What is the response to such challenges? The essays in this section help to illustrate that the response is simple and brutal. As Jose Palafox in "Opening Up Borderland Studies: A Review of U.S.-Mexico Border Militarization Discourse" and Michael Welch in "The Role of the Immigration and Naturalization Service in the Prison-Industrial Complex" describe, immigration is met by a militarized

border, interior enforcement, and a mammoth Immigration and Naturalization Services (INS) jail system. "Political Surveillance, State Repression, and Class Resistance: The Puerto Rican Experience," by René Poitevin, addresses the hybrid madness that characterizes policing in Puerto Rico, which involves the worst of U.S. high technology and Third World super-poverty. Finally, in "Policing the Rez: Keeping No Peace in Indian Country," Dian Million interrogates the policing of reservations, or, perhaps better said, the continuation of the "Indian Wars" in slow motion without horses and cavalry, but with Bureau of Indian Affairs police and the Drug Enforcement Administration.

III. A Left Anticrime Strategy

In "Maximum Security," Margo Okazawa-Rey and Gwyn Kirk critique the notion that prisons create security, arguing instead that security is found in social and economic changes that create the possibility of human well-being. Julia Sudbury's groundbreaking article, "Transatlantic Visions," foreshadows the formation of an internationalized prison-industrial complex, which reproduces what Sudbury terms a "logic of incarceration." According to Sudbury, this logic incorporates: (1) a combination of ideological premises linking common-sense notions of personal, community, and national security to the enhancement of the state's ability to pursue and punish those deemed "suspect," (2) a discrete racialization of crime as the domain of dangerous, violent, black, indigenous, immigrant, and other minoritized, peoples, and (3) the fostering of symbiotic connections between political elites, correctional institutions, and the corporate sector. Importantly, Sudbury points to the way in which the U.S. prison-industrial complex constitutes a model through which other national states are blueprinting their own versions of the punishment society. The final piece in this section, "Yell Real Loud: HIV-Positive Women Prisoners Challenge Constructions of Justice," by Cynthia Chandler and Carol Kingery, provides life histories and proposals for change from women with HIV in California prisons.

IV. The Role of Conferences in Building Movements

A major goal of the 1998 Critical Resistance conference was to help build a movement in opposition to prisons. How successful was the conference? Has it helped build the movement?

To contextualize that conference, we asked three long-time organizers to write about the historical role of conferences in radical mobilization and prison organizing. The first article, an interview with Marge Frantz, examines the impact of radical conventions and meetings by groups such as 19th-century feminist abolitionists, anti-racist organizations active in the 1930s, 1940s, and 1950s, and anti-nuclear activists who found themselves in jail in the early 1980s. In separate articles, Ellen Barry, a lawyer, and Karlene Faith, a criminologist, explore the roles of prisoners and ex-prisoners in the meetings, conferences, and roundtables that

helped build the women's prison movement from the 1970s through the 1990s. The section concludes with the reflections of four members of the Critical Resistance organizing committee concerning the conference and its impact over the past two years. Their responses range from great enthusiasm about meeting other activists to deep frustration over the ways in which racial diversity, prisoner participation, and lesbian visibility were handled, but all agree that their lives and ways of organizing have been deeply affected by the Critical Resistance movement.

V. Abolitionism Today

The political challenge of penal and prison abolition is perhaps foremost a challenge of language, political creativity, and historical imagination. This section attempts to elaborate several critical elements of this radical and severely undertheorized political project. Activist and Critical Resistance East organizing committee member Kim Gilmore's essay discusses the ways in which the formation of the prison-industrial complex is related to, though distinct from, histories of racialized chattel slavery. Tracing juridical and ideological transformations in U.S. imprisonment practices since the era of emancipation, Gilmore provides a historical sketch of the antecedents to current anti-prison and anti-racist movements. Poet/activist Camille Acey's piece, "This Is an Illogical Statement," constructively departs from Gilmore's piece. Arguing that fundamental challenges to racialized state violence necessitate radical opposition to the general legitimacy of state institutions, Acey critiques those increasingly popular organizing strategies that reinforce the ideological tenets of U.S. liberal democracy. Finally, a conversation between Angela Davis, former political prisoner and long-time international anti-prison activist, and Dylan Rodríguez, a member of the Critical Resistance organizing committee and one of the co-editors of this issue, offers a meditation on the political challenges of prison abolitionism. Beyond discussing the recent history of radical prison movements, they examine the pitfalls of certain theoretical assumptions prevalent in much of current liberal-to-progressive prison activism. Refusing closed definitions of prison abolitionism, the conversation instead suggests several points of political departure for opposing Sudbury's "logic of incarceration."

Concluding Remarks

We are pleased to offer a combination of theoretically cogent articles and activist-inspired proposals for moving forward. It is a timely contribution considering public recognition of the bankruptcy of the War on Drugs as a central feature of the national crime policy, the movement away from the use of the death penalty, and the clear need to reappraise the prison-building boom in a period of constantly declining crime rates. The question is how such illogical and destructive policies could be sustained for so long; organizing is the answer, the path to its undoing.

The History of Critical Resistance

Guest Editors

CRITICAL RESISTANCE (CR) WAS FORMED IN 1997 WHEN ACTIVISTS CHALLENGING the idea that incarceration is the panacea for all of our social ills came together to organize a conference that examined and challenged the phenomenon we have come to call the prison-industrial complex. Held in September 1998, the conference brought together over 3,500 activists, academics, former and current prisoners, labor leaders, religious organizations, feminists, gay, lesbian, and transgender activists, youth, families, and policymakers from every state in the U.S., as well as from other countries. The three-day event featured almost 200 panels and workshops and included a multitude of cultural events and a film festival.

Although the conference was a huge success, CR recognized that its work had only begun. The goal of CR was not simply a conference. The objective of CR was, and continues to be, the building of an international movement to challenge the prison-industrial complex. In pursuing that goal, the work of CR continues.

Critical Resistance Mission Statement

Prisons and incarceration have become the panacea for all of our social ills. Where once the United States looked to the welfare state to alleviate social problems, today the U.S. looks to prisons, prisons, and more prisons. Critical Resistance uses the term prison-industrial complex (PIC) to describe this phenomenon and the corresponding reality — that capitalism flourishes from locking people in cages. CR recognizes that an integral component of the PIC is the dramatic increase in the incarceration of people of color, women, and the poor, along with the continued imprisonment of political prisoners.

CR is strongly committed to challenging the existing structure of "criminal justice," which is based on revenge, punishment, and violence. As part of the emerging international movement for penal abolition, we envision a society in which fundamental social problems are no longer "solved" through the mass warehousing (and periodic torture) of human beings, the overwhelming majority of whom are poor, people of color, and nonviolent. CR's mission is to build a national and international campaign to challenge the prison-industrial complex.

What We Do

In building a movement against the prison-industrial complex, CR employs strategies as varied and bold as suing the California Department of Corrections to stop construction of a new 5,000-plus bed prison, spearheading a grass-roots

campaign to defeat California's Juvenile Crime Initiative (Proposition 21), and building unprecedented and powerful coalitions.

No New Prisons: CR has filed a cutting-edge lawsuit, *Critical Resistance* v. *The California Department of Corrections*, aimed at stopping California from building a new $335 million, 5,160-bed maximum-security prison, with half the beds slated to implement California's Juvenile Crime Initiative. The suit has generated unprecedented coverage of the irrationality and rank opportunism of prison construction, including stories in the *New York Times*, the *Los Angeles Times*, the *San Francisco Chronicle,* the *Examiner*, other local newspapers across the state, and even on German public radio. CR has effectively made California the national poster child for a disastrous "prisons as public works" policy and has generated a statewide rallying cry for schools, not jails.

Coalition Building: In conjunction with the lawsuit, CR has built an unparalleled and powerful coalition that reaches far beyond the criminal justice community. The coalition includes environmental, civil rights, and social justice organizations. It is a testament to CR's commitment to reaching beyond the converted and assembling new coalitions that place the PIC within all people's sphere of concern.

CR Film Festival/Video Series: CR continues to recognize the importance of cultural work in the fight against the PIC. CR is planning the First Annual CR Film Festival, distributes the video documentary of the conference, and has compiled a video series about the PIC, which is available through CR. Those interested in screening these films should contact us by email at critresist@aol.com or by phone: (510) 444-0484.

The Dialogue: CR is holding a mini-conference to examine how prisons constitute new forms of environmental racism and environmental injustice. The groundbreaking conference, to take place in California's Central Valley, where most new prisons are located, will also look at how we might use environmental strategies to stop the construction of new prisons. The conference promises to provide a unique look at issues that will change the way we think about the PIC and will hopefully generate enough excitement to consolidate already-existing activism around the environment, local economic development alternatives, and the PIC.

Juvenile Injustice: As part of the Freedom Winter Coalition, CR fought California's Juvenile Crime Initiative (Proposition 21) through grass-roots outreach, using the initiative to raise consciousness about the PIC. CR's juvenile justice campaign continues with its battle to stop the state from building a new prison slated to house youth convicted under the initiative.

CR East: CR activists in the Northeast are organizing a regional CR conference that will take place March 9 to 11, 2001, in New York City. The Northeast conference will unite activists, prisoners and their families and loved ones, former prisoners, political prisoner supporters, students, teachers, lesbian, gay, bisexual, and transgendered activists, cultural workers, and community members to create a resistance movement against prisons that will continue the work begun at the

1998 National CR Conference. Contact: CR East, PMB# 4053, 341 Lafayette Street, New York, NY 10012; (212) 561-0912, critresisteast@aol.com, www.criticalresistance.org/creast.

CR New Haven: Organized primarily to assist the ongoing work of existing community and campus groups, CRNH provides technical assistance, training, and funding distribution, and also facilitates communication among local groups resisting the PIC. Recent efforts include helping to coordinate a large rally at the state capitol in Hartford in opposition to the state's attempt to send its prisoners out of state and to police violence in the Connecticut's largest cities. Contact: CRNH, P.O. Box 200786, New Haven, CT 06520; (203) 772-4334, anita.seth@yahoo.com.

How to Start a CR Affiliate in Your Community: The movement against the prison-industrial complex is growing by leaps and bounds. Within the span of a few years, "prison-industrial complex" has become a defining term in the movement challenging the race to incarcerate. A critical part of CR's effort to expand the movement against the PIC is the creation of CR affiliates. Below are some basic ideas for forming a CR affiliate in your community. For more information, please contact CR's national office. The movement needs you!

Screening the Documentary: Screening the CR Video Documentary in your living room, at your school, or in a local community venue is a great way to bring folks together to discuss the issues and the possibility of starting a CR affiliate. A core group of just a few truly dedicated people can successfully launch the effort.

Gathering Members: Once you have decided to start a CR affiliate, one way to raise public consciousness and recruit members is by screening selections from the CR Video Series. The series covers a wide range of topics: political prisoners, the use of prison labor, women in prison, etc. In the Bay Area, CR screened a film every Thursday night over an eight-week period at a local college. A speaker accompanied each film.

Make sure everyone signs in at the door with names, addresses, phone numbers, and e-mail addresses. Give everyone a flyer announcing the next meeting of the group or the next event. Having something for folks to plug into immediately is essential.

Regular Meeting Times and Places: Having a regular meeting time and place is critical. Sympathetic political organizations, churches, or schools might donate meeting space. Folks will likely come back if meetings are run in an organized, timely, and democratic fashion.

Choosing a Focus: Interest is peaked when the organization has a focus, i.e., a concrete campaign for folks to work on. CR East has chosen to focus on organizing a Northeast Regional Conference and Strategy Session. CR New Haven joined forces with local community groups to fight a new prison planned for New Haven and was involved in a statewide rally at the state capitol in Hartford, which drew about 300 people to protest out-of-state prison transfers. Midwest activists held a Critical Resistance Solidarity Rally on the steps of Ohio's

state capitol in Columbus on September 28, 2000. In the Bay Area, CR's national office, located in Oakland, has worked on local campaigns against California's Proposition 21, the Juvenile Crime Initiative, and on a campaign to halt construction of a new $335 million, 5,000-bed maximum-security prison in Delano, California. CR activists in the Northwest targeted prison labor by placing cards reading, "This garment was made by prison labor, please return it," in Victoria's Secret lingerie.

How CR's National Office Can Help: The CR web page (criticalresistance.org) can host a page for your CR affiliate. CR's national office makes available the CR Documentary and the CR Video Series, as well as literature in the form of primers on the PIC and related issues and a reading list. In addition, CR's database may already contain a list of activists in your community who are interested in challenging the PIC. CR can provide contact information. CR can also help you build alliances by locating existing organizations in your community that might be interested in joining you in a campaign against the PIC.

CR Publications Collective: At an April 1999 meeting to assess the effects of the September 1998 Critical Resistance conference and the current status of our organization, six people volunteered to work to publish materials in the spirit of CR. In our initial publications meetings, we considered four projects: a special issue of either *Social Justice* or the *Black Scholar*, an anthology, and an organizing guide. This special issue of *Social Justice* is the first production of the CR Publications collective.

As a group, our working process developed gradually. We gathered at the home of two members around a big table; began with conversation and food, which was available throughout the meeting; followed an agenda; and ended all meetings in two hours, usually by 9:00 P.M. We solicited articles and conducted interviews. As papers began to arrive, we met twice a month to review, edit, and plan to fill the gaps in our collection. After eight months of work, we had two slow periods. Each time, almost two months passed without a meeting. Some people dropped out because of other commitments, but with concentrated effort and some new volunteers, the issue came together.

Among our biggest challenges were assuring that the voices of diverse communities were heard in the issue, including prisoners (whose materials came more promptly than those of most free-world writers, despite more arduous conditions of work); dealing with the pros and cons of e-mail communication; finding meeting times that accommodated seven to 10 very busy people; and keeping track of all the papers, which were initially collected by the section coordinators.

The rewards of this project have been great: we got to know each other and our discussion of the articles and the issue's goals have been stimulating and politically educational. We are proud of the final set of writings and there was a great deal of good food, inspiration, and laughter — usually about our own process.

Publications Collective Members

Rose Braz is the Program Director for Critical Resistance and a criminal defense attorney in Oakland, California. She was on the original Critical Resistance organizing committee and also works with the National Lawyers Guild Prison Law Project.

Bo(rita d.) Brown is a 50ish white, working-class butch dyke and ex-political prisoner who spent eight years in federal confinement due to her participation in the George Jackson Brigade, an armed underground revolutionary group that operated in the Pacific Northwest in the late 1970s. She continues to do anti-prison work wherever she is.

Craig Gilmore co-edits *Prison Focus* and is active in the California Prison Moratorium Project.

Ruthie Gilmore is an abolitionist working with Critical Resistance, the California Prison Moratorium Project, and other organizations. A scholar-activist, Gilmore teaches geography at U.C. Berkeley.

Donna Hunter, a Ph.D. from U.C. Berkeley, works for The Beat Within, a nonprofit that conducts writing workshops in juvenile halls around Northern California and at California Youth Authority/Chad and publishes these writings weekly.

Christian Parenti is the author of *Lockdown America: Police and Prisons in the Age of Crisis* (Verso, 2000).

Dylan Rodriguez is a 26-year-old Pinoy student/teacher/activist who is currently finishing his Ph.D. in Ethnic Studies at the University of California, Berkeley. He is part of CR's organizing committee and identifies as a penal and prison abolitionist. His current project concerns the social and political thought of radical U.S. prison intellectuals.

Cassandra Shaylor is the Co-Director of the Women Prisoners Justice Center, a new organization that trains students to provide legal services to women in prison in conjunction with community organizing. She is also a Ph.D. candidate in the History of Consciousness Department, U.C. Santa Cruz, where she is working on a project on women in solitary confinement.

Nancy Stoller is a professor of Community Studies at the University of California, Santa Cruz, where she trains grass-roots organizers.

Julia Sudbury is a Nigerian-British zami activist and writer. Her book, *Other Kinds of Dreams: Black Women's Organisations and the Politics of Transformation* (Routledge, 1998), was inspired by her involvement in the black women's movement in Britain. She is currently an assistant professor of Ethnic Studies at Mills College, Oakland, and an organizing committee member of Critical Resistance.

Reflections on Crime and Class

Ed Mead

W ALK AROUND TOWN IN ANY MAJOR U.S. CITY TODAY AND ONE CAN'T HELP BUT
notice the huge and seemingly growing number of homeless people
living on the streets. This sight is particularly unnerving to me, a
modern-day Rip Van Winkle. I went into prison for political crimes back in the
mid-1970s and came out nearly 20 years later to a very different world. Before I
went to prison, a person could hitchhike from place to place without a second
thought. In one trip I hitched from Buffalo, New York, to San Francisco,
California, and then on up to Seattle, Washington, and in the process met a
wonderful culture of people who traveled around the country in this way. Back in
those days we could happily talk to people we passed on the streets. We even had
the luxury to smile and speak to children we didn't know. Today, I can safely speak
to a dog passing me on the sidewalk, but not to the person walking the animal. I
shudder to think about the possible consequences of speaking to some stranger's
child. If this country's poverty and fear have gotten this bad since the mid-1970s,
how bad will it become in another 20 years?

When I was a youthful revolutionary, I was prepared to risk imprisonment or
worse to bring about a better world. My peers and I felt the risks were a better
alternative than continuing to live under the boot of capitalism's culture of death.
Today that culture is far worse. The system is considerably more vicious, the
nation's citizens more confused, and the level of social atomization has never been
greater. One of the state's primary mechanisms for isolating us from each other is
fear. The fear of crime is the greatest fear of all, and no domestic segment of society
is more demonized than the one consisting of criminals. The alleged offender is
no longer a part of "us," but has suddenly become one of "them" (the *other* upon
whom any evil can justly be visited). Not only is this demonized person politically
disenfranchised and held behind bars under constitutionally sanctioned conditions
of slavery, the hapless offender is also subjected to endless forms of torture.

The first step in getting a better grasp of the crime/fear dynamic is to
understand the dialectical processes involved — not the ongoing, media-driven
hysteria. What constitutes a crime is not some fixed set of proscribed behaviors;
rather, these behaviors change with time and the class nature of the existing social

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Francisco Bay Area.

order. Ancient Greece and Rome, for example, were societies based upon the state-supported economic system of slavery. A slave owner during that period would be perfectly within his legal rights to murder one or more of his slaves. He could premeditatedly kill them as punishment or for the mere pleasure of watching them die. The law of the day protected his right to dispose of his *property* in any way he saw fit.

Today, getting rich from the surplus value created by your employees is looked upon as one of bourgeois society's highest virtues. In tomorrow's working-class social order, on the other hand, that sort of behavior will be criminally repugnant. Just as what we call first-degree premeditated murder was behavior protected by the power of the state under the system of slavery, so too, in a future social order, acts seen as virtuous today will be looked upon as criminal behavior. Indeed, in a future communist society it would rightfully be a crime for one person to materially profit from the labor of another.

Just as the definitions of crime can change with the class basis of the existing social order, so too can its punishments. Today's capitalist system engenders myriad schemes for separating the working class from its hard-earned money, ranging from telemarketing scams to the usury committed by banks and credit card companies. Some of these are legal and some are not. When such crimes are punished, the punishment is light, usually a fine of some sort. The same is true for punishments against corporations and wealthy individuals. Indeed, a rich person has never been executed in all of American history. Yet in all class societies to the present, the crimes of the poor are punished far more harshly. This disparity in punishment is applied with a vengeance during periods of social instability. In feudal England, for example, committing such petty offenses as killing a rabbit on private land, chopping down a tree on a public lane, or picking a pocket were crimes punishable by death. These draconian punishments have never worked. History records groups of pickpockets gleefully plying their trade on crowds gathered to watch the hanging of fellow pickpockets.

When General Licinius Crassus impaled the heads of Spartacus and thousands of rebellious followers on spikes along the road to Rome, his doing so did not save the system of slavery or the Roman Empire that lived off it. Nor did murdering hapless pickpockets save the British monarchy from the onslaught of capitalist productive relations. Similarly, the adoption of harsh three-strikes legislation, the gutting of constitutional protections, and the ongoing expansion of the death penalty will not save the moribund system of international capitalism. Yet, if history is any teacher, we can expect ever-harsher punishments and still fewer legal safeguards for accused criminals or others who seek to implement a radical transformation of existing class relations.

Although the ruling class makes good use of the existence of crime (by keeping people isolated by fear from one another), they do not desire the presence of crime any more than we do. Nobody wants crime. Still, in a social order in which one-

half of one percent of the population owns more than 90% of the nation's property, resources, and productive capacity (not to mention control of the means of education and information), it is understandable that those who have the least will take some stumbling steps to restore a more natural balance of wealth.

The rich fully understand that crime is a force, not unlike that of electricity or running water, and as such it will follow the path of least resistance. It even has a natural direction, too — against property (90% of all crimes are against property). By increasing the effort required to attack their property interests, the ruling class effectively channels the force of crime back onto the poor. The rich live in remote, gated communities; their banks have armed guards, sophisticated alarm systems, and are protected by the jurisdiction of the federal courts and the investigative techniques of the FBI.

Since crime tends to follow the course of least resistance, the social effect of these and other security measures is to rechannel the force of crime toward the poor. Hence, the dramatic increase in the level and intensity of poor-on-poor crime. With the advent of increasingly less expensive and more available surveillance mechanisms and alarm systems, the force of crime is being steadily pushed further into our poorest minority communities. We can expect this trend to continue until every home (or car), whose owner can afford it, will be an electronic fortress.

How are progressives to respond to this situation? A starting point would be to organize our communities so as to redirect the force of crime back up against those elements responsible for its development — the rich. We cannot today implement the economically just society necessary for the ultimate elimination of crime. Without that foundation, without control of the means of information and education, we can only work to redirect the force of crime against those who created the conditions for its development.

The political consciousness of the under-culture needs to be raised to a point that makes preying on the poor uncool or even dangerous for those confused victims of capitalism who steal from or otherwise victimize their neighbors. The message must be: "Rather than ripping off that old woman for her monthly sustenance check, take your needs to those who can better afford to pay." Prisoners should especially be involved in this process. Their lack of class-consciousness is clearly reflected by the fact that there is currently no stigma attached if you are in prison for cannibalizing your own community. There must be the same stigma for stealing a welfare mother's check as there is for being a rapist or a child molester. Indeed, these predatory cannibals who prey on their own class are the very lowest of the low. It must be made clear to them that class considerations are always primary.

On the outside, we can start laying the foundation for dual power by policing our communities (without collaboration with the state's apparatus of repression). Taking control of our neighborhoods is an important part of increasing the

resistance that will ultimately direct crime against the rich. When the movement finally develops again, class-conscious ex-convicts would take leadership in this community-protection process. Those still on the inside would hold study groups for their peers on issues of class, race, and the various manifestations of sexism. Although we can't yet eliminate crime, we can at least start the process of making it more class conscious.

Maybe one day I will be able to walk down the street and smile and say hello to the person walking his dog, and to give a warm greeting and a pat on the head to those children who need a whole community to love them. Maybe I can stick out my thumb and meet many new friends as I travel the land. Although a revolution is necessary, right now I would be happy to get back to the mind frame of the late 1960s and early 1970s. Of course, back then I thought things were so bad that I risked death and a life of imprisonment to try and overthrow the system. In those days we were optimists. We knew that the object was to win.

The Cultural Commodification
Of Prisons

Paul Wright

P OP CULTURE IS ABOUT ACCULTURATION MORE THAN IT IS ABOUT CULTURE. IT IS about defining the norms and parameters of society. More than 100 years ago, Karl Marx wrote about capitalism's ability to turn everything into a commodity. Commodities are items, whether goods or ideas, which can be bought and sold. In his day, Marx observed that capitalism had converted labor, raw materials, manufactured goods, even sex, into commodities, and that traders and merchants had eagerly made a fetish out of the commodities themselves.

By the mid-20th century, a mass consumer culture had evolved, which was capable of commodifying much more than Marx had ever envisioned in his day. By the 1950s, abstract ideas like lifestyle and art were marketed and sold as pop culture. Hugh Hefner sold the idea of the playboy — the suave, cultured, swinging bachelor. Benjamin "Bugsy" Siegal sold the Las Vegas idea that anyone could strike it rich at the gaming tables. Jack Kerouac helped create the Beatnik culture. Hollywood contributed to this phenomenon, with the likes of James Dean and Marlon Brando, the individualistic, albeit apolitical, social rebel. After all, a rebel without a political cause is hardly a threat to the status quo.

Probably the biggest and most successful cultural marketer is the Walt Disney Corporation. Disney, with its global empire of theme parks, films, television, radio, music, and publishing, produces and sells the physically intangible commodity of American pop culture. It is pop culture with an upbeat, pro-capitalist, American theme, but pop culture nonetheless.

One aspect of cultural commodification is its ability to co-opt, neutralize, and render powerless any challenges to the economic and political status quo. In this way, cultural hegemony is enforced. Rock and roll music, characterized in the 1960s as the music of protest and rebellion, became, within 20 years, the music of selling beer, tennis shoes, and cars. Even revolutionary activist Malcolm X has been commodified and marketed as a fashion statement. This ability to turn anything into a commodity, and make a profit doing so, contributes to the short collective political memory in capitalist consumer societies.

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While culture as a commodity tends to be upbeat and cheerful (happy, optimistic people buy more), it also has its darker side. Few people question the policy choices that have led to the objectively abnormal situation that constitutes mass imprisonment (and the rise in executions). The commodification of prisons as culture has contributed to normalizing the abnormal.

Prison as Concept and Reality

The social and physical reality of prisons is constantly mystified and mythologized. Incarceration is a tool of social control. Its purpose is to discipline those workers and poor people who are not imprisoned, yet. Each prisoner serves as an example of what could happen to the other 150 Americans who are not currently imprisoned. The intimidation and deterrence factor of prison is served by keeping it distant, remote, and unknown, but at the same time, nearby, an immediate threat of imaginable evil. On the surface, these seem to be contradictory and impossible goals.

Amazingly, American pop culture has largely succeeded in having it both ways, while simultaneously ensuring the belief in the general population of nonprisoners that what occurs in prisons does not affect them. Popular culture, mainly through film and television, but also with cheer leading from the corporate media and opportunistic politicians, has ingrained two conflicting images of prison into the collective American consciousness. When it is for the purpose of social control, to get the weak and poor into line, prison is the dark, barred world of brutal, sweaty, muscled, tattooed men, a world of sodomy, stabbings, and razor wire.

This world was alluded to when federal prosecutor Gordon Zubrod told a Canadian television interviewer that three Canadian men who were resisting extradition to the United States on fraud charges "would face a long, hard prison term as the boyfriend of a very bad man." An angry and outraged Canadian judge, Bruce Hawkins, denied the extradition request, stating: "No right thinking Canadian would endorse the use of homosexual rape as a means of persuading Canadian residents to abandon their rights to a full extradition hearing" (*Prison Legal News*, January 1998). By contrast, in American culture, the implicit threat of homosexual rape, when made by a government official in the daily course of his duties, is nothing extraordinary and such abuse is deemed to be a normal part of life in prison.

However, when seeking to ensure that the lives of prisoners always remain worse than those of the poor who are not yet in prison, a different picture emerges. Prisons are depicted as lush country clubs where prisoners lounge around in comfort between leisurely sets of tennis and weight lifting, dining on steak and lobster, watching cable television, and leafing through pornographic magazines. An entire industry of politicians, victims' revenge groups, and law enforcement agencies are dedicated to pushing the concept of the country club prison. They have ready accomplices within most of the media.

The net result of having it both ways is that most of those who are not in prison, and not likely to be there any time soon, view conditions as not nearly draconian enough. Meanwhile, those already incarcerated, or facing the prospect of imminent imprisonment, perceive it as entirely too harsh. Nothing better illustrates this than "tough on crime" hacks like Fife Symington, former Republican governor of Arizona, Oliver North, former Marine Corps colonel, and Jim Tucker, former Democratic governor of Arkansas, who groveled for mercy before sentencing judges as they begged and pleaded for a compassion they themselves had never shown to other convicted criminals. They resorted to anything to avoid going to prison. This indicates that the "tough on crime" demagogues believe neither their own lies nor the cultural imagery of prisons they have devoted their political careers to propagating.

Prison as Cultural Commodity

The prison as concept is an idea ingrained into the popular consciousness of what prison might be. Moreover, the prison as commodity is where prison culture itself is marketed and sold for mass consumption. The rise of prison culture is exemplified by:

• The Academy in Alpharetta, Georgia, which sells "the prison experience" to men who wish to know what it is like to be in prison, without actually being imprisoned. The company boasts of its wide variety of restraint and bondage equipment and the fact that its employees are "real life" policemen and prison guards. Men (no women allowed) pay almost $2,000 to spend a weekend "in prison" at the Academy being abused, humiliated, and mistreated. This is the ultimate private prison (*Prison Legal News*, October 1999).

• On September 24, 1998, the Style Section of the *Wall Street Journal* carried a feature article on the latest fad among well-to-do homeowners and interior designers: stainless steel plumbing fixtures used in prison and jail cells. Costing over $1,000 apiece, the stainless steel prison toilet, sans lid, is a hot fashion statement among the wealthy and stylish. An ordinary porcelain toilet, by contrast, costs $60. Acorn Engineering, a manufacturer of prison plumbing fixtures, said it had received so many calls from designers that it was developing a new line of jail toilets for home use.

New York architect Daniel Rowen used a stainless steel flip-up jail seat as a towel rack in a New York City apartment he designed. The project won an award from the prestigious American Institute of Architects. Fans of prison furniture as home decor claim to like the minimalist aesthetic, saying it has "beautiful, clean lines."

Architect Peter Pawlak has cautioned: "You have to be careful. It can start snowballing. You don't want to start making it [the home] into a prison."

• In a phenomenon repeated in many cities across America, when Flint, Michigan, opened a new jail, the town celebrated with a jail party. The city's well-

to-do citizens paid hundreds of dollars each to spend the night in the new jail with champagne and hors d'oeuvres. Documentary filmmaker Michael Moore captured the jail party on film in his classic documentary *Roger and Me.*

• Unlike the items that tend to be expensive and consumed by the wealthy, prison fashion is a true mass-market commodity. Popularized by gangsta rappers and hip-hop youth culture, many of whom are themselves on their way into or out of prison, the baggy, ill-fitting clothes of the prison yard are sold as a cool fashion statement. The most blatant and successful example is the Prison Blues line of clothing, made by the Oregon prison system using prisoner slave labor. Oregon prison officials market the clothes with catchy slogans like: "Made on the inside to be worn on the outside." One ad shows a picture of the jeans next to an electric chair with the caption: "Sometimes our jeans last longer than the guys who make them."

• Competing with theme parks as tourist attractions, chambers of commerce in Leavenworth, Kansas, and Canon City, Colorado, market their many prisons as "must see" sites for tourists. Expensive ad campaigns use catchy slogans like: "How about doin' some time in Leavenworth?" and "You don't have to be indicted to be invited," to sell the idea. Tours of actual prisons are not offered. Instead, tourists can see prison museums and prisons that were closed due to their age. The Colorado Territorial Correctional Facility in Canon City, Colorado, has a prison museum that displays prison memorabilia from the past and sells handicrafts made by today's prisoners. Around 50,000 visitors pay the admission fee to visit the museum each year.

• In music and music videos, prison is a frequent theme, especially among the hip-hop singers and heavy metal rockers who cater to the young male audience most likely to wind up in prison. Is art imitating life or foretelling the future?

• On HBO, the dramatic series *Oz* is set in and takes place behind bars. Prison is the situational backdrop for the critically acclaimed drama now in its third season. Ryan O'Reilly is considered one of the most villainous characters on the show. In a *New York Times* interview, actor Dean Winters, who portrays O'Reilly on the show, said "he was surprised by the fan adulation he receives for playing the character, especially when he is on the street. 'They [fans] come up to me and profess their undying love for O'Reilly. I mean, you have to wonder about these people,'" Winters said.

Details magazine interviewed hip-hop singer Treach, who appeared on the show. Treach says, "hope the show scares the shit out of people. When you go to the penitentiary, it's a whole 'nother lifestyle."

As prison looms larger in the collective consciousness, the commodification of prisons and prison culture will increase. Is anything beyond commodification? When a fashion designer recently unveiled a line of clothes modeled on Nazi concentration camp uniforms, it caused some outrage, which boosted publicity and sales. Clothing maker Benetton regularly uses images of war, famine, and

disaster in its promotional campaigns. If the Holocaust, famine, and war can be marketed and sold, anything can. Even prisons.

The Social and Political Impact of the Cultural Commodification of Prison

Does the marketing of prison as just another pop culture commodity have any social or political impact, or does it merely make money for the marketers? Norwegian criminologist Nils Christie has noted that at no time in history has a country imprisoned so many of its citizens as the United States now does. However, there is no "natural limit" to this phenomenon. There is nothing that prevents a nation from imprisoning say, one-third of its population. Christie makes the analogy that there was also no natural limit to how many people the Nazis could murder. Mass imprisonment, like genocide, requires only three things: enough bodies and the economic resources and political will to carry out the policy once the decision has been taken to implement it.

American prisons cannot be compared to Nazi extermination camps in that quick death is not their industrial purpose. The use of the death penalty in the United States is not yet statistically significant. Government killings of a few dozen people each year in ritualized executions is statistically, though not morally, insignificant in a system that arrests, processes, convicts, punishes, and imprisons millions of people each year.

However, increased sentences, overcrowding, brutality, disease, and inadequate medical care all translate into death by incarceration. The increased popularity and use of sentences of life without parole, natural life, and mandatory prison sentences of 30, 40, and 90 years before release translate into one thing: death behind bars. The majority of the American anti-death-penalty movement opposes active state measures that lead to a convict's death, but largely supports death by incarceration as a humane alternative. The result is the same: death at the hands of the state. It just takes longer. Many judges currently impose sentences after calculating a defendant's age and how long they are likely to live. The sentence subsequently imposed ensures that the defendant will die behind bars. The number of people now destined to die behind bars as a result of these actuarial calculations is unknown, but likely exceeds 100,000. The use of mass imprisonment as a tool of social control touches on fundamental questions of liberty and human dignity, especially in a society that purports to be a democracy. Criminologist Elliot Currie has observed that imprisonment is the most thoroughly implemented social experiment in modern American history, with the United States itself based since its founding on penal servitude and chattel slavery.

By commodifying prison as pop culture, mass imprisonment is made socially acceptable and connected to blue jeans, theme parks, music, entertainment, and resorts. It is connected, that is, as long as it happens to someone else. To date, few question the pouring of billions of dollars into a prison-industrial complex that produces little in the way of "corrections," public safety, or rehabilitation, but

much in the way of shattered lives, recidivism, and a torn social fabric. The commodification of prisons into pop culture essentially acts as the lubricant of mass imprisonment, smoothing over the divisions it would otherwise cause.

Pop culture makes imprisonment an accepted part of the political and social landscape by marketing social policies in which one out of 20 Americans (one out of four if they are black) can expect to spend at least a portion of their lives in prison. No one is led to question whether imprisoning millions of people is a wise use of public resources, to ask who benefits from mass imprisonment, or to see if alternatives to prisons exist.

With prisons as an integral part of pop culture, young people, especially the poor and youth of color, view going to prison as an ordinary part of everyday life, as a rite of passage. Just as with chattel slavery, the popular culture reinforces the message that those in prison deserve to be there and those who aren't in prison, don't. In short, it ensures that issues of class bias and institutional racism in the criminal justice system are never raised, much less addressed. Prisons *are* because they exist. People go to prison because that is where they have wound up. There is nothing complex about this message.

The message is neither new nor unique. It has been used in the past. In Nazi Germany, the concentration camp complex was huge, with more than 300 camps in Germany alone. (By contrast, the United States has more than 1,150 prisons and 3,400 jails.) Some of the camps, like Dachau, housed 30,000 prisoners at their peak. By that time, German culture had made concentration camps socially acceptable: The people in the concentration camps must belong there or they wouldn't be there. The camps were necessary to protect civil society from the criminals, communists, gypsies, Jews, and homosexuals who would otherwise threaten that society.

To put this into context, no one said to German citizens, "We're going to kill 30 million people." No one campaigned on a platform of genocide. First they locked up the undesirables in concentration camps (a practice pioneered by the British during the Boer War). That many died as a result of the conditions of their confinement (overcrowding, disease, lack of medical care, guard brutality, inadequate food, etc.) was an unfortunate consequence of their imprisonment, just as it is today for those who die for the same reasons in American prisons and jails. Only after the imprisonment of social undesirables had been underway for several years did industrialized extermination begin in places like Auschwitz. When it did begin, German society, as a whole, was already acculturated to the idea. If they were worth locking up, why shouldn't they be killed?

Is this far-fetched or ridiculous when applied to the United States? Politically and culturally, mass imprisonment has been well accepted by American society and has been well underway for the past two and one-half decades. With a little over two percent of the American population now under some form of criminal justice system control, in addition to the millions that have already cycled through

the system, it is fair to say that a significant portion of the American population has been, will be, or currently is imprisoned. Given past American history concerning chattel slavery, Jim Crow laws, and Native American genocide, there is ample precedent. It is worth noting that all of these phenomena came about one law at a time over a period of decades. It was evolutionary slavery and genocide.

Today, among American political demagogues, there is a constant push for more draconian conditions of confinement and harsher, more punitive punishment. By all accounts, these measures are very popular with the American public, even among those most likely to bear the brunt of these punishments. In this cultural and political context, a "final solution" to America's crime problem can easily become reality. After all, so many prisoners are destined to die behind bars now, why not speed up the process and save taxpayers the expense of feeding and housing them for decades before the inevitable takes place? In recent years, laws have been enacted mandating the castration and indefinite imprisonment of sex offenders based on crimes they may commit in the future. How much further is physical extermination? We already see an echo of the Nazi refrain, "Life unworthy of life," in the plethora of criminal statutes that are eagerly enacted into law each year around the country.

Solutions?

If part of the problem lies in mass imprisonment becoming an acceptable social condition, with pop culture reflecting that reality and making it a self-fulfilling prophecy, what is to be done? Do we stop talking about prisons and push them out of sight and out of mind? Do we ignore the reality of two million imprisoned Americans?

The first step is to realize that pop culture is indeed political. It makes policy choices appear to be neutral and natural when in reality they are neither. Critical awareness and analysis of pop culture among its consumers, especially youth, is important. Attempting to counteract commodified prison culture follows: explaining the political and social implications of wearing "Prison Blues" jeans, going to Prison World on vacation, etc. It is especially important that poor youth, the ones who primarily populate American prisons, realize that imprisonment is not "natural." Rather, it is a policy choice that has been made instead of providing living-wage jobs, affordable housing, health care, and a social welfare system. In short, it is something that can be changed. The likelihood of change at this time appears to be slight given the inability of those who do question prison culture to reach a large audience, much less reach it with the repetition and pervasiveness needed to change current attitudes.

Then we must pose and answer the not-so-complex questions of whom the criminal justice system works for and benefits, how crime, criminals, and victims are defined, what alternatives to prison are available, and how they can be implemented. Until then, prison culture will be packaged and commodified along with everything else in American society, increasingly a nation behind bars.

The Industry of Fear

Mumia Abu-Jamal

As CALIFORNIA GOES, IT IS SAID, SO GOES THE NATION. THE NATION, THEREFORE, must be leaping headlong into an explosion of prison construction, into the development of control units, and into the expansion of what has rightly been termed the prison-industrial complex. There can be no real, substantive discussion of the problem unless we take stock of the underlying factor, the fuel that feeds this construction: fear. Americans live in a cavern of fear, a psychic, numbing force manufactured by the entertainment industry, reified by the psychological industry, and buttressed by the coercion industry (i.e., the courts, police, prisons, and the like). The social psychology of America is being fed by a media that threatens all with an army of psychopathic, deviant, sadistic madmen bent on ravishing a helpless, prone citizenry. The state's coercive apparatus of "public safety" is erected as a needed, protective counterpoint.

We then cry for more public safety, under the assumption that more means better. Rural counties have thus established a vampirish relationship with repression, as they become America's newest plantation — a ghoulish, American-style "gulag archipelago." For them, for this new growth industry, there is no denial that crime does indeed pay.

All of us live (whether inside or outside of the joint) in an age of unrivaled and unprecedented police power, where an arm of the state dictates public policy and directs public discourse along the lines of the expansion of its influence. Through their so-called (anti-labor) unions, they pay judges and politicians, and channel a repressive media into their de facto broadsheets.

The aura that pervades American consciousness is one of inchoate fear, making us question one another, search one another, and call the cops on one another. Implicit within the fear is the thrill of difference, of danger, and of deviance. The illicit thrill is manufactured in a culture of dualism, where the agents of the system are projected as angelic and those deemed outside of the system are perceived as demonic. If one may be properly projected as demonic, then the state

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may freely use extraordinary methods to deal with someone like me, someone who is seen as beyond the pale of humanity.

For well over 100 years, the state through its courts and legislatures relegated nonwhite aliens to a category of intrinsic and unalterable inferiority, and by so doing, raised race (more aptly, whiteness) to an indicia of one's intelligence, culture, and character. This negative relegation allowed the wholesale rejection of millions of folks, Chinese, Japanese, Syrian, Indian, Ethiopian, all of the many and various categories of mankind, on the judgment that they were "nonwhite" and thus "unfit" for citizenship. It is nowadays seen as politically unpopular to make such judgments openly, so a code is used.

Witness the visceral distaste that comes to mind when the word "criminal" is mentioned. That distaste is transformed into public policy when wedded to the cyclical (and, one might add, cynical) fear industry. French sociologist Denis Duclos observes: "Peddlers of real or fictional terror become rich and maintain the climate of insecurity, reaping maximum profit for all institutions that live off fear: the police, the justice system, industry, and the weapons and security trade" (1998: 142).

Simply put, any strategy that sees itself as challenging the prison-industrial complex must meet the perverse and powerful fear industry — a convergence of economic, political, and psychosocial interests — and conquer it. Needless to say, that will be a formidable task. One meets a great offensive by skillfully mounting a greater counteroffensive, one that challenges, undermines, and dismantles the enemy. Powerful interests support the fear industry and, therefore, powerful social forces, from the grass roots up, need to be energized, activated, and mobilized to undo the considerable psychosocial damage done to the community mind through this continuous reinjection of culturally corrosive poison.

In short, we must organize. Writing a book will not do it. Writing a paper will not do it.

To transform reality, you must first transform consciousness, and to transform consciousness, you must first present people with a vision that challenges the fiendish projections of the fear industry. People are hungry for that which is life affirming. We must reach out, and unite with them.

Acclaimed African-American poet, Paul Lawrence Dunbar wrote, "Your cry is, 'we must agitate, we must agitate.' So you must bear in mind that the agitation of deeds is tenfold more effectual than the agitation of words" (*The Tattler*, 1890).

Critical resistance therefore means militant, uncompromising resistance to the insidious industry of fear. It is a challenge to the merchandising of misery, so deeply inculcated in American history.

This we must do. Let us organize around that which is uplifting, and essentially what is human about us. We can then relegate the fear industry to the dusty museum basement of history.

Ona Move! Down with this New Age slavery!

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Prisons, Social Control, And Political Prisoners

Marilyn Buck

I NCREASINGLY, THE GLOBALIZATION OF MARKETS AND PROFIT SEEKING HAS PRESSED U.S. prisons to become profit-generating enterprises — hence, the prison-industrial complex. Nevertheless, prisons also continue to serve their main purpose: to warehouse and "disappear" the "unacceptable." Prisons exist to deprive their captives of their liberties and human agency, as well as to punish them. These institutions stigmatize prisoners through moralistic denunciations and indictments based on bad genes — skin color as a crime. The law — a political institution in itself — provides the framework for the war of social control against oppressed nations, working classes, and noncompliant women.

Most prisoners are imprisoned not because they are "criminals," but because they have been accused of breaking one of an ever-increasing number of laws designed to exert tighter social control and increase state repression. Prisoners have been scapegoated and criminalized. Witness the increased number of black, Latino, Native American, and Asian youth detained under youth crime acts and "anti-gang" laws, the number of foreign nationals (excluding most Europeans) imprisoned due to hate-inspired immigration laws, and the "drug war," in which hundreds of thousands have been kidnapped from their communities, even from other countries. These sweeping laws embody and embolden capitalistic U.S. policies to criminalize and decimate targeted populations and to keep Third World and white working-class wage laborers behind prison walls. Most prisoners, by virtue of their ethnicity and class, are victims of ethnic cleansing policies — death deferred to incarceration.

Other "undesirables" include those who have consciously or politically resisted, opposed, or attacked the injustices and inequalities of this state system of social control. These prisoners are political prisoners, historically among the most feared and despised by those who wield state power. In the 1950s, COINTELPRO (the federal counterintelligence program) was created. It employed dirty tricks, disinformation, militarized police agencies, and assassination

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to wage its political war against national liberation, anti-imperialist, and prosocialist forces. Imprisonment was, and continues to be, one of its weapons against political activists.

The state shows little mercy to its political enemies. The case of Mumia Abu-Jamal is a current, well-known example. Abu-Jamal was denied even a modicum of fairness in his trial. Geronimo ji Jaga (Pratt) and Leonard Peltier were both framed for murders by federal and local COINTELPRO forces. Geronimo was freed after much struggle and 27 years. Leonard is still in prison. Assata Shakur was convicted of a police killing she could not possibly have committed and is only free in exile. More than a few political prisoners have been imprisoned for nearly two decades and some for nearly three decades — the Angola Three, the New York Three, Black Panthers and New African militants, Puerto Rican *independentistas,* North American anti-imperialist solidarity fighters, and other comrades. To be a political prisoner is neither a comfortable nor a privileged position. To remain committed to one's beliefs and principles exacts a heavy price. Political prisoners in New York state prisons are rarely held in the same prison. Many have spent years, even a decade, in isolation control units for no other reason than their political associations and "political crimes." Many have been denied health care for security reasons. Enemies of the state are deliberately targeted, subject to continual surveillance. The state is determined to destroy us, because the prison system is, by its very nature, a vehicle of equal opportunity punishment and casual cruelty that crushes the life and breath from its victims and hostages.

To be a political prisoner is not a matter of standing higher in a "hierarchy" of prisoners. Where one stands is a matter of consciousness, not of social status or privilege. It is placement based on a political practice and international law. A U.S. court has even noted that "crimes" must be looked at differently when carried out to further a political struggle against a state. There are both pure political (like sedition) and relative political offenses. These include "otherwise common crimes committed in connection with a political act, or common crimes committed for political motives or in a political context." The court goes on to say that this applies in relation to a person's political status, as well as to international law. The fact that insurgents are seeking to change their governments makes the political offense exception applicable, not their reasons for wishing to make the changes or the nature of the acts by which they hope to accomplish that goal.

Some social prisoners who have been sucked into the prison machine have become conscious of the political nature of their imprisonment through the punishing repression, brutality, racism, and injustice they face daily in prison. These comrades, like George Jackson, Ruchell Magee, Hugo Pinell, Joann Little, the Attica Brothers and the Pontiac Brothers, Norma Jean Croy, and many others, stepped beyond their social offenses and kidnapping-victimization, beyond the individualism demanded by the prison system, to challenge the system con-

sciously as self-determining protagonists. They become enemies of the state, subject to the specific treatment accorded to political prisoners. Comrades such as these are murdered by the prison or languish in control units for decades.

Political prisoners come from their communities and become conscious. Part of that consciousness is coming to understand that we are from the community of the oppressed and exploited. Many political prisoners were active in opposing the prison system long before we ever imagined that we would end up as prisoners. Once released, many continue to work against concentration camp U.S.A. and the overall inequities of the entire system. We oppose cruelty, brutality, and inhumanity in the system and in our communities.

More political prisoners will emerge as it becomes more imperative to resist the rapacious, antihuman system in the U.S., and as our social and political movements grow stronger and more directly challenge globalization, capitalism, and the increasingly militarized police state. After all, the state is more invested in social control than ever. (It was caught off guard in Seattle at the anti-WTO demonstrations, but reacted in a predictable manner.) What will be the destination of the 60 people still being charged in Seattle? What about the young activist given a seven-year sentence in Oregon for throwing a rock during an anti-WTO demonstration last summer? What will the future hold for Khalil Jacobs-Fantauzzi, the Puerto Rican comrade who is the only person to face trail after demonstrations against the corporate seizure of KPFA radio in Berkeley last summer? Khalil is an antiprison activist who also played a leading organizing role in California in the campaign to free Puerto Rican prisoners of war and political prisoners.

Many social and political activists have escalated their work in support of prisoners and are challenging the brutal slave-labor prison establishment. The timely, qualitative Critical Resistance conference in fall 1998 reflected this growth. Activists helped to create the conditions that led Amnesty International, at last, to issue a report on the state of human rights in the United States, in the face of U.S. power and its imperial pronouncements that it is the godfather of democracy and human rights. Prisoners in even the deepest of holes are thus feeling some hope despite the downward spiral of humane treatment and the increases in demonization.

Amid this rising activism, however, there seems to be a reticence about supporting political prisoners and prisoners of war, or a tendency to say that there are no differences in the consciousnesses or roles of prisoners (i.e., "all prisoners are political prisoners" since imprisonment is a political policy).[1] Some pamphlets about prison support work include "support for political prisoners and POWs," but say little about who we are or why we should be supported as part of prison activism. Surely, supporting political prisoners is not an impediment to the real work of opposing the prison establishment or fighting for more humane conditions. We, too, experience the full range of repression. We are here because we have challenged that social repression!

At times it seems that the hesitance to support us is precisely because of our politics, our political consciousnesses, and our actions. Perhaps the conscious, relative, political "crimes" we have been charged with committing conflict with some people's own political strategies. Yet, should we as a movement not encourage consciousness, self-determination, and creative and collective protagonists in the struggle for human dignity and human rights?

There is always room to debate politics, points of view, strategies, and tactics. To confront differences and questions is a good thing. Any struggle for liberation demands free and open debate of ideas and practices. At the same time, active struggles need to support those who act consciously and politically. To do so is a part of asserting the right to struggle, as well as defending activism and promoting stronger resistance to the military, financial, and political apparatus that denies our society and the whole world true equality and justice.

NOTES

1. I will not discuss here whether socially conscious, politicized prisoners are *the* political prisoners of the prison world. That is another issue and a different article, but the question is a good one. To assert that position would be to ask whether all socially/politically conscious prisoners in the prisoner community would be denominated as political prisoners or whether only those who are repressed because of that consciousness would be included. For instance, there are several politically conscious women here (anti-state) who have populist though not explicitly racist politics. I would not call them political prisoners from the Left, but they are likely so from the Right. Ultimately, there are no hard lines. However, criteria exist based on who is doing the supporting work in the field of common law and international agreements, which is my main point.

Urban Pedagogies and the Celling of Adolescents of Color

Garrett Albert Duncan

Introduction

MUCH ATTENTION IN RECENT YEARS HAS FOCUSED ON THE POSSIBLE RELATION-
ship between student performance in urban public schools and the
expansion of the prison-industrial complex. Both liberal and conserva-
tive observers seem to generally agree on a cause-and-effect correlation between
the two. For example, liberals and conservatives each would agree that limited
educational opportunities or low academic achievement (cause) place certain
populations, particularly urban adolescents of color, at greater risk for imprison-
ment later in life (effect). The underlying view of this position, that school failure
or underachievement forecloses opportunities later in life and leads to criminality,
is reinforced by news reports, documentaries, and other information disseminated
through film, radio, and television. This rather unproblematic view of the relation-
ship between schools and the prison-industrial complex, however, glosses over a
major function of U.S. public schools: to inculcate in young people the skills and
values needed to enter into, and maintain, a cohesive society. This function is
necessarily linked to preparing young people to enter the nation's work force.

In this essay, I describe how we must focus on the relationship between school,
society, and the economy to appraise the role of public education in the burgeoning
prison-industrial complex. I argue below that the main purpose of urban public
schools in the lives of students of color has been largely to prepare them to occupy
and accept subordinate roles within the U.S. economy and, by extension, society.
As I shall discuss in greater detail, this function of schools, with respect to black
children and youth, was explicit during the early decades of the 20th century as
public education began taking shape for these students. Nowadays, the implica-
tions of this function are obscured by a narrative that presents education as the
"great equalizer" — that is, the key to material and social success. Further, this
narrative excludes consideration of the possible educational and social implica-

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tions of the recent shift in the U.S. to a service-oriented, high-tech economy. This shift has resulted in the elimination *and* deportation of more and more jobs, both abroad and, increasingly, into prisons, that traditionally absorbed black labor in the U.S.

My central argument is that urban pedagogies effectively serve an economic function: to channel young people of color in the U.S. into the prison system. Broadly speaking, urban pedagogies are the practices and processes involved in the proliferation and dissemination of information, images, symbols, attitudes, and behaviors to urban populations. First, urban pedagogies work *through* adolescents of color, making them less competitive economically by subjecting them to an education that emphasizes discipline and control and that minimizes intellectual rigor and the development of meaningful skills. Second, they work *upon* adolescents of color by making them undesirable as employees in a service-oriented, high-tech economy. This occurs as various media depict them as violent, lazy, and incompetent — menaces to society for whom prison is more appropriate than a good education. In brief, any relationship between urban public schools and the prison-industrial complex can be fully understood only within the ever-changing historical relationship between U.S. public education systems and capitalist society.

Looking Back: The Black Struggle for Education

In an advertisement promoting the manufacture of doors, sashes, and blinds for the general market at the turn of the 20th century, General Samuel Chapman Armstrong, the dominant force behind the establishment of Hampton and Tuskegee Institutes, noted that black students at his model schools did a prosperous business of "'six thousand dollars a month, cutting over two million feet of lumber every year.' On several occasions he invited entrepreneurs to take advantage of the 'cheap labor in and out of the institutions; students are paid six to ten cents per hour'" (Anderson, 1988: 43). The extremely influential Hampton and Tuskegee Institutes exemplified what was then known as the "industrial model" of education. Yet, rather than promoting the students' development of technical skills, these schools had as their main purpose the inculcation of adolescent and adult "Negroes" with the behaviors and attitudes necessary to guarantee their social subjugation and to maintain the political and economic mechanisms of white supremacy in the U.S. These schools emphasized the education of teachers who would impart to their future elementary and secondary students an appreciation for the dignity of labor. Students were discouraged from pursuing academic advancement and were often punished for questioning the system that prevented them from doing so. It was not uncommon for "difficult" students to be expelled from these schools. Even faculty members were not immune from being criticized by administrators for failing to follow programmatic mandates. For example, E. Franklin Frazier (1957), the noted sociologist, described an incident when, as a professor at Tuskegee Institute, he was reprimanded by an academic dean for

carrying books across the campus. The dean was afraid that by merely carrying books, Frazier would give the *appearance* that the Institute was teaching students to think, something that was sure to offend the powerful white philanthropists to whom the school owed its existence, status, and influence.

In this model of schooling, an educated black person was public enemy number one. However, such views of black pupils did not generalize across educational institutions. As James D. Anderson (1988: 111) notes, "during the early twentieth century, black teacher training departments became primary battlefields for campaigns to translate particular ideologies of black education into institutional and bureaucratic forces." The opposing ideologies that have always dominated the schooling of Africans in America pitted education for liberation against education for subordination. The official pedagogy that informed the industrial model was clearly one that promoted education for subordination. Nonetheless, black-controlled institutions resisted the control of their schools by supporters of the Hampton-Tuskegee model of industrial education and even white-controlled institutions were subverted from the inside, mainly by black educators who often chose to "wear the mask."

Yet, despite pockets of resistance, the material and political resources at the disposal of white philanthropic interests enabled them to dominate the education of black children and youth during the first several decades of the 20th century. The prominence of white interests during these times enabled the creation of conditions that continue to plague the education of children and youth of color in urban schools at the turn of the 21st century. The dominant role played by white philanthropists in the construction of universal education for black children and youth supports deeply entrenched notions that contemporary black families, unlike families in other communities, do not value education for their children and that black youth are plagued by an "anti-intellectualism" endemic to their culture. Most North Americans believe, by default, that beneficent white liberals from "up North" were primarily responsible for bringing newly freed Southern black men, women, and children "up from slavery." This piece of conventional wisdom is predicated upon a number of racist myths, including the belief that newly freed slaves lacked the intellectual, moral, and material resources to create educational institutions for themselves.

By contrast, according to evidence available from the period in question, communities of newly emancipated slaves not only demonstrated the initiative to create educational systems for themselves, at the risk of great danger, they also substantially reduced the black illiteracy rate (Anderson, 1988; Franklin, 1992; Harding, 1981). Besides literacy instruction, these communities also developed programs that emphasized a classical liberal curriculum. The purpose of this curriculum was to examine the rise of Western civilization, a civilization that diasporic Africans had, in large part, helped to create. The aim of this curriculum, however, was not to facilitate the uncritical assimilation of former slaves into an

unjust society or to convince black children and youth that they were inferior to white people. Rather, its purpose was to examine how Western civilization came into existence and thereby enable black people to enter into it as active participants who could influence the currents of mainstream society in the direction of social justice. As Anderson (1988: 31) writes: "The short-range purpose of black schooling was to provide the masses of ex-slaves with basic literacy skills plus the rudiments of citizenship training for participation in a democratic society. The long-range purpose was the intellectual and moral development of a responsible leadership class that would organize the masses and lead them to freedom and equality."

Along these lines, the study of the classics also was meant to instill in black students an appreciation for, and a pride in, their African heritage. For example, Richard Wright, an influential post-Reconstruction-era black educator, was a strong advocate of this view of a classical liberal curriculum. In 1883, the U.S. Senate Committee on Education and Labor examined the 30-year-old principle regarding the work and education conditions in black Georgian communities. Responding to a question from the subcommittee's chairman about the comparative inferiority and superiority of the races, Wright replied:

> It is generally admitted that religion has been a great means of human development and progress, and I think that about all the great religions which have blest this world have come from the colored races…. I believe too, that our methods of alphabetic writing all came from the colored race, and I think the majority of the sciences in their origin have come from the colored races…. Now I take the testimony of those people who know, and who, I feel are capable of instructing me on this point, and I find them saying that the Egyptians were actually woolly-haired negroes…. Now, if that is true, the idea that this negro race is inherently inferior seems to me to be at least a little limping (in Anderson, 1988: 29-30).

Thus, classical liberal studies, as advanced by black educators during this period, actually attacked the ideology of white supremacy and promoted instead a culturally democratic vision of society. In other words, black educators designed the classical liberal curriculum to prepare their students not only to enter and participate in society, but also to do so on their own terms and according to their own self-interest. It is no wonder, then, that philanthropic white Northerners, whose primary interest was in creating a manageable work force for the emerging industrial economy, were opposed to black-controlled education for black students. Black people then, as now, valued education tremendously and were, in large part, responsible for promoting a form of public education at the turn of the 20th century, that, although co-opted by dominant white power interests, was later extended to include disenfranchised white families and eventually the urban communities that would absorb the vast majority of students of color in the U.S.

Importantly, white control over the public education of students of color has always had economic implications. As suggested by General Armstrong's earlier remarks, white-controlled schools and school systems for children and youth of color have never had as their objectives the education of these populations for equitable participation in the U.S. economy (Anderson, 1988; Spring, 1996). In fact, until the decade of the 1920s through 1930, the urban South resisted prolonged schooling, that is, secondary education, for black adolescents. During the first few decades of the 20th century, the Southern economy experienced a reduction of jobs due to the shift from a primarily agricultural industry to a growing industrial one. The agricultural economy, unlike the industrial one, depended upon an unskilled work force and white planters therefore discouraged public secondary education for black adolescents who were needed to sustain the agricultural society. However, an industrial economy created a different set of problems for white society with respect to its black youth population. For instance, technological advances attendant to industrialism produced machinery that was far more cost-efficient than were men and women, thus eliminating the need for human workers and creating increased competition for fewer jobs. In addition, many of the newly formed industrial jobs required at least minimal skills; thus, to sustain the economy, workers with some degree of education were necessary.

In this case, white resistance to public high schools for black youth during the early years of industrial expansion was, in large part, motivated by their desire to reduce competition for scarce jobs. However, white leaders underestimated the desire and motivation of these youth. Rather than lowering expectations for themselves, these adolescents fully anticipated growing up and enjoying a higher quality of life than that of their parents. Moreover, they resented being denied access to the opportunities provided to their white peers and, no longer lulled into complacency by employment provided by the now reduced agricultural economy, they often rebelled. In resisting public secondary schooling for these young people, white citizens revealed that they "feared the educational advancement of black youth more than the social problems caused by the absence of public secondary education" (Anderson, 1988: 203). However, the social and economic problems related to nonviable public secondary systems for black and other racialized youth populations would eventually be solved, in part, by the exponential expansion of the prison-industrial complex at the end of the 20th century.

Urban Schools, "Negro Jobs," and the Prison-Industrial Complex

The disregard for the education of black youth during the early part of the 20th century is still evident today in the redirection of state discretionary funds to prison construction as opposed to the public education of children and youth of color in urban settings. For example, from 1993 to 1995 California decreased its investment in primary and secondary public education by over seven percent (7.2%) and in higher education by just under five percent (4.8%); conversely, it increased its

investment in the correctional system by nearly 45% (43.5%) (Education Trust, 1997). During the same period, it cost the state nearly twice as much to incarcerate an individual as it did to provide the same person a full scholarship to attend a school within the University of California system of higher education ($20,925 versus $10,592) (*Ibid.*). In Missouri, the state where I live and work, public investment increased in both education and corrections during this period. State investment in public elementary, middle, and senior high schools, for example, increased by more than 15% (15.4%), public colleges and universities by over nine percent (9.3%), and corrections by nearly 13% (12.6%).

These contrasting figures, however, mask similarities in the educational investment of California and Missouri in their student of color populations. In California, the home of the nation's largest prison population, the majority of the students in public K-12 education are of color (58%), which may account for the unwillingness of political leaders, who are accountable to an older and whiter electorate, to invest in the state's public schools (*Ibid.*; Folbre et al., 1995). Class also enters into the equation. Many school districts are either overwhelmingly middle class and white or working class and of color. However, as powerfully described in a recent issue of *ColorLines* (Fall, 1999), these dynamics are subject to change as suburbs, no longer insulated places of refuge for middle-class white families, increasingly are becoming contested along racial lines. While urban schools are resegregating, suburban schools are becoming the most integrated sites in the nation (Orfield and Yun, 1998). However, in Missouri and other Midwestern states with comparatively smaller student of color populations, the politics of segregation casts serious doubt on statistics that suggest that the generous support in these states for public education extends to their entire student populations.

For instance, in 1995, the student body of Missouri's public K-12 schools was overwhelmingly white (82.3%); black students, on the other hand, made up only 15.7% of the pupil population, with Asian American, Latino, and Native American students together totaling two percent (Education Trust, 1997). Significantly, in Missouri, most black students attend public schools with other black students in either St. Louis or Kansas City. Figures showing the state's general investment in its systems of public education obscure how segregation allows for the unequal distribution of both educational resources and outcomes along racial lines. For example, as of this writing, Missouri's state department of education has placed St. Louis public schools on academic probation and has removed accreditation altogether from those in Kansas City. The quality of education in both cities is directly related to the effects of white flight, restrictive covenants, and redlining in the region (Wells and Crain, 1997). It should also be noted that students who attend St. Louis public schools are further isolated along the race and class lines since a sizeable number of the city's school-age students, especially those from middle-class families, attend private schools.

Similarly, in the 1920s, Northern philanthropists preempted efforts by Southern black communities to provide educational opportunities for their youth. The Rosenwald Fund, in particular, took the lead in this, pushing ahead "with their plans to transform southern black secondary education into a system of training and socialization primarily for prospective unskilled and semi-skilled workers" (Anderson, J., 1988: 208). In other words, the philanthropists sought to develop secondary education for black adolescents that rationalized and reproduced the existing structure of "Negro jobs" in the early part of the 20th century, specifically the jobs that remained after full white employment was achieved (Anderson, 1988). However, given the instability of the job market under capitalism, what was a "Negro job" one day may quickly become a respectable job the next, especially during times of economic duress.

Due to the economic and social forces at work today, "Negro jobs" are mainly found abroad in Third World countries and underground in the burgeoning prison-industrial complex. Consider, for a moment, the content and tone of an excerpt from a 1992 California Department of Corrections (CDC) brochure. The brochure, designed to promote the CDC as an attractive, profitable choice for business partnerships with the private sector, echoes sentiments expressed by General Armstrong cited earlier in this essay:

> The operation is cost effective, dependable, and trouble free.… Tower Communications has successfully operated a message center utilizing inmates on the grounds of a California state prison. If you're a business leader planning expansion, considering relocation because of a deficient labor pool, starting a new enterprise, look into the benefits of using inmate labor… (in Davis, 1989: 273).

In comments made during a recent interview, Noam Chomsky implicated declining state investments in urban public education in the expansion of the prison-industrial complex and, indirectly, the latter's relationship to the economy as described in the CDC brochure. Responding to an interviewer's observation that many states are directing inordinate levels of resources to prison construction while allowing urban public schools to languish, Chomsky replied that, rather than evidence of grossly misplaced priorities, these policies reflect a certain logic: "both of these activities target the same population, a kind of superfluous population there is no point in educating because there's nothing to do with them. You put them in prison because we're a civilized people and you don't send death squads out to murder them" (Barsamian, 1997: 36). As Chomsky suggests, the prison-industrial complex is a partial solution to problems of the new millennium associated with superfluous populations in the U.S. that result in part from the absence of viable urban public secondary school systems.

The prison-industrial complex is a legacy of 20th-century partial solutions to a central problem — the color line or "race relations" — that promises to haunt the

21st century. Far from being novel, today's prison-industrial system is a variation on past educational and legal measures aimed at subjugating people of color in the U.S. As in earlier times, the prison-industrial complex warehouses social outcasts and political dissenters; similar to the prisons and chain gangs of old, it fulfills economic needs in several ways. It meets the ever-increasing profit demands of capitalism and creates a variety of jobs, both "Negro jobs" on the inside and respectable ones on the outside that absorb white workers displaced by the prevailing high-technology, service-oriented economy. For instance, in Kankakee, Illinois, where the unemployment rate in 2000 is nearing 30%, the county's community college is restructuring its curriculum to provide training for residents in anticipation of the 950 jobs to be generated by a new women's prison to be opened by the Department of Corrections in 2002 (*St. Louis Post-Dispatch,* 2000).

Urban Pedagogies and the Formation of a Superfluous Population

The relationship among the schooling of adolescents of color, the current global economy, and the expanding prison-industrial complex is significant across three critical, interlocking areas, each of which are linked to urban pedagogies: the service industry, popular culture and informational media, and public school curricula. These domains work on and through adolescents of color to construct them as a superfluous population for whom society views prison as a reasonable, if not a natural, option. As noted, urban pedagogies are the means by which information, images, symbols, attitudes, and behaviors are proliferated in, and disseminated to, urban populations. As is characteristic of all instructional processes, urban pedagogies have intention, direction, and purpose. Pedagogies are designed to forge identities by inculcating in students behaviors, attitudes, and values, by mobilizing their fears, joys, and desires, and by shaping their tastes and perceptions. Although this is evidenced by the behavior modification systems that characterize urban public school curricula, pedagogies are not the sole domain of educational institutions, urban or otherwise. Below, I outline how urban pedagogies inform school curricula as well as the present-day service industry and media in ways that sustain relationships between schools, the economy, and the prison-industrial complex.

The Service Industry

The U.S. is swiftly becoming a society where access to, and the manipulation of, symbols and information define the economy. The Bureau of Labor Statistics anticipates that between 1998 and 2008, most of the 2.1 million jobs to be created in the U.S. will be related to information and service (Anderson, R., 1994; Bowman, 1999). Urban areas throughout the nation have experienced the most profound societal changes over the past two decades as deindustrialization and the globalization of markets have created new economic and social conditions in the

U.S. In Philadelphia, for example, the expansion of service and high-tech industries resulted in a loss of over 100,000 jobs during the mid-1990s (Anderson, E., 1999). In New York City, 350,000 jobs were lost between 1989 and 1993, and 90% of the remaining jobs are in the service sector (Rifkin, 1995). Over the past 15 years, technological advances have led to even greater displacements as machines and computers are proving themselves more profitable in both public and private economic spheres. During the same period, the U.S. imprisoned population increased by 1.5 million inmates, most of whom were nonviolent offenders, and the figure climbed above the two million mark at the end of 1999. The 15-year increase in the U.S. jail and prison population is greater than that of each of the previous years combined (Justice Policy Institute, 1999).

Job displacement affects the lives of all workers, regardless of their backgrounds. However, black workers, mostly working class and young, are bearing the brunt of this shift in two ways. First, contrary to the notion that technology eliminates jobs but not work, automation — a less costly, inanimate form of labor — is quickly replacing both jobs *and* work in places where black workers are generally concentrated in the U.S. work force. For example, in 1991, Postmaster General Anthony Frank announced that between then and 1995, he would replace nearly 50,000 workers with automated machines capable of sight recognition (Rifkin, 1995). According to Jeremy Rifkin, automation has "made large numbers of black workers obsolete. The economic constraints that had traditionally kept black Americans 'in line' and passively dependent on the white power structure for their livelihoods disappeared" (1995: 79). As government jobs have been eliminated, employers in private industries have been reluctant to hire black workers, especially younger ones (Wilson, 1996). Employers cite a variety of reasons, but two predominate: (1) young black women and men lack the prerequisite technical and social, or "hard" skills required of workers, and (2) skills notwithstanding, they lack the appropriate "cultural capital" (e.g., attitude, demeanor). Therefore, they are a liability in a market that relies heavily on image, presentation, and perception. The first concern of employers is connected to the quality of education these prospects receive, mainly in urban schools, while the second concern is associated with another pedagogical institution, the media. The concomitant effects of these institutions contribute largely to the marginalization of youth of color within the economy and the larger society. Below, I briefly explain the media's influence on marginalization before discussing the role of urban schools in the transformation of a sizeable black population from "an exploited labor force into an outcast [one]," as predicted some years ago by Sidney Willhelm in *Who Needs the Negro* (see Rifkin, 1995: 79).

Popular Culture and Information Media

The proliferation and circulation of information and images define the media industry, whether entertainment or news. The relationship between the U.S. media

and its economy is direct, and in a number instances, the two institutions are indistinct from one another. However, from an economic standpoint, information and images are generally associated with jobs and acquiring income, wealth, and the material needs of life. This aspect of the media industry is often obscured, however, by its perceived entertainment and informational value. Also, the entertainment and news media's deep influence on the reproduction of culture, the formation of identities, the mobilization of fear and joy, the cultivation of tastes and desires, and, most critically, the shaping of perceptions people have of others, including those that employers have of prospective black employees, is generally obscured. As Henry Giroux (1999: 46) observes, "the popular imagination is being fed a steady diet of racial panic and right-wing extremism through a host of Hollywood films that suggest that urban kids who are black, brown, and poor are not only dangerous and pathological, but also disposable, subject to attacks by vigilantes and 'night riders.'" Images and information — disseminated via various media ranging from news reports and documentaries to popular music and film — shape employers' perceptions of black youth and other young people, both male and female, in ways that make them liabilities in a service-oriented economy that relies on presentation and persuasion. Further, the criminalization of urban youth that results from these pervasive images and information bites also influences social policy relative to public schools and teacher education.

Urban Public School Curricula

Urban schools where adolescents of color are concentrated and isolated are slow to come to terms with the fact that society is no longer based on an industrial economy organized around capital and labor. As such, these schools primarily promote a curriculum that resembles factory assembly lines. These institutions also tend to be conservative and traditional, employing educational practices where knowledge is transmitted passively from teacher to student (Freire, 1996). The pedagogies in these schools emphasize control, rigidity, and conformity, subjecting students of color to mindless drills and exercises solely to prepare them to raise their standardized test scores (Macedo, 1995). This is not to dismiss the necessity of students scoring well on exams that might enable them to gain access to programs that could transform the quality of their lives. At the same time, the overreliance of administrators on these high-stakes exams mystifies the effect, if not the explicit objective, of urban pedagogies. Pedagogies of this sort are associated with the punitive character of education that informs the schooling experiences of superfluous populations. They are also related to public preconceptions concerning the preparation necessary for the economic stations that these adolescents of color will occupy later in life — whether low-paying, repetitive jobs, prison, or both — employment that demands compliant behavior. Thus, urban pedagogies, by emphasizing a "drill and kill" curriculum in the name of "student achievement," are involved in the deculturalization of black youth and,

in the process, the creation of a deskilled, noncompetitive work force. That is, these pedagogies strip black youth of their culture with the intent of replacing it with a new domesticated culture. This is done by providing black youth with a watered-down, outdated curriculum that effectively leaves them without the skills required for success in the 21st-century economy.

Because too many educators and most of the general public believe the urban pedagogies are correct, serious public discussion of how these educational policies and practices incite adolescents of color to rebel and reject their schooling is absent. Instead, fueled by the media's exaggeration of juvenile crime and violence, "increasingly, school districts [choose] penal remedies over educational remedies when it comes to disciplining students," as the Reverend Jesse Jackson observed (*Washington Post,* 1999). Jackson's remarks came in the wake of a national focus on zero-tolerance policies and in response to a study showing that black students are expelled and suspended at rates disproportionately greater than their numbers. The study of 20 school districts covering all regions of the U.S., from California to Rhode Island, also revealed that white students were disciplined at rates disproportionately lower than their numbers (Applied Research Center, 1998). Rather than indicating that black students are more prone to violent behavior, this study echoes earlier reports (Meier, Stewart, and England, 1990) that corroborate anecdotal evidence that these students attend schools in a system where educators condemn and punish behaviors in them that they often overlook and sometimes praise in other students (Applied Research Center, 1998; Ladson-Billings, 1994). Not surprisingly, these disparities mirror those in the criminal justice system, where young women and men of color are unfairly and disproportionately targeted for prosecution and are given prison sentences that are 30% longer than those given to white women and men who commit the same offenses (Olson, 1996; Virgo, 1996).

Finally, large numbers of students of color, especially boys, are being ware-housed in special education programs that no longer serve their original purpose: to provide supplemental services to students who require resources unavailable in standard classes. Consequently, the vast majority of special education programs where students of color are concentrated have been reduced to incarceration centers that emphasize behavior management over academic development. The same may be said for the experience of many students of color who are placed in regular classes that, more often than not, have inadequate resources, ill-prepared teachers, and curricula that are qualitatively different from those of their white, middle-class peers (Anyon, 1997; Calabrese, 1988; Darling-Hammond, 1995). Regardless of their placement, whether in special education or in regular classes, students of color leave urban schools unable to enter U.S. society at a competitive level. These students leave school in no position to seriously challenge the institutional narratives and media images that represent them as violent and uneducable and that contribute to the notion that imprisonment is a reasonable, if not natural, option in their lives. Moreover, even in educational settings in which

caring and loving relationships exist among administrators, faculty, staff, and students, the schools' lack of material resources and social networks still undermines their ability to compete for positions in institutions of higher education and the job market. As powerfully illustrated in Vanessa Siddle Walker's (1996) historical ethnography of a black school community in the segregated South, love matters, but so do material resources.

Summary and Conclusion

The association between urban schools and prisons reflects the historical relationship between the white-controlled public education of subjugated U.S. populations and the economy. Specifically, the purpose of public schools in the lives of students of color has largely been to prepare them to occupy and accept subordinate roles within the U.S. socioeconomic system. James Anderson (1988) refers to this as the process of preparing such populations for "Negro jobs" — the jobs that remain after full white employment has been achieved. Thus, since the U.S. economy has shifted to a service-oriented, high-tech one, more and more jobs that traditionally had absorbed black labor have been eliminated. Further, urban pedagogies effectively function to exclude workers of color, especially younger ones, from the remaining jobs. This exclusion is facilitated by the continuing segregation of U.S. schools along race and class lines. Under segregation, urban pedagogies work *through* students of color to make them less economically competitive. In this instance, schools subject students to policies and curricula that emphasize discipline and control and minimize intellectual rigor and the development of meaningful skills. The latter pedagogies could — but do not — position adolescents of color to compete with their white peers in the job market and society at large, to work cooperatively with them, or perhaps to become economically independent of dominant white society. In addition, urban pedagogies work *upon* students of color by constructing them as undesirable employees in a service-oriented, high-tech economy. Various forms of media converge to depict these adolescents as violent, lazy, and incompetent, shaping a public perception that imprisonment is a reasonable, if not a natural, option in their lives.

In closing, U.S. industries in the immediate future will produce a disproportionately high number of low-paying, low-status, unstable jobs and a low number of high-paying, high-status, stable ones. Young people of color are generally confined to the former category of employment or, increasingly, are left out of either. This increases their chances of entering the economy as prison workers, where they will be "employed" in a variety of "Negro jobs," ranging from the manufacture of goods to the processing of data and telemarketing — jobs that were either eliminated in mainstream society or were unavailable to them. Given the instability of racial and economic categories, especially under advanced capitalism, even these "Negro jobs" are not necessarily fixed as such. For, as Rifkin warns in *The End of Work*:

The bitter experiences of black laborers and blue-collar workers in the traditional manufacturing industries over the past quarter century is an augur of what lies ahead as millions of additional workers are idled by massive technological displacement. America's underclass, which is still largely black and urban, is likely to become increasingly white and suburban as the new thinking machines relentlessly make their way up the economic pyramid, absorbing more and more skilled jobs and tasks along the way (1995: 88).

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Crime As Social Control

Christian Parenti

IS CRIME PROTO-REVOLUTIONARY — A PRE-POLITICAL FORM OF REBELLION? OR IS crime a form of social control? Is it the "auto-repression" of communities that have throughout history rebelled in organized and unorganized ways? It is often alleged that during the late 1960s and early 1970s, many on the Left romanticized "street crime" as proto-revolutionary rebellion. To some extent this position had currency among elements of the white ultra-Left. However, mainstream criminologists and historians of the 1960s have overemphasized this (Cummins, 1994).

To the extent that there was romanticization of crime, it was based, in part, on a warped reading of Fanon's ideas about the psychologically salubrious and politically heuristic effects of revolutionary violence and his casting of the lumpen classes in colonial towns as potential militants, rather than as the déclassé and dangerous dross white Marxists often took them to be. Yet, to be fair, left valorization of crime as proto-political was neither common nor even very important in shaping left politics around criminal justice; any back issue of this journal's earliest incarnations will attest to that.

So what is a radical reading of crime? By crime, I mostly mean the "index offenses" or interpersonal violence, such as murder, rape, and assault, along with noncorporate theft like burglary and strong-arm robbery. To some extent, however, we can throw in the violence associated with addiction and street-level narco-capitalism.

A look at the real impacts of street crime begins to reveal that crime and the fear of crime are forms of social control. Strong-arm robbery, rape, homicide, and general thuggery in poor communities leave people scared, divided, cynical, and politically confused; ultimately these acts drive the victims of capitalism, racism, and sexism into the arms of a racist, probusiness, sexist state. In short, crime justifies state violence and even creates popular demand for state repression. Thus, it helps to liquidate or at least neutralize a whole class of potential rebels. Crime also short-circuits the social cohesion necessary for radical mobilization.

As one community organizer in San Francisco put it: "How do you think they get all the police in here? Without bad guys, there's no so-called good guys."[1] Foucault recognized this point in *Discipline and Punish.* Commenting on the politics of crime in France at the end of the 18th century, Foucault summed up the political benefits of crime — then and now — as follows:

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> Crime was too useful for them [the authorities] to dream of anything as
> crazy — or ultimately as dangerous — as a society without crime. No
> crime means no police. What makes the presence and control of the
> police tolerable for the population, if not fear of the criminal? This
> institution of the police, which is so recent and so oppressive, is only
> justified by that fear. If we accept the presence in our midst of these
> uniformed men, who have exclusive right to carry arms, who demand our
> papers, who come and prowl on our doorsteps, how would any of this be
> possible if there were no criminals? And if there weren't articles every
> day in the newspaper telling us how numerous and dangerous our
> criminals are (Foucault, 1980: 47)?

How, then, does crime function as social control in the U.S. today? A comparison of crime with the most extreme example of state terrorism, death squads, is instructive. What were the hallmarks and political impacts of state terror in Central America in the 1980s? State violence against popular movements was systematic, but also deliberately random and spectacularly arbitrary — all of which helped to spread ubiquitous fear. People simply "disappeared" forever or, after being captured, showed up on public roads mutilated, their corpses serving as political advertisements. Such tactics caused thousands of activists to give up on politics completely and to retreat into their private lives. Other comrades, particularly survivors of torture, often became pathological and difficult to work with. Most destructive of all, though, was the fact that the best and the brightest were just gone — dead.

As a result, many potential activists were simply too scared to attend meetings or read radical literature or go to demonstrations. State terror, most graphically embodied in the death squads, scrambled the everyday patterns upon which organizing depended. Street crime in America does the same.

There are *three* primary ways in which crime acts as social control: it creates fear and demoralization, absorbs "bodies" and human energy that might be harassed by rebellion, and drives poor and oppressed people into the arms of the state. Very directly, crime frightens people away from meetings and keeps community members isolated and *voluntarily* locked up, not in cells, but in their homes. Moreover, violence and addiction corrode basic social structures, such as friendship and family, upon which political mobilization depends.

In East New York, a once super-bloody, but still violent neighborhood at the end of the old IRT in New York City, an organizer with the United Community Centers reports that it is difficult, if not impossible, to have meetings or events in the evening. Women, who make up the bulk of the community activists, and many men, are too scared to venture outdoors in their neighborhoods after dark for fear of being robbed or brutalized.[2] Housing activists in San Francisco's Bayview/Hunters Point neighborhood tell a similar story. As one activist who works in

Section-Eight public housing explained:

> Knocking on doors is a basic part of organizing, right? And in some of the projects where we work — not all, but some — our staff or volunteers are scared to go out and knock on doors. I mean, I've had bottles and rocks thrown at me when I ride through some of these projects. And with the residents it's the same: they live in constant fear of who is on the other side of the door.

He goes on to add:

> I am not talking about your neighborhood thugs on the corner. In some of these projects you've got crews that are into *really* heavy shit; activities that involve regularly killing people, organized crime stuff. A body was just dumped in one of these developments. And it's not just propaganda: there are units that have been taken over by some of the serious gangs for dealing. It's not a joke; people have got legitimate fears.[3]

Other community activists from the same neighborhood relate similar stories of the corroding effect of crime on social bonds, as it creates chaos and sows fear, all of which undermine political organizing.

> The whole drug scene creates mistrust. If you're a consumer, you're caught up in your addiction. You can't be responsible, go to meetings, and all that. If you're a dealer, you're busy getting that money and just trying to stay alive. Then the addiction and dealing lead to street crime: killing, robbing. So everybody else is scared to go out at night.[4]

Beyond affecting "the community," crime damages family cohesion, a key element in rendering communities disorganized and politically docile. For example, consider the political implications of these comments from a 17-year-old gangster in Phoenix, Arizona, who talked about his relationship with his brother who lives across town and claims a different set:

> It's crazy because we are like from different gangs; only me and my cousin are from the same gang. Like my brother, I always disrespect him because he's from Camelback and shit, they did a drive-by on my house and shit, and then he called me. I was like, "Fuck you, motherfucker, fuck your barrio and shit," and he was like, "Don't disrespect," and I was like, "Fuck you." That's the only thing bad about it if you decide to join the wrong gang.

In the same study, another youth commented on his relationship with his uncles:

> They are from different gangs, though…but I don't care about them
> because they be trying to shoot at us all the time. My own uncle shot at
> me; one of them tried to kill me already, but that's alright (Zatz and
> Portillos, 2000: 46–47).

Communities fighting themselves have a difficult time fighting City Hall. More specifically, crime leads to a collapse in what social psychologists call "neighborhood social ties" — the "glue which makes a collection of unrelated neighbors into a neighborhood" and therefore into a likely platform for community organization (Kuo et al., 1998). This dynamic has a spatial angle as well as the more obvious cultural/psychological ones. When community spaces are dominated by signs of neglect and anonymity, or have become dangerous, social relations soon decline as well. Common spaces are, in a very literal sense, the platform upon which communities and their movements are built.

The hard Right capitalizes on a similar point with its much-vaunted Broken Windows theory. For the Right, such signs of anomie and community dysfunction indicate a lack of social control. However, the Left could use evidence of crime's damage to neighborhood social ties in theorizing crime as auto-oppression, as social control, or as *useful* in reproducing capitalism and white supremacy.

Fear and social breakdown are not the only politically useful effects produced by street crime in poor and racially oppressed areas. Although crime — particularly the drug trade — scares some, it seduces others, siphoning off people who might otherwise become politically active. As one organizer put it: "We're competing with drugs for the same employees, if you will. People that we try to organize to demand social and economic justice are often pulled into the drug trade."[5] Many of the same folks soon get packed away to prison, or the morgue. As one Hunters Point activist put it: "If you've got a hassle, if you're in the game, you've got to keep your head down. You're compromised." Activists say this is particularly true *vis-à-vis* intimate and immediate oppressors such as private landlords, the housing authority, or HUD, while going down to City Hall is less frightening because it is a more anonymous conflict entailing less risk of retribution. A new federal policy called "one strike" makes this fear of political conflict true even for people who are only "involved" by association.

Since the early 1990s, automatic eviction is the fate of anyone living in public housing whose family member, or even guest, is arrested for selling or using drugs. In Oakland, the housing authority even tried to evict an elderly man whose homecare attendant was using drugs. Almost everyone in public housing thus lives with the constant threat of eviction and activists have noted that this has a definite chilling effect on resident activism, particularly when it comes to facing off against their housing authority landlords.

Crime absorbs activists and entire organizations as well. When crime is a pressing issue, community mobilization frequently focuses on "stopping the

violence" rather than on broader questions of social justice and economic redistribution. Thus, the women who started groups like Mothers Against Gangs might have under different conditions started "Mothers Against Landlords."

The absorption effect of crime segues into the third, and perhaps most powerful, way in which crime operates as social control. That is by driving poor and working-class people into the arms of the state — a state that through most of its policies cooperates with capital to exploit and marginalize the majority. Community activists in Los Angeles and the Bay Area mention, without prompting, that one of the first and most consistent demands from the impoverished communities in which they work is "more cops." Throughout California, the many racist, get-tough anticrime ballot propositions of the 1990s have received healthy support from poor and working-class people of color.

This final, doubly pernicious, angle on the issue is that nothing produces crime and violence like sending young people to prison. (Prison as a finishing school for criminals is one of the oldest and most consistent criticisms against that institution.) Thus, incarceration returns us to square one: it helps produce the predator class that frightens and disorganizes potentially rebellious communities.

In recent years, residents in some public housing projects have organized to address crime, but the "solutions" have only made things more difficult for organizers. Most anticrime measures have involved poorly paid and trained security guards who are ultimately unaccountable to the residents.

As the housing activist explains: "The private security are scared, they're not gonna mess with the West Mob or Big Block [two infamous gangs in Hunters Point]. So they just stay in their security booths all night. And then to look proactive they start harassing people for little stuff." Picking on "easy targets" can go as far as summary evictions. Inevitably, say activists, the very residents who worked to bring in private security are targeted by those forces. The result is more fear, further demoralization, and further militarization.

If private security doesn't work, what about the police? East New York offers a particularly chilling example of what this can mean. Activists and residents interviewed by the press said that cops from the local precinct — shown by the 1994 Mollen Commission to be massively corrupt — were never there when needed. When they did arrive, they acted like an occupying army, treating everyone with massive contempt. As a result, East New York was like a war zone. Between the waves of police occupation, the neighborhood was under siege by many of its own youth who, driven by racism and poverty, had plunged headlong into the lethal front lines of the drug trade. Thus, fear comes in waves, one wearing uniforms, one not.

Whatever this analysis of crime as social control may mean for shaping a left response to crime, one thing is certain: community power and empowerment are at the heart of any real anticrime agenda. Thus, the pro-peace culture emerging among urban youth of color should be embraced not just as a marketable, hip niche

for nonprofits to embrace, but as an example of anticrime measures rooted in popular power. Likewise, police accountability should be constructed not simply as a human rights issue, but as an anticrime issue. Police will be effective at deactivating and preventing violence when they are accountable, and that will only happen when they are subject to the sorts of radically democratic structures of community control that were proposed in the 1970s in the Bay Area and other regions. (Those plans called for community-elected local "police councils," an elected police commission, and a recall process for officers who abused their power. Officers were also required to live within their "police districts.")

As many community organizers are already doing, we might articulate the struggle for public services and community economic development (such as sanitation, street maintenance, housing, rehabilitation, education, and health care) as anticrime measures. During the Clinton era, just the opposite was true: policing was dressed up as "community development." Community Development Block Grants were even handed over to cops in a few cities. We need the opposite.

One could also imagine the proliferation of unarmed, preventive, locally organized forms of community safety, such as escort services for the elderly and peace patrols trained — not to be the state's "eyes and ears" or vigilantes — but to intervene and defuse tense situations through mediation. In addition, community-controlled "target hardening," like adequate streetlights and the removal of abandoned cars, should be worked into broader left strategies of mobilization, self-determination, and economic justice. It is not enough to get good lighting; rather, the whole question of crime control should be increasingly subordinated to a political discourse of community development. (It is noteworthy that such grassroots anticrime activities have often been directly attacked by the police.)

The discussion of crime control is currently so poisonous and monopolized by the Right as to taint any contemplation of a left response to crime. Yet a realistic (not realist) approach to crime from the Left must be fashioned. This approach must particularly take into account that imprisonment causes crime and thus argue against the overuse of incarceration.

NOTES

1. Interview, with Michael Green, Field Organizer, Housing Rights Committee Organizer, 2000.
2. Interview with Mel Grizer, executive director, United Community Centers, 1995.
3. Rob Eshelman, Housing Rights Committee, 2000.
4. Interview with Michael Green.
5. Interview with Carlos Fresco, organizer, United Community Centers, 1995.

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Prison Psychosis

M. Grayson L. Taylor

Introductory Comment

T HE PSYCHIATRIST IS SUPPOSED TO BE THE EXPERT ON PSYCHOSIS AND OTHER FORMS of mental illness in prison. Psychiatrists do know how to make a diagnosis: hallucinations and delusions suggest schizophrenia, whereas extreme mood cycles suggest manic-depressive disorder. A psychiatrist is supposed to be a masterful psychopharmacologist, prescribing the correct medication for each distinct diagnostic entity and making certain side effects do not reach toxic proportions. Yet does this mean that the psychiatrist understands the mind of the convict, or cares about the patient's suffering? There are caring clinicians among correctional mental health workers, but I have found in too many cases that the caring eventually wanes as burnout occurs.

Burnout results from having too many experiences visiting a prisoner in her cell and beginning to hear about horrendous traumas — past and present — and feeling an absolute inability to offer anything that will help her with her pain. Perhaps the medications will quell the most blatant symptoms. Perhaps they will not — if, for instance, the symptoms are induced by prison rapes that will not cease or by too long a stint in solitary confinement. The psychiatrist who cares may also soon be confronted by a corrections officer who refuses to follow the psychologist's clinical recommendation and orders him to leave the prisoner's cell before extraction begins. The psychiatrist learns to keep his mouth shut and the huge caseload reduces him to visiting each prisoner for a few minutes and yelling through the cell door in earshot of others: "How do you like the new medication? Are you still hearing voices?" Moreover, what use are the diagnosis and the prescription when the psychiatrist is unable to get close enough to the prisoner/patient to find out much about her pain, confusion, and wrath? Grayson Taylor, the author of the following piece, has been an insightful, poignant, and powerful voice from the inside. He knows a lot more about prison psychosis than

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the professionals who long ago became disinclined to understand and to take a stand against the torture.

— Terry Kupers, M.D.

> *Prison is Hell; getting out of it, or overcoming degradation, a pathway to heaven*

— W.B. Carnochan

When a convicted offender enters the prison to which he has been sentenced, he is physically separated from society. He is no longer a threat to law-abiding citizens and his criminal activity has successfully been halted; his liberty has been suspended and he can no longer enjoy the free movement of an American citizen. These aspects of incarceration are obvious, and superficial. More important, what happens to the mind of the prisoner? Is it possible to psychologically punish a human being who is imprisoned? To answer these and other questions, I must first examine the rarely discussed mental condition known as prison psychosis: a state of mental confusion, transitory or permanent, brought on by incarceration or the anticipation of imprisonment.

I have witnessed countless prisoners endure incredible degrees of cruel physical punishment and maintain their health. I have also observed physically strong men crack under the slightest psychological pressure. Wishing to understand this mystery, I began paying closer attention to the type of psychological torture inflicted upon prisoners, especially black prisoners.

Prison is a place of punishment. Only the approval of misinformed citizens who believe it serves their interests to treat prisoners harshly allows prison officials to get away with employing various forms of brutal and illegal punishment that, in many cases, reach and exceed the "cruel and unusual" level prohibited by the U.S. Constitution's Eighth Amendment.

Torture is defined as the act of inflicting excruciating pain as punishment or revenge. Psychological torture solidifies prison psychosis and creates a breed of permanently damaged prisoners who eventually become immune to pain and punishment. Unfortunately, the inability to feel pain or respond to punishment takes away from the prisoner's natural human attributes. Why, then, does the prison system engage in such tortuous behavior? I argue that having a mostly white prison staff guarding a mostly black prison population (nationwide, African Americans make up 12% of the general population, but more than 48% of prisons, and up to 77% of inmates in some states) sets the stage for a primitive game of cat and mouse, in which prison staff use barbaric torture tactics to seek revenge for real or imagined offenses committed by black prisoners, or to inflict pain for their personal pleasure.

Prison psychosis and prison tortures are not separate conditions. In fact, the fear of torture and death while incarcerated causes the state of mental confusion

that constitutes prison psychosis. Prison and slavery are so totally linked in America's past and present that black males are equipped with an acquired sixth sense that reminds them of times past. A mental alarm goes off immediately when they enter the prison system, but they cannot prepare themselves for what lies ahead. The first "plantation ritual" the black prisoner is taken through is the dehumanization process. He is stripped of his meager property, stripped of all his clothing, stripped of his dignity, stripped of his belief in justice, stripped of his desire to correct himself, stripped of hope, stripped of love, stripped of mental stability, and stripped of every other attribute that makes up his humanity. All of these possessions are taken from him without explanation and thrown into the prison dump. Stripped and confused, the prisoner is then sprayed with a harsh chemical solution for lice and other parasites, just like other beasts of burden used on farms and plantations. Gloved and armed guards then force the humiliated prisoner to consent to full body searches, which include entering his mouth and rectum. After this initial string of degrading events, prisoners are reshackled, rehandcuffed, and escorted to cells where they are left alone to briefly contemplate their fate.

This portion of the dehumanization process causes a certain amount of physical discomfort, but the mental anguish is endless. Anyone would feel violated! For the black male, however, this anguish is multiplied a thousandfold. He has doubtless had encounters with racists long before entering prison, and he has heard of many more. Now he must experience the same ritual in which his slave ancestors were forced to participate. One would think that it could not possibly get any worse. Alas! It does. The one thing the black prisoner believes he will keep, his name, is taken away without warning. He is no longer John, Joe, or Jerome Doe, but has become a number. In an unexpected instant he goes from being a somebody to a something. This number, which is used to identify him, will haunt him for the rest of his life. Although it is not tattooed on his body, as was the case with millions of Jews under Hitler's evil regime, it is permanently branded in his mind. Like many slaves in early America, many black prisoners rebel against this process. Such rebellious behavior is met with greater punishment and more torture.

This unending cycle of rebellion and suppression (cat and mouse) creates a sense of defeat in the minds of most prisoners because, unlike those who are paid to oversee them, they cannot leave this theater of the absurd. Like the majority of Americans during the age of slavery, today's majority sits complacently by and feigns ignorance. Yet even if their ignorance is real, it is not excusable, as Aristotle would say.

Since society is obviously uninterested in the workings of the prison system it has blindly supported, this prison drama is visible only within the prison environment. Those prisoners who are willing and able to resist the permanent effects of prison psychosis and who survive the torture are waging a constant battle against racist prison administrations across America. This Promethean struggle is hin-

dered by the absence of a set of "rules of war." In other words, prison staff members have the Ku Klux Klan mentality that permits 10 or more guards to attack a single prisoner, usually while he is handcuffed on the floor and breathing Mace or pepper spray. Need I remind you that the KKK's trademark is to commit such acts of senseless violence against one black person? White guards are easily disabled by a single prisoner, perhaps because these guards believe in the myth of the overpowering black brute with superhuman strength. The fact that most prisoners can endure severe physical abuse only angers white guards, who have the audacity to take prisoners they have beaten to court and charge them with assault!

Many, if not most, black prisoners feel abandoned by their families, friends, and communities. This may help to explain the nothing-to-lose attitude they adopt as they struggle to ward off physical and psychological torture. Surprisingly, very few are willing to take this torture lying down, even if they believe they cannot "win the war." Nevertheless, it is the mental struggle they labor with the most. Daily, they must prepare themselves for the unexpected and the unacceptable. For example, they must decide what their response will be if and when a guard calls them "nigger," "boy," or some other offensive epithet. How will they react to a rash of food poisonings throughout the prison, which only seem to affect black prisoners? Should they bother to seek medical treatment from white doctors? The list goes on. The psychological stress, and not necessarily the epithets and incidents, causes otherwise healthy prisoners to crack. Guards, who are well aware of this stress, add fuel to the fire by taunting, insulting, and instigating. This is not surprising since prisoners and guards are either undereducated or totally uneducated.

A lack of professionalism pervades the prison environment. Guards, the lowest link in the administrative chain of command, usually have no more than a high school diploma or GED. Many of them have had brief military careers, which also demanded minimal educational "qualifications." What is surprising is that the most educated staff members behave just as unprofessionally as the least educated. Medical doctors, wardens, psychiatrists, and counselors regularly can be observed participating in childish name-calling incidents with prisoners, committing flagrant breaches of duty, failing to respond to legitimate prisoner complaints, and so forth. Consequently, it amazes me when prison staff members inform parole boards across the country that prisoners have no respect for authority, do not follow instructions, or have unsatisfactory institutional conduct records. These reports are purposely falsified to extend prisoners' stays in prison. When prisoners become aware of this and other devious administrative tactics, they begin to search for ways to release the anger that has been building up over a long period of time. Being released from prison is not a priority under such circumstances.

Mental confusion in prison is in a category all its own, mainly because prisoners have very few choices when faced with serious dilemmas. For example, it appears unreasonable for a prisoner to seek revenge when he should be

attempting to change his ways and become a better person. Yet who can say what is or is not reasonable in the prison environment? Revenge for the prisoner comes in many forms, from outright violence to mental ascension, and whether it is right or wrong is irrelevant; it is considered necessary. In essence, *lex talionis*, the law of retaliation, prevails in every prison. A punishment inflicted should correspond in kind and degree to the offense of the wrongdoer, an eye for an eye. This also is known as retributive justice, probably the most primitive form of justice known to humanity ("retributive justice" should be distinguished from the contemporary call for "restorative justice"). The satisfaction gained from this revenge is, in most cases, the only comfort and compensation the prisoner can enjoy. Beyond the prison walls this self-generated form of primal therapy may seem ridiculous, and this is to be expected. For prisoners, however, "beyond the walls" is an elusive fantasy that is beyond their reach, at least temporarily. Moreover, mental health personnel in prisons have failed or neglected to recognize the prisoner's effort to deal with his mental confusion. As a result, the prisoner must encourage himself to live through traumatic events, often through screaming or violence, to achieve a breakdown of destructive psychological defenses. This contrived, self-imposed version of psychotherapy is as old as retributive justice itself, and many prisoners have saved themselves from mental collapse by using it.

Unfortunately for prisoners and society, revenge exacts a terrible price at some point. It eats away at the prisoner's ability to forgive and be forgiven; his tolerance level decreases and he expresses resentment much more quickly than he would under different circumstances. When most black prisoners are released, the effects of their vengeful dispositions are clearly visible. For example, if they are fortunate enough to obtain employment, it does not last long because a vengeful spirit does not take orders well, particularly when such orders or instructions can be misconstrued as harassment or disrespect. The now-unemployed ex-prisoners view society as their enemy. Did not society stand by and allow the prison system to destroy their humanity? Since they cannot take on society, they take their frustrations out on their spouses, children, friends, and communities, and society again pays the price when these vindictive ex-prisoners are rearrested, reconvicted, and returned to prison where their condition only worsens. Thus, the vendetta between black prisoners and white prison workers does not pause. Each "faction" becomes more extreme and more intolerant of the other.

If America knew about and understood prison psychosis, would it take the necessary measures to address it? Perhaps. Yet if black America knew about and understood it, it would be obliged to address it and compel the rest of the country to deal with it. If black people were willing to raise the conscience of the entire nation, beginning with a controversy over a seat on a bus in Alabama, could they not do as much about the state-imposed mental conditions from which tens of thousands of black males suffer? If every black citizen who knows someone in prison would investigate this matter and act accordingly, the torture could be

ended virtually overnight. However, this problem must be dealt not with "ifs," but with "whens," "wheres," and "hows." Despite all that has been and will be said, black prisoners will be released to black communities, and now is the time assure that their mental health has not suffered at the hands of racist prison personnel and policies. It would be a costly mistake to wait for America's majority to examine prison psychosis and hope that they will do something about it. The majority may already know about this problem!

Everyone knows about the crisis of black males and the prison system. Books have been written, movies made, organizations started, and protests held, to no avail. Black prisoners do not need to become today's popular issue; on the contrary, they need to know that they have not been abandoned by their families, friends, and communities. They do not need handouts, sympathy, or moral support; they need help in their struggle to survive the prison experience and remain sane. This, in turn, will give them an incentive to resist the psychological pressure heaped upon them — which is not likely to disappear on its own. Furthermore, prison officials would not be so eager to abuse black prisoners if the officials knew those prisoners were not alone in the world.

Incidentally, prisoners who receive the most mail and visits are the least likely to be mistreated, while those who receive little or no mail and no visits will not only be among the most frustrated, but also among the most abused. This, in my view, simply means that prison employees know who to disrespect, assault, torture, and even kill, and who to leave alone. Like a drunken, cowardly band of Klansmen, white prison employees love to come upon a single black male in their "neck of the woods." They are under the false impression that it is their natural-born duty to punish black males, even if they have to struggle to pass a GED test and get a job at a prison in rural America to carry out this duty.

If black males commit crimes, they should be punished, as should everyone else. However, they should not have to fear for their lives or their physical and psychological well-being while they are in prison. Nowhere in America is it morally or legally right to torture a human being, and it should not be permitted to go on in prison where it is hidden from society. "Prison psychosis," "torture," and "revenge" are terms that are not typically uttered in conversations about the state of America's prison system. These same terms, however, are staple subjects in debates about prisons in China, Russia, Israel, and other countries around the world. Why not in America? In my opinion, the U.S.A. does not want its skeletons out of the closet for the world to see, as the world saw the brutal, hateful bones of slavery in early America. Therefore, most prisons are constructed in remote, predominantly white, undereducated communities where residents are already hostile toward black people and are most willing to keep the truth about prison a secret. Even if nothing is done about this problem, secrets have ways of exposing themselves. Just do not be surprised by some of the things that will inevitably come to light.

Opening Up Borderland Studies: A Review of U.S.-Mexico Border Militarization Discourse

Jose Palafox

Until lions have their own historians, histories of the hunt will glorify the hunter.

— African proverb

Introduction: The Border Patrol's "Battle Plan" *en la Frontera*[1]

ON MAY 20, 1997, CLEMENTE BAÑUELOS, A U.S. MARINE ON AN ANTIDRUG operation, shot and killed 18-year-old Esequiel Hernández, Jr., in Redford, Texas. Bañuelos was a member of Joint Task Force-6 (JTF-6), a federal agency that coordinates antinarcotics operations between the Border Patrol and the military. Although Border Patrol and Marine officials claimed that Hernández shot at the Marine surveillance team, an autopsy report suggests that Hernández could not have done so. Bañuelos' attorney stated that while Hernández had no previous criminal history, he fit the profile of a drug trafficker that was given to the Marines in their training for missions on the border (*Los Angeles Times*, 1997). Meanwhile, government officials described the killing as an unfortunate, but justified act of self-defense. "This was in strict compliance with the rules of engagement," said Marine Col. Thomas R. Kelly, deputy commander of the military's antidrug task force (Katz, 1997: A19).

Three months after the shooting, a grand jury declined to bring charges against Bañuelos, despite calls for an indictment by the Hernández family. Pentagon spokesman Kenneth Bacon defended the decision, saying, "We think Corporal Bañuelos was carrying out a lawful and authorized mission, one that was authorized by the Congress of the United States.... He was performing appropriately as a member of the Armed Services in defense of the national interest" (Verhovek, 1997: A8; see also Dunn, 1999a: 264–266).

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Family and community members were outraged. "I think somebody should be held responsible for the death of my brother," said Margarito Hernández. "They made it look like it was his fault. The only mistake he did was to go pasture his goats on that day" (*San Francisco Chronicle*, 1997: A4). The Redford Citizens Committee for Justice, which included the Hernández family and border human rights activists, charged that the grand jury included a number of people with strong ties to the Border Patrol and other law enforcement agencies.

Opening Up Borderland Studies:
Asking the Epistemological Questions in U.S.-Mexico Border Discourse

The tragedy in Redford was just one example of the "militarization" of the U.S.-Mexico border, a project that began in earnest under President Ronald Reagan and picked up pace under the Clinton administration. To understand the more general militarization of American society, it is imperative to examine the build-up on the border. This article provides a brief overview of the main theoretical and cultural critiques of border militarization. The aim is to encourage writers and activists to examine the many ways in which U.S.-Mexico boundary enforcement and state repression affect the human rights of migrants.

Equally important in understanding the complexities of the militarization of the border as a social phenomenon is the way in which unauthorized migrants, and those living on the U.S.-Mexico borderlands, attempt to make sense of border policing. I examine how border scholars interpret and (re)present the lives of those living in a militarized U.S.-Mexico border and attempt to answer the following questions: What does it mean to argue for the inclusion of narratives of unauthorized migrants whose voices are hardly present in the discourse of border militarization? Can subaltern undocumented immigrants speak in a way that contests and challenges prevailing views of them merely as victims running away from their usually "Third World" countries for political or economic reasons? How can the inclusion of migrants' narratives affect dehumanizing representations of them that previously were framed primarily by policymakers, Border Patrol spokespeople, or by other immigration and border scholars?

As indicated by David Spener and Kathleen Staudt, editors of *The U.S.-Mexico Border: Transcending Divisions, Contesting Identities*, versions of border discourse differ within the work of social scientists and those working in cultural production. "Version 1 is old-style border studies, grounded in history and the empiricism of the social sciences…. Version 2 is new-style literary studies. Each version seems to know little about the other" (Spener and Staudt, 1998: 14). Indeed, these different versions of border studies reflect not only the variety and multiplicity of borderland(s) studies, but also the borders within traditional academic "disciplines." For Spener and Staudt, such demarcations, "reflect the compartmentalization of our collective intellectual project...as Borderlines pervade our public and private lives, as well as our teaching and academic research" (*Ibid*.: 5–6).

Finally, why is the militarization of the U.S.-Mexico border occurring when both countries are "embracing" regional economic integration with "agreements" like the North American Free Trade Agreement (NAFTA)? Is there a relationship between the "opening" of the border for trade and commerce and the "closing" of it to the movement of people?

The next section examines the works of border militarization scholars who have been trained in more "traditional" fields. They include Timothy J. Dunn (sociology), Peter Andreas (political science), Michael Huspek (mass communications), Joseph Nevins (geography), and Christian Parenti (sociology).

I. Social Scientists (De)constructing Borders: Bringing the State Back In?

Timothy J. Dunn and His "Theoretical and Methodological Considerations"

Timothy Dunn, author of *The Militarization of the U.S.-Mexico Border, 1978–1992: Low-Intensity Conflict Doctrine Comes Home*, is the premiere theorist of border militarization. As the subtitle explains, Dunn views the border buildup as an example of the repatriation of low-intensity conflict theory and practice to the U.S. Originally developed as a response to guerrilla insurgency in the Third World by the Kennedy administration, low-intensity conflict (LIC) reached its full form during the Reagan administration as a counterinsurgency doctrine in Central America in the early 1980s. Dunn outlines LIC by citing a 1986 U.S. Army Training Report:

> Low-intensity conflict is a limited political-military struggle to achieve political, social, economic, or psychological objectives. It is often protracted and ranges from diplomatic, economic, and psycho-social pressures through terrorism and insurgency. Low-intensity conflict is generally confined to a geographic area and is often characterized by constraints on the weaponry, tactics, and level of violence (Dunn, 1996: 20).

Dunn reminds us that although LIC doctrine has been primarily engineered for "third-world settings, it is not devoid of domestic implications for the United States." He argues that many key aspects of LIC have coincided with numerous facets of the militarization on the U.S.-Mexico border (*Ibid.*: 31). In fact, a report prepared for the Border Patrol's border enforcement efforts was drafted by "planning experts from the Department of Defense Center for Low Intensity Conflict (CLIC) and chief patrol agents from all regions and selected Headquarters staff" (U.S. Border Patrol, 1994: 1, *fn.* 1).

Given that government officials have portrayed unauthorized migration and illegal drug trafficking from Mexico to the U.S. as a "national security" issue, Dunn argues:

> LIC doctrine is the most applicable framework in this regard, given its call for a sophisticated combination of police and military activities to effect social control over targeted civilian populations.… [T]he prospect of some degree of LIC-style militarization in the U.S.-Mexico border region is also worthy of consideration due to its ominous implications for the status of human rights in the borderlands (Dunn, 1996: 31).

Although the U.S.-Mexico border region has had a long history of militarism and violence,[2] only in the last few decades has increasing integration of U.S. military armed personnel with civilian law enforcement been documented (see Palafox, 1996: 14–19).

The most provocative and significant section of Dunn's book, an appendix entitled "Theoretical and Methodological Considerations," includes two major theoretical areas of inquiry. The primary one:

> concerns the nature of repression in so-called advanced industrial societies, especially those with liberal-democratic systems. A key sub-topic within this focus is the effect of bureaucracy on the status of human rights. The second theoretical area of interest here is actually two related topics: the contemporary world economy and international migration (1996: 186).

A close reading of this section reveals the need for more comparative scholarship in addressing the militarization of the borders and boundaries in other regions of the world where regional economic integration and border enhancement are occurring simultaneously.

Dunn's inquiry into border militarization reveals certain limitations. Because the study covers the years 1978 to 1992, it cannot not fully address important political questions, such as the impact of the 1994 NAFTA trade agreements on the contemporary world economy and international migration, or the way in which the Clinton administration's border policy compares with those of previous administrations covered by Dunn. Moreover, Dunn only briefly draws on certain works by Mexican scholars writing on border militarization (e.g., Juan Manuel Sandoval and Jorge A. Bustamante). More recent works by Mexican scholars on the militarization of the Mexico-Guatemala border and the militarization of law enforcement in Mexico (López, 1996; Fazio, 1996) do reinforce Dunn's argument about the political-economic and territorial needs of the U.S. for stability on the U.S.-Mexico border and within Mexico (see also Weinberg, 2000: 361–307).

There is a clear need for intellectual exchange between scholars on both sides of the border: How do recent political and social events (related to global economic restructuring) in both countries influence the ways in which countries police and maintain social stability?[3] What insights and comparisons can scholars in both countries bring to our discussion of low-intensity conflict on the U.S.-Mexico

border and in the southern part of Mexico? How do state practices toward migrants and refugees (in the case of Guatemalan refugees inside Mexico) in both countries correspond and differ? What are the implications for human rights on the Mexico-Guatemala border and U.S.-Mexico border?

Dunn's study of the relationship between enhanced border policing and human rights violations on the border, entitled "Border Enforcement and Human Rights Violations in the Southwest," found that increased border enforcement efforts, post-1992, have led to an increase in (sometimes hidden) human rights violations in the border region (Dunn, 1999a: 443–451; see also Huspek et al.: 1998). The rise of the militarization of the U.S.-Mexico border during the Carter and Reagan administrations was accompanied by the increased militarization of the police within the U.S.

Despite the groundbreaking nature of Dunn's work, its focus on the physical aspects of border militarization is, according to Jardine (1997: 54), a weakness. The book "focuses almost exclusively on the material characteristics of militarization and generally ignores the ideological and rhetorical aspects (while acknowledging their importance, though)."

Christian Parenti: The Militarized Border Comes Home

Extending Dunn's LIC framework for border militarization, Christian Parenti, in *Lockdown America: Police and Prisons in the Age of Crisis*, analyzes three aspects of the Immigration and Naturalization Service's internal militarized policing. The first involves an examination of two federal laws that mandate the arrest and deportation of undocumented immigrants and "legal" immigrants who have prior felony convictions. The second involves increased "interagency cooperation" between local law enforcement and the INS, including, in some instances, the "deputization" of police for immigration-related issues. The book's final section deals with the use of high-tech computers and law enforcement intelligence systems that are "mechanisms for tracking, controlling, and intimidating whole populations" (Parenti, 1999: 149). Furthering his argument about this high-tech surveillance panopticon, Parenti draws on Foucault to assert that these new methods of social control will make "the effects of power constant, even while its application is intermittent" (*Ibid*.: 149). In other words, Parenti continues, "immigrants will fear the law more intensely in that INS/police intelligence systems are automatic, infallible, and instantaneous. The electronic dragnet will force internalization of the INS gaze," forcing migrants even further underground (*Ibid*.).[4]

Parenti briefly examines the INS' "Interior Integrated Enforcement" strategy as an expanded form of low-intensity conflict within the U.S. border. "Border militarization and interior enforcement, like so much of the post-sixties criminal justice buildup, serve as preemptive counterinsurgency," says Parenti (1999: 159). As race and class polarization increased with "Reaganomics" in the 1980s, Parenti argues, so too did the need to discipline and punish this "new class of poor and

desperate people" (*Ibid.*: 44). In response to this crisis, created by the elite response to the profit crisis, a new wave of criminal justice crackdowns began.

Though Parenti details recent punitive measures like border militarization and the increasingly militarized immigration raids within the U.S. border, his chapter on border militarization would have benefited from an analysis of the relationship between these political-social control methods on undocumented immigrants to potential social upheaval by this growing population. For instance, why are undocumented immigrants seen as a threat to U.S. hegemony?

In "Urban Warrior Games" (*Ibid.:* 9: 268, *fn*. 64), Parenti mentions a series of joint Marine-Navy exercises that took place in Oakland, California, in March 1999, without, however, making possible connections between the increasing race and class polarization of "poor and desperate people" and the militarized policing within the U.S, at its borders, and abroad.[5] For example, although Marine spokespeople for "Urban Warrior" claimed the exercises were intended to enable them to carry out "humanitarian" and "disaster relief" aid abroad and within the United States, closer examination reveals that the Marines were more concerned with maintaining and expanding U.S. imperial hegemony in an increasingly unstable and polarized world.

In examining "today's emerging anticrime police state and prison-industrial complex" (*Ibid.*: 4), Parenti's work raises an interesting question: Do recent militarized policing and prison building reflect the strength or weakness of the state's ability to maintain social order and stability? Although border militarization and militarized policing might suggest a strengthening of the state, and especially its ability to suppress and control marginalized communities, it could also expose the vulnerability of late capitalism. Within the logic of U.S. economic restructuring and the need to "take advantage of new markets" lies a contradiction. In seeking to maximize profits and relocate production outside the U.S., many working people — especially in the inner cities — have been rendered economically superfluous. In *City of Quartz*, Mike Davis (1992) shows how policing and imprisonment have increasingly substituted for job creation and local development in large areas of inner-city Los Angeles, where people of color and immigrants live. Instead of seeing Los Angeles as a city in need, many local authorities view these urban areas, and the people living in them, as potential threats to the established order.

Peter Andreas: Borderless Economies/Barricaded Borders and Image Projection on the U.S.-Mexico Border

In their devastating critique of the costly and deadly "war on drugs," *Drug War Politics: The Price of Denial*, Peter Andreas and his co-authors show that the "war" on illicit drugs and drug-related crime actually exacerbates addiction, abuse, and "crimes" related to this underground economy. As Andreas and his colleagues point out, much of what we fear and condemn as drug-related crime is

in fact the product of our drug policies, not the substances themselves (Bertram et al., 1996: 34).

Similarly, Andreas successfully shows how "free-trade" market liberalization policies and increased economic integration with Mexico have fueled legal and "illegal" economic flows between both countries (see also Massey and Espinosa, 1997: 991–992). Indeed, while much of the discourse among policymakers focuses on how "free trade" facilitates legal trade and commerce, Andreas tells us that:

> an unintended side effect of liberal economic reforms in Latin America (deregulation, privatization, and the opening up of national markets) has been to encourage the export of illegal drugs and migrant labor. This can partly be explained by simple economic logic: opening the economy through market liberalization reduces the ability of the state to withstand external market pressures — and the high market demand for illegal drugs and migrant labor in the U.S. is certainly no exception (1995: 6; see also 1998a: 206–207; 1996: 55).

Before the passage of NAFTA, U.S. Attorney General Janet Reno claimed that once passed, NAFTA would help "protect our borders" and that, a failure to pass it would make "effective immigration control...impossible." This assertion is contradicted by documents Andreas obtained through the Freedom of Information Act. According to pre-NAFTA Drug Enforcement Administration (DEA) studies, the increased entrance of Mexican trucks could "prove to be a definite boon to both the legitimate food industry and drug smugglers who conceal their illegal shipments in trucks transporting fruits and vegetables from Mexico to U.S. markets" (Andreas, 2000: 75).

Andreas' work (1994: 46) has suggested that the practice and ideology of market liberalization (e.g., NAFTA) might superficially appear to be a "retreat of the state" and a form of boundary erosion, but in reality increased militarization and cross-border economic flows on the U.S.-Mexico border suggest something else. Thus, it can be argued that a new function of borders in a global economy might actually be to simultaneously "open" and "close" border(s) between countries. On the U.S.-Mexico border, Andreas argues, recent enforcement "has less to do with actual deterrence [of unauthorized migrants] and more to do with managing the border's *image* and coping with the deepening contradictions of economic integration" (1999a: 14, emphasis added).

Andreas (1998b: 353) even argues that border policing is a spectator sport, though the objective is to pacify rather than to inflame the passions of the spectators. His insightful examination into how recent border militarization has gone about "recrafting" an image of control on the border encounters problems, though, by limiting investigation of border militarization to the perceptions of the spectators (Congress, the media, local residents in the border areas, and the broad public). This position does not consider the effects of border militarization on the

human rights of undocumented immigrants and fails to see the agency of immigrants. Analogies that reduce the process of undocumented immigration (in the context of a militarized U.S.-Mexico border) to "an endless game of cat-and-mouse" or "hunted vs. hunter" (*Ibid.*; see also Kossoudji, 1992: 159–180) problematically construct and view undocumented immigration only from the perspective of "the hunters" (see Hagan, 1998: 357–361).

For human rights groups like the Arizona Border Rights Coalition, documenting and challenging the abuses visited on undocumented immigrants by Border Patrol agents also includes monitoring the recent vigilantism by local ranchers toward would-be migrants near the Nogales and Douglas border area. Ironically, Andreas' line of argument, that U.S. border enforcement policy is flawed and not serious about thwarting unauthorized migration, is also used by anti-immigrant groups, such as the Nogales, Arizona-based "Neighborhood Ranch Watch," in their efforts to apprehend, detain, and turn "illegal" immigrants — sometimes at gunpoint — over to local law enforcement (see Palafox, 2000: 28–30). This discussion leads us to the work of Michael Huspek, who examines border enforcement strategies such as Operation Gatekeeper in San Diego, California.

Michael Huspek: Operation Gatekeeper, or the Cultural/Economic Logic of State and Citizen Production in the Age of Globalization

With the implementation of Operation Gatekeeper in October 1994, would-be migrants found that the San Diego-Tijuana border became increasingly difficult, though not impossible, to cross. As border enforcement increased in one area, migrants rerouted their entry attempts to the eastern parts of San Diego. Whether the INS intended Operation Gatekeeper to be "a de facto agent of business" (Kahn, 1997: M1), Michael Huspek suggests, in *Production of State and Citizen: The Case of Operation Gatekeeper* (1997: 19), that Gatekeeper's effect on immigrant-dependent businesses was to create a shift in the type of worker gaining entry into the U.S that amounts to a strengthening of the labor pool available to U.S. employers, while at the same time restricting access to those who would most likely use the state's social programs. Like Andreas, Huspek argues that Gatekeeper allows the state to hoodwink the public without in any way damaging the interests of capital (*Ibid.*: 3).

Joseph Nevins: Political Geography, the Social Construction of the "Illegal," and the Racialization of Space

In Joseph Nevins' important work (1997: 8; see also Nevins, 2000) on the rhetorical and ideological ways in which the media represent "illegals," he argues that the term "illegal" is a new and problematic way of looking at unauthorized migrants because it designates the migrant as a criminal. "As such, the 'illegal' is subject to a whole host of practices legitimated by the full weight of the law."

Whereas a wide variety of terms previously described undocumented immigrants (e.g., "wetbacks," "undesirables," and "illegitimate"), Nevins argues that the state's emphasis on the "illegality" of undocumented immigrants is closely tied to the role of nation-states and national boundaries in an increasingly globalized economy. Border enforcement measures like Operation Gatekeeper should be considered in this larger context. Nevins suggests that:

> the principal actor in this performance of territorial boundary construction is the state. The goal of the actor is the maintenance and strengthening of the nation. Globalization's challenges to national boundaries lead efforts to protect the uniqueness of the nation against alien forces. Gatekeeper is but one such effort. Therefore, the globalized state — apart from being a gatekeeper — is also a political territorial entity whose principal functions are to provide security, largely against real and imagined alien forces (1998: 370).

Unlike many of the previous border scholars, Nevins correctly notes the racialization of immigration (both in discourse and practice). "We cannot divorce the growing emphasis on 'illegal aliens' from the long history in the United States of largely raced-based anti-immigrant sentiment rooted in fear and rejection of the 'Other'" (*Ibid.*: 236). According to Nevins, Operation Gatekeeper is a manifestation of such sentiment. Although his study goes beyond an analysis of undocumented immigration discourse, his section on Operation Gatekeeper could have benefited from an examination of the connections between the growing economic integration in the San Diego/Tijuana region and the emphasis on the "illegality" of unauthorized migrants.[6]

II. Cultural Workers and Cultural Studies: History, Truth, Subjectivity, and the Challenge to the U.S.-Mexico Border Master Narrative

José David Saldívar, in *Border Matters* (1997: *ix*), incorporates recent border theories in an attempt to build a Cultural Studies that challenges the homogeneity of U.S. nationalism and popular culture. Although *Border Matters* does not primarily address the militarization of the U.S.-Mexico border, Saldívar does show how some aspects of LIC doctrine can be interpreted through the lens of cultural production.

Using novels, *corridos*, short stories, poems, ethnographies, essays, paintings, performance art, and music, Saldívar humanizes terrain that can be left emotionally abstract by social scientists. For example, in his chapter, "The Border Patrol State," he explores how Native American novelist Leslie Marmon Silko was detained in New Mexico at a border checkpoint by the Border Patrol. Saldívar also brings a sexual orientation in his reading of gay Chicano writer John Rechy's *The Miraculous Day of Amalia Gómez.* Saldívar suggests that Rechy not

only contests racism, sexual oppression, and homophobia, but also "dramatizes how the government's doctrine of low-intensity conflict spills over into the lives of everyday people." Saldívar also points out that the lyrics to "Jaula de Oro" (The Gilded Cage) by the *norteño* group Los Tigres del Norte might hint at the "fear and anxiety" of undocumented immigrants in the United States when they sing: "What good is money if I am like a prisoner in this great nation? When I think about it, I cry. Even if the cage is made of gold, it doesn't make it any less a prison" (*Ibid.*: 113, 5).

In reading *Border Brujo*, the work of performance artist Guillermo Gómez-Peña, Saldívar begins to explore the multiple meanings of alienation. He notes that *Border Brujo* thematizes "a relationship between capitalism and schizophrenia" (*Ibid.*: 158; Deleuze and Guattari, 1977). Deleuze and Guattari have undoubtedly deeply influenced Gómez-Peña's work. Yet it is a mistake to suggest that as a consequence, "we can no longer conceptualize the U.S.-Mexico border self as 'alienated' in the sense that Marx defined it, because to be alienated in the classic sense presupposes a coherent self rather than a scrambled, 'illegally alienated' self" (Saldívar, 1997: 158). This is to overlook Gómez-Peña's direct involvement in political action at the San Diego/Tijuana border area.

In his article, "Death on the Border: A Eulogy to Border Art," Gómez-Peña tells us that his performance art group, TAF/BAW, was initiated in 1984 so as to create a dialog between artists, activists, and intellectuals from Mexico and the U.S. (see Gaspar de Alba, 1998: 218). They view themselves as part of a "binational collective that combined critical writing, site-specific performance, media, and public art *with direct political action*...on both sides of the border" (Gaspar de Alba, 1998: 218, emphasis added). Gómez-Peña depicts the border in very colorful terms. For him it is "a region of political injustice and great suffering.… The border remains an infected wound on the body of the continent, its contradictions more painful than ever" (Siems, 1994: 22).

Some unfortunate experiences have led Gómez-Peña to call California "a police state for Latinos" (*Ibid.*: 28). In a period of two months in 1994, Gómez-Peña was detained several times by law enforcement officials in San Diego for walking around his neighborhood with his boom box, for stealing his own radio, and, another time, for failing to answer a summons that was issued while he was away. Gómez-Peña also was dragged out of bed at 7:00 A.M. and handcuffed in front of his son and wife for supposedly being a drug dealer.

The incident Gómez-Peña will never forget, though, is the time when he and his son spent 45 minutes in police custody after Gómez-Peña was accused of stealing his son. After eating breakfast with his wife and his then-four-year-old son (who happens to be fairly blond), Gómez-Peña decided to go for a walk in a park with his son, only to be stopped by a policeman. As it turned out, two blond women from the restaurant had called 911 to report that a Latino man and a "suspicious-looking woman" were in a cafe with a boy "who didn't look like he belonged to

them," and "who was clearly being held against his will." Gómez-Peña later recalled that:

> In many ways it was a kind of baptism.... It made me aware of the current climate in California, of the resurgence of this virulent xenophobia. I realized that I was coming back to a country that's in a state of emergency, and I was going to have to be in a constant state of alert. I really felt my own fragility, and the fragility of my own son (Siems, 1994: 27–28).

Though Gómez-Peña is careful to note the racism and cultural antagonisms between Anglos and Chicanos/Latinos on the borderlands, he also implicates the media and anti-immigrant legislation in the rise of violence against the Chicano/Latino population. In his chapter "The '90s Culture of Xenophobia: Beyond the Tortilla Curtain," in *The New World Border: Prophecies, Poems, and Loqueras for the End of the Century*, Gómez-Peña tells us that:

> What begins as inflammatory rhetoric eventually becomes accepted dictum, justifying racial violence against suspected illegal immigrants. What Operation Gatekeeper, Proposition 187, and SOS [Save Our State] have done is to send a frightening message to society: The governor is behind you; let those "aliens" have it. Since they are here "illegally," they are expendable.... To hurt, attack, or offend a faceless, and nameless "criminal" doesn't seem to have any legal or moral implications (Gomez-Pena, 1996: 69).

Since there is little scholarship on the history of anti-immigrant groups like Light Up the Border and other vigilante groups that have been active in the border area for the past few decades,[7] one must appreciate Gómez-Peña as a "chronicler of history."[8] Similarly, the few studies on the effects of media coverage of undocumented immigration on public opinion (Simon and Alexander, 1993; Wolf, 1988) allow us only to speculate that an atmosphere of violence toward migrants and vigilantism on the border is encouraged by media coverage of immigration issues that portrays the border as overrun. An example is Light Up the Border, so named because they shined their car headlights toward the border to call attention to undocumented immigration. It was formed in 1989 by Muriel Watson, the widow of a former Border Patrol agent, based on twisted local media coverage. She explained that the participants shared her concern: "they all had [newspaper] clippings: 'Oh, look at this, this 16 year old was raped and her throat was slit and they rescued her just in time....' So this was what motivated me...pure and simple" (Gutierrez, 1996: 259).

Challenging this caricature racism is Gloria Anzaldúa's classic, *Borderlands/La Frontera* (1987). She reminds us that it is not only "male workers" who cross the border; undocumented women also "illegally" cross *la frontera*. Through

autobiographical and historical interpretation, she contests the given "truths" in "objective" historical interpretations of the "borderlands" as male-centered and Eurocentric. In her careful reading of *Borderlands/La Frontera*, Sonia Saldívar-Hull points out that as Anzaldúa "chronicles the history of the new *Mestiza*, [she] explores issues of gender and sexual orientation that Chicano historians like David Montejano, Arnoldo De León, and Rodolfo Acuña have not adequately addressed" (Saldívar-Hull, 1991: 212; see also, Saldívar-Hull, 2000: 59–79). What Saldívar-Hull suggests is of great importance, because even while we engage with subaltern history, we need to be conscious, as Robin Kelly (1996: 13) reminds us, to look "way, way, way below, to the places" scholars traditionally miss. In using nontraditional sources like poetry, prose, and autobiography as a way of writing history, Anzaldúa reconceptualizes the meaning of "history." "Oral history is not only a tool or a method," Asian American historian Gary Okihiro tells us, "it is also a *theory of history* which maintains that the common folk and the dispossessed have a history and that this history must be written" (Okihiro, 1984: 206, emphasis added).

According to Anzaldúa, the "U.S.-Mexican border *es una herida abierta* [is an open wound] where the Third World grates against the First and bleeds" (1987: 3), thus reminding us of inequalities that exist in the U.S.-Mexico border. "Learning about their poverty," says Luis Alberto Urrea (1993: 2) of the people forced to live in the trash dumps of Tijuana, Mexico, "also teaches us about the nature of our [U.S.] wealth." In a global economy where inequalities between and within countries are ever increasing, inquiries into how, and for what, we do research have important consequences for the borderlands and those living on the margins of borders.

Remaking Border Social Analysis: Ongoing Contentions in Field Research

Scholars in ethnic studies need to cross academic borders between the "traditional disciplines" (e.g., history, sociology, political science, etc.) and newer interdisciplinary fields like Chicano studies and ethnic studies. Our scholarship is constantly questioned and challenged for not being "objective," for being "politically" driven, and even for "disuniting America."[9] The master narrative in American history, or what Chicano studies historian Rodolfo F. Acuña calls "the American paradigm," sets up boundaries between what is considered "true" and "objective," and what is not. For Acuña, the:

> study of history and other social sciences in the U.S. is determined by a small body of scholars who define what is the proper subject of inquiry and what qualifies as scholarship. In this way they establish a hegemonic view and, under the banner of scholarly objectivity and truth, dismiss the historical memory of scholars such as myself who do not accept their paradigm (Acuña, 1998: 8).

In agreement with the "organic intellectual," Acuña challenges the American paradigm that calls for "objectivity." I, too, refuse this paradigm and, instead, argue that borderland scholars can and must do more than interpret the world; they can and should attempt to change it. What are the implications for activist-scholars like Acuña and myself in doing such work? Who is our scholarship for? What do we do with this scholarship? The questions and implications for the scholars, their work, and the people they are "studying" should be explored.

In the course of doing field research on the border, I have often been puzzled by the following question: What is the role of the researcher when an informant asks for help in getting across the border? In her essay on field research with marginalized communities, sociologist Maxine Baca Zinn (1979: 279) offers insight. "My direct involvement with informants," says Baca Zinn, "did not always further the goals of the research, but it was 'essential to alter the exploitative relationships which research imposes....' Direct participation in the research does sharpen the researchers' sense of obligation to the people they are studying."

NOTES

1.   This term was used by Rahm Emmanuel, a former Clinton administration assistant, who stated that support from the armed forces for law enforcement along the U.S.-Mexico border is "consistent with their mandate in protecting national security" (Branigin, 1996: A26).

2.   Chicano historian David Montejano (1999: 256, *fn*. 43) argues that in "a historical sense, the U.S.-Mexico border, as a creation of war between these two countries, has always been militarized." See also Rodolfo Acuña (2000: 41-56).

3.   According to Bailey and Quezada (1996: 3), "possible future points of bilateral tension [between the U.S. and Mexico] include…heightened control, even militarization, of the border region arising from antidrug and immigration policy."

4.   Parenti (1999: 160) does mention that the targeting of undocumented Latinas and their "social networks" by immigration authorities "serves to disrupt and generally undermine Latino communities…[and thus] damages the future of political mobilization and the crucial preconditions for political organizing and thus becomes pre-emptive counterinsurgency." Grace Chang's work (2000: 216), for example, attempts to show how anti-immigrant sentiment and punitive legislation targeted at undocumented immigrants has given rise to resistance movements within immigrant communities. Chang argues that anti-immigrant discourses and practices have at times "served to galvanize people of color and immigrant communities rather than suppress them. As one observer put it, '[Proposition 187] inadvertently triggered the political awakening of many Latinos who saw themselves, regardless of their citizenship status, as being targets. In Los Angeles, with its emerging Latino majority, Proposition 187 inspired one of the largest protest demonstrations ever — activism that eventually translated into growing Latino political participation.'"

5.   One should note that the U.S. Marine Corps' handbook on "Humanitarian Assistance and Disaster Relief" (a guidebook for "Urban Warrior") includes "Migrant Camp Operations," where law enforcement potentially receives military assistance "when non-U.S. citizens arrive at (or are brought to) U.S. territories for processing as potential refugees" (U.S. Marine Corps Warfighting Laboratory, 1999: 26). For an insightful work on the relationship between U.S. foreign policy in Central American during the 1980s and the "immigration crisis" that the Reagan administration helped to create,

including its plan to round up and incarcerate thousands of "suspected terrorists" at that time, see Kahn (1996).

6. Recognizing that there is no extensive study of regional economic integration in the San Diego/Tijuana area in the post-NAFTA era, the essays in Tardanico and Rosenberg (2000) provide insights into our examination and comparison of the political, economic, and geographic areas in the U.S. and Mexico.

7. For an insightful analysis of how the activities of vigilante and anti-immigrant groups in San Diego should be viewed in a context of the U.S. government's border enforcement strategy, see Novick (1995: 171–181; and Dwyer, 1994: 118–119). Recently, a group of migrant workers in North County San Diego were shot, beaten, and robbed near their campsite by white supremacist youths; a 17-year-old immigrant from Oaxaca was beaten to death in the same area. See Wilberg and Sanchez (2000).

8. This is Jose D. Saldiar's characterization of the Mexican American activist-scholar, Ernesto Galarza. Quoted in Garcia (1994: 23).

9. Arthur Schlesinger, Jr. (1991), denounces multiculturalism as a "cult of ethnicity" that is separating U.S. society rather than integrating it. For a critique of this view, see Ronald Takaki (1994: 296–299).

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The Role of the Immigration and Naturalization Service in the Prison-Industrial Complex

Michael Welch

Introduction

THE UNMISTAKABLE FEATURE OF THE IMMIGRATION AND NATURALIZATION SERVICE (INS) over the past two decades is that it has downplayed its mission of social service (i.e., assisting undocumented immigrants in their pursuit of naturalization), while emphasizing its law enforcement role (INS, 1999; Calavita, 1992; Kahn, 1996; Welch, 2001). Flexing its police powers, the INS has benefited financially from its hard-line stance on immigration insofar as the agency has been rewarded with additional funding from Congress. The fiscal year 2000 budget for the INS totaled $4.27 billion, an eight percent increase over the previous year. Whereas the INS has allocated funds to improve social services, the lion's share of the budget is devoted to "strengthening its successful multi-year strategy to manage the border, deter illegal immigration, combat the smuggling of people, and remove criminal and other illegal aliens from the United States" (INS, 1999: 1).[1]

These structural and organizational developments in the INS do not occur in a vacuum. Clearly, the INS is responding to ideological and market forces in American society that rest on the uncritically accepted notion that more enforcement activities and less service provision is rational and legitimate, as well as lucrative. This article furnishes evidence that the INS is not merely imitating the larger criminal justice machinery, but is operating under the same canopy of social control. In concert with other components of the criminal justice system, the INS responds to the market imperatives of the prison-industrial complex, an enterprise whereby lawbreakers and undocumented immigrants are commodified as raw materials for private profit. The discussion begins with recent trends in social

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control in which state managers have overhauled conventional mechanisms designed to deal with surplus populations. This new penology marks a significant departure from traditional jurisprudence and contributes to the commodification of prisoners and INS detainees.

The New Penology and INS Detention

The prevailing response to the U.S. immigration "problem" has been law enforcement and detention, thereby pushing social service to the periphery of the INS charter. Since the 1980s, government officials have extolled the virtues of detention, claiming that it is necessary to combat and deter illegal immigration. Conversely, experts on immigration and human rights insist that detention is costly, unnecessary, and unjust for most undocumented immigrants (ACLU Immigrants' Rights Project, 1993; Marks and Levy, 1994).

The popularity of detaining undocumented immigrants mirrors the larger pattern of incarceration. In 1999, the total number of prisoners under the jurisdiction of federal or state adult correctional authorities was 1,302,019, with an annual growth of 4.8%. The current incarceration rate is 461 prisoners per 100,000 residents, up from 292 in 1990 (BJS, 1999). In explaining the government's commitment to imprisonment, Feeley and Simon (1992) issued an alternative view of correctional policy, one they call the "new penology." They contend that a new set of terms, concepts, and strategies have begun to replace those of traditional penology. Whereas traditional penology stems from criminal law and criminology and has emphasized punishing and correcting individual offenders, the new penology adopts an actuarial approach in which specialists assess the risks of specific criminal subpopulations (for example, drug offenders) and recommend strategies that attempt to control these aggregates. The central objective of the new penology is to improve social control measures for high-risk and dangerous groups.

Since the new penology represents a strikingly different course for the future direction of correctional policy, there are several areas of concern. The new penology does not intervene or respond to either the individual offender or the adverse societal conditions that serve as the root causes of many forms of street crime. "It does not speak of impaired persons in need of treatment or of morally irresponsible persons who need to be held accountable for their actions" (*Ibid*.: 452). Instead, the new penology concentrates on maximizing social control and utilizing prediction tables and population projections to streamline the criminal justice system. Because the new penology takes an actuarial approach, it empha-sizes efficiency, management, and control rather than individualized justice and attempts at reform. Simply put, the criminal justice system recycles human beings from one form of custodial management to another without attempting to impose justice or to reintegrate offenders into society (*Ibid*.; also see Clear, 1994; Gordon, 1991; Platt, 1994; Welch, 1999, 1996b, 1994).

Perhaps the new penology's most distressing contradiction is that its actuarial tenets strive to improve public safety without attempting to reduce crime. According to Feeley and Simon:

> The new penology is neither about punishing nor about rehabilitating individuals. It is about identifying and managing unruly groups. It is concerned with the rationality not of individual behavior or even community organization, but of managerial process. Its goal is not to eliminate crime but to make it more tolerable through systemic coordination (1992: 455).

The consequences of the new penology are difficult to overlook. For decades there have been sharp increases in the incarceration of impoverished and minority offenders, evidence that the actuarial impetus of the new penology and its emphasis on social sanitation and warehousing override individualized justice (Adler, 1994; Spitzer, 1974; Welch, 1994, 1996b).[2] Feeley and Simon (1992: 469–470) lament the emergence of the new penology, which pushes "corrections even further toward a self-understanding based on the imperative of herding a specific population that cannot be disaggregated and transformed but only maintained — a kind of waste management function."

By emphasizing enforcement and detention rather than social service, the INS conforms to the new penology, marking a notable transformation in its management of undocumented immigrants. Rather than remaining committed to the review of individual claims of asylum and applications for citizenship, the INS tends to resort to the processing of large aggregates, particularly groups of specific nationalities (including Cubans, Haitians, Central Americans, and Nigerians). For example, an executive order has instructed the INS to detain all excludable Cubans arriving in the United States, effective September 14, 1994 (Sale, 1994). Similarly, during the 1980s, the U.S. attorney general targeted Salvadorans by granting the INS authority to make arrests without warrants, leading to the detention of hundreds of Salvadorans (see *Orantes-Hernandez* v. *Thornburgh* and *Orantes-Hernandez* v. *Meese*).

The actuarial approach further complements a detention policy that values efficiency, management, and control. Adhering to bureaucratic and rational-legal imperatives, the INS relies on specialists, experts, and technicians to classify aliens (i.e., excludable and deportable aliens), as well as to predict and forecast immigration trends. In doing so, immigration specialists apply actuarial methods to assess the costs of immigration (e.g., establishing financial estimates related to health care, education, and other social services). In line with the new penology, specialists in the INS are assigned the task of managing aggregates because under this revised strategy, groups, not individuals, are the units of analysis. Emphasis is placed on managing groups of people rather than on accommodation, equity, and significant social transformation. As I shall elaborate on below, the new penology

serves as an adminstrative model by which the economic potential of the prison-industrial complex is realized, especially considering that INS detainees are treated as raw materials benefiting the corrections business.

Conditions of Confinement and the Production of Violence

For several years, immigrant advocacy groups and immigrants' rights attorneys have charged that the conditions of confinement for undocumented immigrants are substandard at best, and at worst violate basic human rights. Due to a greater reliance on confinement, institutional problems at INS detention centers are dramatically compounded. Poor staffing, obstructed access to counsel and the courts, inhumane living conditions, inadequate medical care, and physical and sexual assault by staff are growing problems in INS detention facilities (ACLU, 1993; Marks and Levy, 1994; Welch, 1993, 1997a, 1998, 2000). According to Lucas Guttentag, director of the ACLU Immigrants' Rights Project, "immigrants awaiting administrative hearings are being detained in conditions that would be unacceptable at prisons for criminal offenders" (Sontag, 1993a).

Problems with INS detention policy extend to the practice of detaining travelers without visas (TWOVs) entering the United States through major airports. At Kennedy Airport (New York), for example, the INS has forced airlines to act as jailers for TWOVs at the airlines' expense. The INS detention policy costs the airline industry eight million dollars per year, including the expense of detaining TWOVs in motels neighboring major airports. Critics of INS detention refer to these sites as "Motel Kafkas" due to the distressing and surreal nature of confinement. There, private security officers are hired by the airlines to serve as detention staff; however, these guards do not answer to the government, prompting grave concerns about accountability. While being held in a motel room for months, detainees have been deprived of fresh air, telephones, and, in some cases, have been shackled and sexually abused by staff (*New York Newsday*, 1993: 3; also see Hartocollis, 1990).

Beyond its use of "Motel Kafkas," the INS has expanded detention capacity by opening large, state-of-the-art institutions. Despite the seemingly accommodating interiors of these new facilities, the conditions of confinement and the treatment of detainees are sometimes inexcusably harsh. Consider the INS detention center at Elizabeth, New Jersey, a state-of-the-art facility operated by the ESMOR Corporation. In less than a year of operation, allegations of physical abuse by staff against detainees and poor conditions at the ESMOR detention center mounted. The institution was criticized publicly by *pro bono* attorney organizations, unidentified ESMOR guards, journalists, relatives of detainees, and U.S. Representative Robert Menendez. Subsequently, INS Commissioner Doris Meissner ordered a program review and investigation of the ESMOR contract on May 30, 1995. The review was formally conducted from June 7 to June 10; however, the evaluation was extended so that investigators could assess a riot that occurred at

the ESMOR facility on June 18. The INS Assessment Team determined that ESMOR guards and their midlevel supervisors had failed to exhibit proper control during the disturbance. Moreover, there was considerable evidence to support allegations of the abuse and harassment of detainees by ESMOR guards. In some instances, detainees were inappropriately shackled by ESMOR staff. Female detainees complained that they had been issued male underwear on which large question marks had been made in the area of the crotch. Other accounts of harassment included the unjustified waking of detainees in the middle of the night under the guise of security checks (INS, 1995; also see Peet and Schwab, 1995; Welch, 1997a).

Due to the riot, the INS terminated its contract with ESMOR and closed the Elizabeth facility (though it reopened later under another private contractor). Detainees were transferred either to other INS detention centers or county jails in New Jersey and Pennsylvania; unfortunately for many of them, physical abuse by correctional staff not only persisted but, in some cases, it also escalated. Twenty-five detainees (none of whom participated in the riot) were sent to the Union County Jail (New Jersey) where they were met by a group of guards who formed a gauntlet, and punched and kicked the detainees for over four hours. "The guards broke one detainee's collarbone, shoved other detainees' heads in toilets, used pliers to pull out one man's pubic hair and forced a line of men to kneel naked on the jail floor and chant, 'America is No. 1'" (Sullivan, 1995a: A-1). Eventually, six guards were arrested and charged with assaulting the detainees; prosecutors contended that at least two dozen officers participated in the beatings (Hassel and Misseck, 1996; Misseck, 1995; Sullivan, 1995a).

Production of Raw Materials for the Prison-Industrial Complex

A crucial function of the War on Drugs, and other "tough on crime" initiatives, including anti-immigration campaigns, is its production of massive quantities of prisoners — raw materials — for the corrections industry. This economic-punishment nexus is reinforced by lengthy sentences (especially mandatory minimums) that ensure profitability since long-term occupancy in prison translates into a handsome financial per diem.[3]

In a trade publication geared toward investors, *The Cabot Market Letter* compares a private corrections facility (Corrections Corporation of America, CCA) to "a hotel that's always at 100% occupancy...and booked to the end of the century" (Bates, 1998a: 13). Not only are prisons courted affectionately on Main Street, on Wall Street the booming corrections industry contributed to the bull market, further evidence that crime does indeed pay. Tremendous growth in the prison population, coupled with astonishing increases in prison expenditures, have spawned a lucrative market economy with seemingly unlimited opportunities for an array of financial players: entrepreneurs, lenders, investors, contractors, vendors, and service providers.

Developments in correctional policy have prompted criminologists to look deeper at the structure of the prison-industrial complex, a term reminiscent of the military-industrial complex coined by Dwight D. Eisenhower and later examined by sociologist C.W. Mills. In his critically acclaimed work, *The Power Elite* (1956), Mills presented evidence of an integrated collective of politicians, business leaders (such as defense contractors), and military officials who together determined the course of state, economic, and military policies. Taking their cue from Mills, criminologists have discovered a similar cohort in the prison-industrial complex, comprised of politicians, business leaders, and criminal justice officials (Adams, 1996; Christie, 1994; Donziger, 1996a; Ethridge and Marquart, 1993; Irwin and Austin, 1994; Nuzum, 1998). The prison-industrial complex is an incarnation of the "iron triangle" of criminal justice where subgovernment control is established (Thomas, 1994b). Operating well below public awareness, key players in the corrections subgovernment influence the course of policy and spending. These key participants include private corporations eager to profit from incarceration (e.g., Corrections Corporation of America, Correctional Services Corporation, and Wackenhut Corrections), government agencies anxious to secure their existence (e.g., the Bureau of Justice Assistance and NIJ), and professional organizations, including the American Bar Association and the American Correctional Association. The "iron triangle" of criminal justice siphons power from each of these sectors, producing a formidable alliance, one that critics contend is a pocket of displaced influence over government (Lilly and Deflem, 1996; Lilly and Knepper, 1993).[4]

The commitment to law enforcement and detention contributes directly to a growing detainee population. Moreover, correctional policies established by the Department of Justice (DOJ) and administered by the Bureau of Prisons (BOP) and the INS have created financial opportunities for other correctional facilities. In 1999, 60% of the 17,000 detainees held in INS custody were confined in local jails (Firestone, 1999). Compounding matters, the INS has in its custody approximately 2,400 Cubans, about 1,400 of whom are housed in local jails and federal prisons (*New York Times*, 1999). These Cubans arrived in the U.S. during the Mariel exodus of 1980 along with 120,000 fellow countrymen. The Mariel experience sheds critical light on the INS and its role in the prison-industrial complex.

In his groundbreaking book, *The Abandoned Ones*, Mark Hamm chronicles the plight of the Mariels in the U.S. correctional apparatus (see Welch, 1997b). Although the Mariels initially were hailed by American political leaders as courageous people who risked their lives on the open sea to escape the Communist satellite of the "Evil Empire," soon the INS realized it was unprepared to deal with the huge influx of immigrants. In an effort to deal with this immigration "emergency," the INS set up two large relocation facilities in south Florida and later transported Mariels to other camps around the country (e.g., Fort McCoy, Wisconsin; Fort Indiantown Gap, Pennsylvania; Fort Chaffee, Arkansas).

As the INS packed these relocation camps with Mariels, officials in the agency launched a disinformation campaign aimed at stigmatizing this particular group of Cubans. The INS viewed the Mariel men as more hardened than other Cubans who previously had immigrated to the U.S., prompting suspicion that Fidel Castro had used the accord to reduce its rabble population of hard-core prisoners and chronic psychiatric patients. Soon this belief took on a life of its own as the media uncritically broadcast disinformation, in effect creating a moral panic whereby Mariels were stereotyped as predatory and dangerous.

The process of stigmatizing and criminalizing the Mariels proved to be an easy task for U.S. government officials; after all, Cubans who joined the boatlift in 1980 were quite different from Cubans who emigrated to America in the 1950s. In contrast to the middle-income professionals (of European ancestry) who fled Cuba a generation before, the Mariel boatlift included many more impoverished people and people of color. Compounding matters, many Santerias were convenient targets of American ethnocentrism since their religious customs featured rituals of body tattooing. Suffice to say, given the level of racism and classism in the U.S. in the 1980s, the Mariels' path to assimilation was met with tremendous resistance. Even well-established Americans of Cuban descent often rejected the Mariels; therefore, many of the newly arrived Cubans were denied membership in a community-support system that would have streamlined their integration into American society.

It seemed that from the beginning, the Mariels were destined to become another form of "human rabble" eligible for state-sponsored warehousing under the auspices of the new penology (see Irwin, 1985; Welch, 1994). By claiming — albeit falsely — that many of the Mariels posed a threat to American communities, the INS justified its indefinite detention of several thousand Cuban men. Besides having profound implications for the new penology, the Mariel phenomenon proved lucrative for the INS as it interfaced with the prison-industrial complex. The Mariels represented another aggregate with promising potential as raw materials, and the INS wasted little time in commodifying them for financial gain. Before the Mariel exodus, the INS was a relatively obscure agency in the DOJ, but its low profile soon changed. Congress rewarded the INS handsomely for its campaign to detain thousands of Mariels, and by 1988, the INS budget soared to $2.2 billion, a 100% increase over six years (Hamm, 1995). Rather than alleviating the plight of the Mariels, congressional funding worsened their situation because resources were allocated disproportionately to the indefinite detention of the Cubans.

In 1987, after more than seven years of detention in federal prisons, thousands of Mariels held at the Atlanta Penitentiary and the Oakdale Correctional Facility rioted against the horrific conditions of confinement and the lack of progress in their immigration hearings. Due to those riots, the BOP mandates that Mariels be broken down into groups of less than 30 detainees and dispersed. Although many

units of Mariels are held in BOP correctional institutions, others are transferred to state and local facilities, as well as private correctional institutions. More significantly, correctional facilities outside the federal system that house INS detainees are compensated generously by the federal government. Due to this financial arrangement, INS detainees are highly sought after because they generate considerable revenue. Although private contractors continue to reap the bulk of profits from surplus INS detainees, county jail administrators have also discovered the profitability of INS detention. Currently, over 200 county jails scattered across the nation accept detainees from the INS because the remuneration is so lucrative (Firestone, 1999). The privately operated Citrus County Detention Facility in Lecanto, Florida, houses 29 Cubans who are still under INS custody. Warden Michael Blumberg understands fully the financial implications of accepting INS detainees: "We've got 400 beds here, and those extra inmates fill the beds" (*Ibid*: A22). At the New Orleans Parish Prison, INS detainees have become known as a "cash crop" since the INS pays the institution $45 per detainee daily — approximately twice the compensation the state of Louisiana pays for criminal inmates. However, as the INS rents more beds in county jails, there is even less accountability, thereby increasing the likelihood of abuse against detainees. According to Solomon (1995: 29), "the most notorious county jail to take in INS detainees is the New Orleans Parish Prison, a 7,000-bed complex where current litigation alleges sexual abuse of female inmates and men subjected to beatings and electric shock."

While the prison-industrial complex continues to profit from the long-term confinement of INS detainees, the detainees face insurmountable obstacles to their release. For Cubans, as well as detainees from Cambodia, Laos, and Vietnam, the absence of diplomatic relations with the U.S. creates one of the most difficult barriers to release. INS detainees experience a degree of hardship that is not easy to quantify, and understandably, as desperation replaces hope, skirmishes with institutional staff can occur without warning. As recently as December 1999, five Mariels detained at the Saint Martin Parish jail in Louisiana seized control of the facility and took several hostages, including the warden. The detainees rioted to protest their long-term detention, some of whom had been confined for as long as seven years. Demanding safe passage from the U.S., the standoff concluded after six days when hostages were released unharmed (*New York Times*, 1999). In an unusual move, the Cuban government accepted a petition that allowed the five Mariel hostage takers to return to the homeland; upon their arrival, they were transferred to a Cuban prison (Lacy and Firestone, 1999; Martel, 1999; Shenon, 1999).

Wayne Smith, the highest-ranking American diplomat in Havana under Presidents Carter and Reagan, continues to voice his opposition to the embargo against Cuba. Reacting to the recent hostage taking in the Saint Martin Parish jail, Smith added: "You really have to sympathize with them [Cuban detainees]. What are they supposed to do, just sit there?" (Lacy and Firestone, 1999: A30).

The Path of Privatization: From Welfare Hotels to INS Detention Centers

As noted, detainees are subjected to various forms of abuse at the hands of private security guards in "Motel Kafkas." At first glance, the use of motels and residential hotels for detention appears highly unusual — certainly not representative of the larger correctional enterprise. A closer look at this practice reveals that the link between hotel and correctional industries is fast becoming emblematic of how prisoners, residents of halfway houses and welfare hotels, and undocumented immigrants are warehoused.

To identify those responsible for the deplorable conditions at INS detention centers, private corporations operating some of the facilities must be considered. Perhaps the most significant development in recent privatization is the corporate success of ESMOR, which reorganized after losing its INS contract due to the riot at the Elizabeth, New Jersey, INS detention center. Currently operating under the name Correctional Services Corporation (CSC), this private contractor has emerged as a dominant vendor in the detention of undocumented immigrants, as well as state prisoners from various jurisdictions.

Interestingly, before ESMOR/CSC formed as a private correctional company, its partners — James Slattery and Morris Horn — were managers for the Sheraton Hotel in Washington, D.C. Years later, as the homeless population was surging in the early 1980s, Slattery and Horn earned a profitable contract to manage one of New York City's most notorious welfare hotels, namely the Brooklyn Arms (a Single Residence Occupancy hotel [SRO]), which became synonymous with crime, vermin, and horrific conditions. According to Steven Banks, a Legal Aid Society attorney who sued the city for the inhumane conditions at the welfare hotels, the "Brooklyn Arms had dark hallways, peeling paint, rodents, and a shortage of beds.… [It] was nothing but a warehouse for desperate families that allowed the ownership to reap substantial profits by providing minimal services" (Sullivan and Purdy, 1995a: 28).

In 1989, New York City officials were forced to acknowledge the inhuman conditions at the Brooklyn Arms. Its 600 housing code violations persuaded city managers to reconsider its reliance on SROs. Subsequently, Slattery and Horn, each without correctional expertise, made the profitable transition to the next housing emergency: prisons, halfway houses, and INS detention centers. ESMOR was awarded a contract to operate the Brooklyn Community Corrections Center in 1989. In 1991, ESMOR received a contract from the Federal Bureau of Prisons to open an 84-bed halfway house at the LeMarquis Hotel in Manhattan. Controversy erupted at both locations. In Brooklyn, residents initially protested the opening of the Brooklyn Community Corrections Center, but opposition was quelled after Slattery hired William Banks, the campaign manager for Edolphus Towns, a powerful Brooklyn lawmaker. Banks embraced the task of lobbying the neighborhood and its political leaders, a service that brought him a salary of

$222,000 from ESMOR in 1993 and $238,000 in 1994. ESMOR's president and chief executive officer, James Slattery, was paid $197,633 in salary and compensation in 1993 (*Ibid*).

Controversy also followed Slattery and ESMOR to the halfway house at the LeMarquis Hotel in Manhattan, where the BOP found numerous problems in the conditions, including vermin, electrical code violations, and insufficient services. Salaries for staff at the halfway house were extremely low, contributing to turnover as high as 100% in one year; federal inspectors found that in 1992 there were 30% fewer employees than required in the contract. Equally significant was the lack of adequate food. Managers conceded that there were often 30 meals available to feed 100 inmates, thereby forcing inmates to compete — sometimes fight — for food. To cut costs and enhance profits, ESMOR also relied on inexpensive laboratories to process drug tests on inmates. Lab tests were often bungled, leading to the false indictment of inmates for illicit drug use. According to the BOP, during that period 12 inmates were returned to federal prison when their drug test results were incorrectly deemed positive. Additionally, the staff at the LeMarquis was accused of various forms of corruption, such as accepting bribes from inmates (Sullivan and Purdy, 1995b).

After reconstructing its image by changing its name, ESMOR, now called CSC, has continued its expansion in privatized corrections, profiting from locking up federal, state, and local prisoners. CSC became a publicly traded company in 1994 (listed under the Nasdaq exchange as CSCQ) and by 1999, it had significantly increased its share of the private corrections market. Despite losing its INS contract for the Elizabeth facility, CSC has surged further into the prison-industrial complex. CSC's durable financial portfolio indicates that its stock is gaining confidence among stockholders, attracting even more new investors. Indeed, industry analysts expect continued growth for CSC, suggesting that its future in housing prisoners and undocumented immigrants promises to be a prosperous one (Welch, 1999).

On the business end of detention and incarceration, there is considerable speculation that privatization will continue to flourish, thus fulfilling its enormous growth potential by generating significant capital and handsome dividends. The economic formula is simple. Investors in private corrections are expecting more prisoners to be incarcerated for longer periods of time; consequently, chief executive officers and other financial players anticipate profiting opulently from the prison enterprise. Over the next five years, industry analysts project the private share of the prison market to more than double (Bates, 1998a; see also Parenti, 1996). Evidence of current — and future — financial gain in private corrections is another blunt reminder of the economic forces permeating the practice of imprisonment.

Conclusion

Due to its economic links to the corrections industry, the INS mimics recent developments in criminal justice and has become a fixture in the expanding apparatus of social control predicated on the exclusion and warehousing of particular populations, rather than their integration into the community. The coercive and commercial facets of criminal justice policies are shaped further by the emergence of the new penology, whereby aggregates (especially people of color) are herded and managed according to actuarial principles. These developments are evident in the INS, whose dual mission has become increasingly lopsided — increasingly greater resources are allocated to its police and prison functions rather than to social service (INS, 1999).

Paradoxically, the prison-industrial complex operates according to an inverted set of economic assumptions insofar as the supply-demand principle functions in reverse. Criminologist Ken Adams (1996: 463) concurs: "More supply brings increased demand. Industry insiders know that there are more than enough inmates to go around." This point is particularly significant considering the ongoing commodification of prisoners in American society, undergirded by the War on Drugs and other "tough on crime" initiatives, including anti-immigration campaigns. Amid these crusades, investors are betting that the corrections industry will continue to prosper given that its raw materials — prisoners and detainees — will remain in constant supply.

In sum, the role of the INS in the prison-industrial complex further compounds problems inherent in coercive social control. Most notably, the INS administers policies that produce human rights abuses rather than cultural assimilation. Harsh conditions of confinement, coupled with protracted periods of detention, contribute directly to institutional violence. Ironically, this violence then justifies an even greater commitment to exorbitant incarceration practices. These injustices commonly are overlooked as policymakers cater to the financial imperatives of the corrections industry. Such skewed priorities result in repressive warehousing rather than the humane processing of claims filed by undocumented immigrants.

NOTES

1. Operating under the same umbrella of social control, other spheres of the criminal justice machinery have adopted a similar approach to public policy, most notably drug control. According to the Office of National Drug Control Policy (1996), 70% of the agency's budget was devoted to enforcement strategies, while 30% was allocated to treatment and social services (see Welch, Bryan, and Wolff, 1999; Welch, Wolff, and Bryan, 1998).

2. Jerome Miller (1996) chronicles the ever-rising black population in American prisons. In 1930, the rate of incarceration for black people was three times that of whites; in 1950, the rate increased to four times; in 1960, the rate climbed to five times; and in 1970, the rate surpassed six times. In 1989,

the rate of incarceration for blacks reached seven times that of whites and in 1996, the rate jumped to eight times. Similarly, in 1990, The Sentencing Project found that almost one out of four (23%) black men in the 20 to 29 age group was either in prison, jail, on probation, or on parole on any given day; furthermore, this black correctional population is greater than the total number of black men of all ages enrolled in college (Mauer, 1990). Astonishingly, that figure had increased to one in three by 1995 (Mauer and Huling, 1995). It has been said rather bluntly that "not only has the prison system gotten bigger, but it also has gotten blacker" (Christianson, 1991: 62–63; also see Tonry, 1998).

    3.   The phenomenon of net-widening, which fuels the prison industry, is well documented empirically. In their research, Irwin and Austin (1994) found that 80% of those in prison were not serious or violent criminals: 65% of inmates were convicted of property, drug, and public disorder crimes, while another 15% had been returned to prison for violating conditions of their parole (for example, curfew violations, failure to participate in a program, or evidence of substance abuse).

    4.   According to Lilly and Knepper (1993), the corrections-commercial complex conforms to the subgovernmental model in four key respects: (1) "Each of the participants in the corrections subgovernment shares a close working relationship supported by the flow of information, influence, and money" (p. 157); (2) "There is a distinct overlap between the interests of for-profit companies and professional organizations, and the interests of the federal agencies maintained by the flow of influence and personnel" (p. 158); (3) "The corrections-commercial complex operates without public scrutiny and exercises enormous influence over corrections policy" (p. 160); and (4) "The corrections-commercial complex shows signs of becoming a fixture within the national policy area of punishing lawbreakers as the participants define their activities in the public interest" (p. 161).

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Political Surveillance, State Repression, and Class Resistance: The Puerto Rican Experience

René Francisco Poitevin

P ERHAPS THE MOST NOTICEABLE FEATURE OF THE WAY IN WHICH THE U.S. MEDIA deal with Puerto Rico is the obvious and profound lack of familiarity with, and concern about, the issues affecting this Caribbean island. To talk about Puerto Rico in the mainstream U.S. imagination is to talk about exotic beaches with beautiful palm trees and friendly people. It is also to celebrate images of sexy Ricky Martin living *la vida loca*, or of Jennifer Lopez' provocative dresses. Many certainly noticed last year's overdue release of the Puerto Rican political prisoners, even though the media's decision to turn their release into a political circus made it difficult to understand this event in its appropriate context and history.

Not appearing on TV or in newspapers are the less glamorous, but more real, images that have to do with the day-to-day struggles of poor people and the social problems affecting Puerto Ricans. Seldom making it to the news is the Puerto Rico of intense contradictions and clashes between social and economic forces. Take, for example, the current fight to kick the U.S. Navy out of Vieques, a 54-square-mile island just off the east coast of Puerto Rico, which has been used as a U.S. military target range for more than six decades with devastating ecological and human consequences. This struggle has created a level of unprecedented national consensus, and for the first time in memory all sectors of society — nationalist and pro-statehood organizations, poor and rich — have joined efforts to oppose the U.S. military in Vieques.

Within the island's penal system, prisons are so overcrowded and inhumane that the government has had to pay over $120 million in fines in the last 20 years. A 1997 inmate strike mobilized half the island's inmate population to protest the inhumane conditions and treatment of prisoners inside the correctional system. Moreover, last year the governor was forced to admit to and apologize for the more than five decades of surveillance and illegal state repression of thousands of pro-independence citizens. Since 1993, over 80 public housing projects have been occupied by the National Guard, a situation that is paving the way for some local

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governments in the U.S. to do the same (Montalvo-Barbot, 1997).[1] Finally, this island of just 100 miles long and 35 miles wide, the oldest colony in the hemisphere, is still more lucrative for U.S. corporations than are Mexico and Brazil (Gonzalez, 1998). This is the real Puerto Rico, one that the media — and the government — do not want you to know about.

Puerto Rico has long been a testing ground for oppressive U.S. policies, both economically and politically. NAFTA, for example, with its emphasis on low wages, tax breaks, and lack of trade barriers, was first developed and tested in Puerto Rico during the 1950s before being exported elsewhere in its different permutations (Cordero-Guzmán, 1993). Puerto Ricans have also been used as guinea pigs to test the newest U.S. repressive mechanisms. In 1936, the grand jury was used for the first time to imprison political dissidents in the case of Puerto Rican Juan Antonio Corretjer, who went to jail for refusing to testify and cooperate with the grand jury. Even the FBI's infamous COINTELPRO was first tested and fine-tuned against left activists in Puerto Rico before being turned against the Black Panthers (Bosque-Perez et al., 1997).

At the same time, Puerto Rico has a long and proud history of resistance and struggle. Despite the brutal repression and tactics used by the U.S. to crush colonial resistance, there is a strong and militant Left in Puerto Rico.

This essay will look at the intersection of the repressive and surveillance apparatuses and the need to secure corporate profits in the context of a colonial regime. I will pursue this relationship from three separate but related events: (1) the history of political surveillance (and resistance) since the 1930s as it is signified through the scandal of *las carpetas* (files) or *listas de subversivos*; (2) the development of the current policies of incarceration and crime control since the 1980s; and (3) the logic behind the colonial policy of quasi-forced migration of Puerto Rican workers to the U.S. from 1940 to the 1970s. The goal of this essay is to contribute to ways of mapping out the concrete and contingent ways in which new technologies of repression and consent are developed to secure the appropriation of surplus value and the reproduction of consent.

One of the main subtexts of this essay is the claim that the Puerto Rico of today can provide important clues to how the U.S. of tomorrow might look. As the U.S. Left gathers momentum against the criminal-industrial complex, the Puerto Rican experience can provide insightful lessons on the ways in which regimes of repression are embedded in social and economic institutions.

Political Surveillance: Las Carpetas and Cointelpro[2]

On December 14, 1999, the Puerto Rican government, embarrassed by a decade-long series of defeats in court and lawsuits, formally apologized for its counterintelligence program, known as the *carpetas* (files) or *listas de subversivos*. The purpose of the *carpetas* was to identify pro-independence sympathizers. The *carpetas,* a kind of COINTELPRO on steroids managed by the Puerto Rican

government, accumulated in its 50-plus years over 135,000 secret entries on more than 75,000 people (*Ibid.*).[3] Through the *carpetas*, pro-independence, socialist associations, and student groups were targeted, as were labor unions, feminist, cultural, religious, community, and nonviolent organizations. These *listas de subversivos* have been used for decades to harass, blacklist, and arrest Puerto Ricans, as well as to prevent them from getting jobs and housing, or from living normal lives in Puerto Rico and the U.S. They have even been used in child custody cases. Entire families have even been targeted because of one member. The magnitude of the *carpetas* becomes evident when one compares it with the FBI. By the 1960s, the Bureau had 432,000 files on individuals and organizations that were considered to be subversives (*Ibid.*: 52). The equivalent level of surveillance in the U.S. would translate into 10,847,145 entries and 1,115,844 comprehensive *carpetas* on individuals in the U.S. (Ayala, 2000: 41).

Even though the existence of the *carpetas* became a national scandal in the summer of 1987, the existence of this counterintelligence program was known of for decades. As early as 1959, the Committee on Civil Rights of Puerto Rico had already documented these *listas de subversivos* during the 1950s (*Ibid.*: 43). In 1950, the official government list contained 4,257 names of "nationalists, communists, and subversives." Since then, and up to its "official" dismantling in 1987, the *carpetas* have been legitimated as a "custodial detention" tool, as a way of providing names and addresses of people that would need to be arrested immediately in cases of "emergency." As of December 1999, 1,300 lawsuits had been filed, seeking more than one billion dollars in damages. The government has offered $5.7 million in settlements. No chronology of the *carpetas* is complete, however, without mentioning the brutal persecution against members of the *Partido Nacionalista* in the 1930s. Two incidents overdetermine the political and social landscape of this decade. First was the unprecedented level of worker militancy. Fueled by the 1929 crash of international markets, the Puerto Rican economy became polarized, further exacerbating the already steep social differential between rich and poor. Strikes and violent clashes with the police spread in every industry: 5,000 tobacco workers in the strike of August 1935, 400 garment workers in August 1933, and 6,000 sugar workers in 1934 (Fernández, R., 1996: 187).

Also in the 1930s, Pedro Albizu Campos — the Nelson Mandela of Puerto Rico — took over the *Partido Nacionalista*, forever transforming the nationalist movement. Having served more than 30 years of prison time for his political convictions, Albizu Campos changed Puerto Rican nationalism in three ways. First, he appealed to and received the support of the masses. Before him, the nationalist movement was extremely elitist and white. With him, nationalism became a populist movement. Second, he linked the need for independence with the need for economic justice. There could be no pretense of economic equality as long as Puerto Rico remained a colony. This is why the economic struggles and strikes of this time provided an excellent opportunity for Albizu Campos to spread

his message. Finally, he advocated armed struggle as a necessary condition for Puerto Rican independence (Ferrao, 1990). Until then, armed struggle was not part of the public discourse of nationalism.

The state's response was to imprison dozens over the next two decades for refusing to join the U.S. military. Many more were arrested and sentenced for "obstructing traffic" and "disturbing the peace" due to nonviolent actions such as passing out leaflets at intersections (Bosque-Perez et al., 1997: 243). However, the anti-nationalist repression of this decade peaked in the *masacre de Ponce*. On March 21, 1937, police opened fire on demonstrators involved in a peaceful march, killing 19 people and wounding over 200, including children, women, and elders (*Ibid.*: 210).

State repression continued throughout the 1940s, paving the way for the intensification experienced in the1950s and 1960s. During this period dozens of nationalists were sentenced to state and federal prison for refusing to serve in the military. The year 1948 is crucial to this history. A violent confrontation between the police and university students left several students wounded at a rally in which university officials forbade Pedro Albizu Campos from speaking.[4] This incident marks the birth of the University of Puerto Rico, with a long history of militancy, as a contested site of political struggle and student activism. A more consequential event in that year was the approval of the gag rule, or *Ley de la Mordaza,* that made it illegal to publicly endorse independence in any way. Drafted to mimic the anti-Communist, redbaiting rhetoric of the Smith Act in the U.S., the *Mordaza* prohibited pro-independence demonstrations or public comments. People went to prison for applauding a nationalist speech, for collecting signatures against nuclear armaments, and for praying in front of the tombstone of a dead nationalist (*Ibid.*: 249). It was even a crime to display the Puerto Rican flag on your balcony or in your living room.

Despite the repression, nationalists rebelled in 1950. Governor Luis Muñoz Marín ordered the mass arrest of *all independentistas*, regardless of whether they were involved in the insurrection or were members of the Nationalist Party. To enforce the colonial government's decree, the *carpetas* had to be updated and expanded. This meant that the police had to develop and update files on individuals and organizations, some of which had been under surveillance since the 1930s. More than 1,000 people were arrested. Of those arrested in 1950, 119 were sentenced to prison. Some nationalists, including those first arrested in the 1930s, served jail terms of over 40 years, with the last ones released in the 1970s (*Ibid.*: 241).

The Puerto Rican government received the active support and collaboration of the FBI in the *carpetas* program. For instance, the Puerto Rican independence movement was preceded only by the Communist Party U.S.A. (CP) as a target of the FBI's Counter-Intelligence-Program (COINTELPRO). In August 1960, FBI Director J. Edgar Hoover sent a memo to the agency's field office in San Juan

officially establishing the COINTELPRO program in Puerto Rico. Operations against the CP had begun in 1956 and in 1961 against the Socialist Workers Party, with all three predating similar measures against the Black Panthers (*Ibid.*: 255).

FBI surveillance in Puerto Rico, however, dates back to the 1920s and 1930s, when the federal government formalized its internal surveillance apparatus. By 1936, a year after the FBI's official creation, Puerto Rican intelligence officers received training and were graduating from the FBI academy, and it had compiled its own detailed list of names, occupations, and other information on all the local and national leadership of the Nationalist Party in Puerto Rico.

In the 1960s, the COINTELPRO program on the island went beyond surveillance and information gathering to include disrupting and neutralizing targeted organizations and individuals. The first COINTELPRO operation on the island was aimed at student pro-independence groups, specifically the Movement Pro-Independence and the University Federation Pro-Independence. In 1966, the United Nations Committee on Decolonization put Puerto Rico on its agenda for the first time in its 1967 session. In response, the U.S. government decided to move up a plebiscite in 1967 to try to show popular support and thus legitimate its colonial formula in Puerto Rico. It also intensified COINTELPRO operations so as to derail and sabotage any possibility of a united front among pro-independence organizations.

COINTELPRO documents show that the sabotage campaign included: (1) a disinformation drive through op-eds and articles in "friendly" newspapers and media outlets; (2) the use of intimidation tactics against media that might support independence; and (3) efforts to discredit and divide the leadership of the independence movement, such as making up false stories of infidelity (*Ibid.*: 276). COINTELPRO applied these strategies at three different levels of group activity. The FBI promoted intra-group divisions, attempted to derail coalitions among independence groups on the island, and sought to prevent international solidarity with the Puerto Rican movement. In the end, COINTELPRO succeeded in disrupting and preventing a strong pro-independence united front from having any substantive impact in the 1967 plebiscite.

Puerto Rico's Prison-Industrial Complex

On February 7, 1979, inmate Morales Feliciano filed a class action suit against the Puerto Rican Department of Corrections that alleged overcrowded conditions and inhumane treatment of prisoners. Today, 21 years and over $120 million in fines later, the Morales Feliciano case is still open and unresolved, and jail conditions are worse than ever. Jails are so overcrowded that it is common for new inmates to wait more than 100 hours in the booking area before they are assigned a bed in jail, a process that by law should not take more than 12 hours (Covas-Acevedo, 2000a). Earlier this year, five inmates testified in federal court that their jail conditions were so bad that they were forced to eat with their hands for lack

of utensils, wash their dishes without soap, and take showers and flush their toilets with buckets of water because the plumbing does not work. Another inmate, who is HIV positive, testified that his special food needs are ignored, and that social services are unavailable (Covas-Acevedo, 2000b). Health care is so inadequate that between January 1999 and January 2000, 40% of all medical services could not be met because jails are so understaffed that there were no guards to take prisoners to the hospital or to escort medical personnel into the facilities (Colombani, 2000a).

To make matters worse, inmates are able to open their cells at will and have access to other parts of the prison. Control gates are so nonfunctional that prisoners move throughout the jail without the knowledge of the guards (Colombani, 2000b). Not surprisingly, in a population of 15,500 in Puerto Rican prisons, there were 11 murders, two suicides, and 36 mysterious deaths between July 1997 and August 31, 1998. To appreciate the magnitude of this crisis, in 1996, 11 murders occurred in California's inmate population of 145,000, while seven violent deaths occurred in New York, with its inmate population of over 70,000 (Col, 1999).

Puerto Rico has one of the highest rates of incarceration in the world: 324 of every 100,000 Puerto Ricans is behind bars. In 1994, Puerto Rico ranked second in the U.S. in murder and robbery rates, trailing only Washington, D.C. (Montalvo-Barbot, 1997). Demographically, one of every 80 men between the ages of 18 and 45 is doing time in Puerto Rico. This means that in some inner-city projects, more of their men are in prison than in their *barrios* (Picó, 1994). As of March 2000, there were 15,346 inmates in penal institutions in Puerto Rico (Colombani 2000c), with another 16,000 on probation or parole, and 1,600 juveniles in the criminal justice system.

The irony is that as recently as the late 1960s and as early as 1900, the government was committed to a public policy of rehabilitation, instead of its current punitive approach. During the first three decades of the 20th century, the prison population was relatively low and it was not until the Great Depression of the 1930s that the number of prisoners started to increase dramatically (Picó, 1994).

The Puerto Rican constitution of 1952 mandates in Article VI, Section 19, that the penal system actively implement and develop programs to reform and rehabilitate the criminal. With the world recession of the 1970s, though, as in the U.S. the rehabilitation discourse was permanently replaced by an officially punitive public policy (*Ibid.*). The incarceration of the 1970s differed from the state repression of the 1930s and 1950s in that it combined repression of political activities with suppressing the increase in property crimes.

The repressive discourse of the 1970s gave way in the 1980s to the establishment of fixed sentences, together with an official discourse on the "war on drugs" and the "war on crime." From 1982 to 1990, a "war on drugs" offensive paralleled actions in the U.S., where federal and local law enforcement agencies targeted drug money laundering activities through "Operation Greenback."[5] In the summer of 1993, the National Guard for the first time invaded and occupied public housing

projects, supposedly to eliminate drug distribution spots (Montalvo-Barbot, 1997). Since 1996, the government has also developed and enforced a no-tolerance, tough-on-crime policy, also known as "*la mano dura,*" or stern hand, the local version of California's three-strikes legislation. As in California, this policy has exponentially increased the jail population. Unlike California, however, Puerto Rico lacks the resources and infrastructure to expand its prison-industrial complex.

The most shocking and disturbing anticrime policy of the Puerto Rican government is the invasion and occupation of public housing projects by the National Guard. Since 1993, a total of 80 *caseríos* (or housing projects) have been occupied. The government openly scapegoated public housing residents and blamed them for the increasing crime wave and drug problem on the island.

The assault began in June 1993, when the government invaded about a dozen public housing projects in the metropolitan area of San Juan. For four weekends in a row, residents of the targeted projects woke up early in the morning to the sound of National Guard helicopters and law enforcement agents breaking into their apartments and searching for drugs and suspected dealers. Once occupied, former drug copping spots were converted into police stations and checkpoints for the purpose of deterrence. In the end, military occupation has not translated into safer streets. In 1994, there was a 14% increase in murders over the previous year, and a four percent rise the subsequent year. Moreover, car jacking mounted from some $350 per month in 1993 to $1,300 monthly by 1994 (*Ibid.*: 533).

The National Guard occupation of public housing projects has a corollary in the hundreds of new middle-class gated communities that have gone up in San Juan in the last few years. Of course, rich people have always lived behind fancy gates and every house in urban Puerto Rico, regardless of class and income, has barred iron frames protecting windows, doors, and garages. What is extraordinary about this phenomenon is that the middle class, with its strategy to gate their residential areas, has extended their safety perimeter beyond their homes into the streets and public spaces.

During a visit in the winter of 2000, I was shocked to see middle-class gated communities everywhere, with private guards, controlled access, and intercoms. So dramatic is this new middle-class fortification that only controlled-access urban developments are being constructed. This portends a collapse of the public sphere; the whole of civil society in Puerto Rico could soon live behind gates, either through imposed National Guard-controlled access or voluntarily in middle-class cages. This spectacle is the most underreported and undertheorized urban phenomenon in Puerto Rico today.

Class Struggle in the Prisons: The Ñetas and Carlos la Sombra

In 1997, some 8,000 inmates, or half the island's penal population, went on strike to protest deplorable living conditions and the deterioration of the prisons (Varela, 1997). The prison shutdown occurred at a time of heightened zero

tolerance rhetoric and incarceration by the government, in its attempt to consolidate a new public discourse on crime. A prison protest of this magnitude would be unimaginable in California, Texas, or New York. In Puerto Rico, the organization responsible for this level of militancy is the Association for Inmate Rights (*La Asociación* or the "*Ñetas*," as they are commonly known inside the prisons).

The *Ñetas* rank among the most important and influential civic organizations in Puerto Rico today. The media and law enforcement there and in the U.S. portray them as a gang. Any discussion of the *Ñetas* must address its founder, Carlos Torres Iriarte, better known as "Carlos la Sombra" — Puerto Rico's George Jackson. Born in one of the poorest ghettos of San Juan, he earned his living from an early age as a shoeshine boy. In 1962, at age 17, he was sentenced to a maximum-security prison for armed robbery. He entered prison as a heroin addict and without political consciousness. While in prison, he became politicized, a revolutionary, and recovered from his addiction despite the ready availability of dope inside (Ruiz-Marrero, 1998).

Carlos la Sombra was mentored politically by *nacionalista* inmates imprisoned for the *revuelta* of 1950. The influence of these political prisoners led him to endorse independence as the only viable political solution for Puerto Rico and to conclude that socialist revolution is a precondition for true political independence. Frantz Fanon's *The Wretched of the Earth* became the most read book in prison at the time thanks to Sombra, and from his own testimony, Ernesto Cardenal's *En Cuba* was the most influential book in his life. In Sombra's political vision, a true socialist revolution happens only if the most subjugated and oppressed sectors of society are organized against their oppressor. This determination led him to organize inmates in jail to demand more humane conditions (*Ibid.*).

Sombra was moved constantly from one prison to another to reduce his effectiveness in organizing inmates, but this tactic allowed him to organize many prisons at once. In 1974, he led one of the most successful prisoners' strikes in Puerto Rican history at La Princesa, the San Quentin Prison of Puerto Rico. This intervention translated into concrete reforms and government concessions for Puerto Rican prisoners.

Perhaps the greatest accomplishment of the *Ñetas* was to establish, and enforce, a code of conduct among inmates. These "commandments" put an end to inmate rapes and stopped abuse of inmates by another inmates. It also forbade people from bringing scores to settle from the street into the prison. Once inside, class solidarity would take priority over personal vendettas. Strict enforcement of penalties for violating the codes made the *Ñetas* a formidable group.

The *Ñetas* have successfully reduced the level of violence inside prisons and guaranteed a minimal level of safety for its members. Their democratic style of conducting open meetings to address grievances against individuals or the institution has kept riots to a minimum. Media demonization of the *Ñetas* as a criminal organization reflects government propaganda, not fair reporting. Of

course, they are not exempt from internal problems such as substance abuse, leadership squabbles, and some prisoner hustling. Nonetheless, the *Ñetas* remain an excellent example of autogestion and class solidarity (Picó, 1994). Although the government does not officially recognize the *Ñetas*, it informs their "chapters" across the prison system before new policies go into effect.

The Migration Experiment and the Colonial Economy

Puerto Rico has experienced one of the most massive emigration flows of any country in the 20th century. Between 1940 and 1970, 835,000 people emigrated from the island to the U.S. — nearly half the population. Of these, 470,000 never came back (Rivera-Batiz et al., 1996). The Puerto Rican government's active sponsorship makes this migration all the more sinister, especially because it represents the migration of a single class. Under the auspices of the U.S., the Puerto Rican government created a diaspora that has condemned generations of Puerto Ricans in the U.S. to a vicious cycle of poverty and discrimination.

The umbrella for these policies was "*Manos a la Obra,*" or Operation Bootstrap. The idea was to promote the island's industrialization after World War II through export-oriented, U.S.-owned manufacturing operations. Operation Bootstrap centered on low wages, a lack of trade barriers between the island and the U.S., an aggressive policy of immigration and population control,[6] and corporate-friendly tax exemptions that left relatively untaxed the profits made in Puerto Rico by subsidiaries of U.S. corporations (under Section 936 of the U.S. federal tax code). Triggered by Puerto Rico's intense economic transformation from an agricultural to an industrially based economy during the post-World War II economic boom, a deal was struck between the federal and local governments to send the "excess" population to labor in the U.S. Success for this operation required the establishment of a massive government bureaucracy and the manufacture of ideological consent. Within a few years, 41 new agencies were created and the Popular Democratic Party (which had ordered the mass arrest and increased repression of *independentistas* in 1950) embraced Operation Bootstrap as a populist program of economic redistribution (History Task Force, CDEP, 1979).

Operation Bootstrap is of larger interest because it was the prototype for future U.S. neoliberal economic policies in Latin America. Operation Bootstrap was the precursor to the Alliance for Progress of the Kennedy years, Mexico's *maquiladoras* during the 1970s and 1980s, the Caribbean Basin Initiative and the enterprise zones of the Reagan administration, and NAFTA in the 1990s (Cordero-Guzman, 1993). Puerto Rico became the most profitable market for U.S. corporations since U.S. multinationals engaged in manufacturing were not taxed. In 1987, U.S. corporations on average made profits of up to $70,000 for *each* job created in Puerto Rico, the highest return on profits for U.S. corporations in the world (*Ibid.*). Puerto Rico's economy was completely subordinate to U.S. market forces. By 1960, only 10% of the island's investment came from local capital. U.S. and

foreign firms effectively monopolized banking, transport, tourism, and key sectoral high-tech manufacturing. By the mid-1980s, 85% of Puerto Rico's production was for export, while 45% of food consumption was imported from the continental U.S. (*Ibid.*). Puerto Rico thus met a textbook definition of a colony: it consumes what it does not produce and produces what it does not consume. Moreover, in 1995 the United Kingdom ranked highest in the world in terms of net income from U.S. foreign direct investment, with $13.7 billion. The comparable figure for Puerto Rico that year was $13.3 billion, making it more profitable for U.S. corporations than Mexico and Brazil combined (Gonzalez, 1998).

Migration to the U.S. from Puerto Rico dropped sharply in the 1970s. In that decade, the Puerto Rican economy came to a standstill and international capitalism went into recession (Rivera-Batiz et al., 1996). Today, income inequality in Puerto is very high. In 1989, the poorest 40% of all families on the island received about 7.5% of all family income. The richest 20% received over half the income generated on the island. Today, the local government is the largest employer, with 285,000 employees, or 26% of the work force. Government employment has expanded dramatically since Operation Bootstrap began in the late 1940s, going from 2.5% of the labor force then, to a record high of 28.6% in 1974 (Figueroa, 1996: 29).

Poverty is rooted more in the lack of economic activity than in low wages. The richest households are not headed by industrialists or landowners, but by well-paid salaried employees. The local bourgeoisie have largely been incorporated into the corporate sphere of production and finance (History Task Force, CDEP, 1979). They are not aristocratic, but rather a managerial class attached to U.S. transnational corporations (Sotomayor, 1998).

Poverty levels decreased between 1970 and 1980, and between 1980 and 1990 (Rivera-Batiz et al., 1996). In this period, the Puerto Rican economy had collapsed and per capita income had declined in real terms. To diffuse the volatile political, economic, and social crises resulting from the Puerto Rican model, the federal government directly intervened with economic subsidies; it pumped in billions of dollars in federal aid to reduce the poverty rate.

Concluding Remarks

Since the end of the Cold War in 1989, the U.S. government has been seeking a political solution that would allow it to preserve U.S. military and corporate-economic interests on the island, while reducing the billions in annual subsidies. At least half a dozen plebiscites have been proposed or conducted to resolve Puerto Rico's status, to no avail. Yet the current situation is unsustainable and is deteriorating rapidly.

The Puerto Rican experience demonstrates that increased state repression, such as the military occupation of public housing projects, increases unrest rather than eliminating opposition to economic and political inequality. U.S.-led neoliberal policies have heightened political instability in Puerto Rico. Examples include the

1998 two-day strike that paralyzed Puerto Rico in protest against efforts to privatize the government-owned telephone company, the current struggle to liberate Vieques from Navy control, and the severely deteriorating government credibility as reflected in middle-class public safety concerns. The challenge to the Puerto Rican Left is to reclaim the political process and transform it so that it becomes self-determining and decolonizing in nature. The challenge to the U.S. Left is to draw lessons and develop strategies from the Puerto Rican experience that can assist in dismantling the prison-industrial complex and fighting the police state, without losing sight of the struggle for Puerto Rico's self-determination.

NOTES

1. In 1993, the mayor of Washington, D.C., inspired by the case of Puerto Rico, tried to rally support for the takeover of public housing by the National Guard, with no success.

2. The definitive work on this subject is that of Bosque-Pérez and Colón Morera (1997).

3. According to government documents, by 1950 there were 4,257 names of "nationalists, communists, and subversives" already on this list. Even though the beginning of this counterintelligence operation has been traced to the 1930s, not much is known about the "subversive's list" before 1950.

4. Juan Mari Brás, arguably the foremost leader of the independence movement during the second half of the 20th century, was one of the main student strike leaders. He was expelled from the university and sentenced to two months in jail.

5. During the 1980s, the Federal Reserve Bank noticed that banks in Puerto Rico were sending more currency to the Federal Reserve than they were receiving from it. This occurred at a time when the Puerto Rican economy was stagnating and was experiencing double-digit unemployment. The excess cash triggered an FBI investigation that resulted in raids against 10 banks.

6. No account of economic policy or population control in Puerto Rico is complete without mentioning the government-sponsored sterilization of women around the same period, which at its peak included one out of every three women with an average age of 26.

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Policing the Rez:
Keeping No Peace in Indian Country

Dian Million

watching our
blood
its journey into plasma bags
laying still on tables
hearing the coughs and restless movements
of people bleeding for
some dollars
that send us out again
able to face looking for something
this
deep
red fluid that propels our hearts

war is money
the blood spilled to the earth
blood appearing suddenly with no warning
from wounds that we inflict on one another

the blood is the currency
by which we trade our destinies
propels
some to be takers on this world...
No one
left untouched
yet some remain silent not told
that our blood is currency

O H, WHAT TANGLED WEBS WE WEAVE, AND NONE WERE SO CONFUSED AS THOSE woven around the issues of policing "Indians." American Indian peoples and their homelands are increasingly entangled in a web of legal jurisdic-

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tion even as they reassert their ancient sovereignties and seek to define their own polities.[1] Reservations are characterized as "internal colonies," many times without a deeper analysis of the institutions, relations, and narratives in play that make that "colonization" real. The extension of U.S. legal jurisdiction over Native people's land and their lives continues the founding narrative that naturalizes the American nation-state itself and its continuing hegemony over the country's land. *Jurisdiction*, a Western concept for the establishment of *law and order*, is at the heart of any modern practice of sovereignty. Native communities operate in mazes of law and policy well beyond those visited on other racialized peoples in the U.S. Of all the current peoples inhabiting the United States, only American Indians have an aboriginal interest and title in the national land base. Because the United States is legitimated by a legal abstraction created by and for colonists from other countries, it must keep Native peoples embedded in law in a manner particular to no other people in the nation.

American Indian communities are currently caught in a double bind where they are restrained from asserting their own jurisdictions and customs to combat racism, violence, and deteriorating social conditions while the surrounding, non-Indian community is free to criminalize Indians' proactive responses. Because U.S. law "polices," but does not protect, Native communities, U.S. legal jurisdiction actually contributes to the social violence and ill health that plagues many reservations and urban Indian communities. The extension of this jurisdiction into Indian country in the 21st century may be the last battlefield of the Indian wars.

Although an inordinate amount of attention is placed on the treaty relationships between Native peoples and the United States, the reduction of the myriad original American peoples into "Indians" is also part of the creation and formation of the U.S. as a racialized state. The Constitution initially acknowledged both Blacks and Indians as other than citizens. Although this status was later altered, these initial categories necessitated a legalized range of differentiated treatments for these noncitizens. The U.S. as a state has recognized race as a primary category since its conception.

The Labyrinth: Who's in Charge of Indian Country?

It is Friday night. A carload of non-Indian youths from off-reservation has driven into the Blackfeet Reservation in northwestern Montana to party. By midnight the youths are very drunk. They begin vandalizing homes and smashing car windows. The tribal police do not have the authority to arrest non-Indians and the county and state police have no authority to enforce law on the reservation (O'Brien, 1989: 279).

A woman who lives a mile outside the Jicarilla Apache Reservation has called the tribal police department. She can hear someone breaking into her house. The tribal police department is close to her house. Officers could be there in five

minutes, but they do not have the authority to investigate crimes off the reservation. It will take the county police 20 minutes to arrive at her house (*Ibid*.).

Yet the most far-reaching event of those days was the arrival in the spring of 1995 of dozens of heavily armed law enforcement officers, who poured into Round Valley to join the manhunt for an alleged cop killer, a Native man named Eugene "Bear" Lincoln. Many carried M-16 military assault rifles or shotguns. Also terrorizing the Round Valley Indian community were a helicopter-supported Sonoma County SWAT team, the FBI, California Highway Patrol, and officers from nearby counties, cities, and agencies (Wilson, 1995: 1). When a misinformed posse mistook one Indian for another, a volley of shots was fired, leaving two dead — one an Indian and the other a white policeman. (Although it was clear that officers had shot the Indian man, Leonard Peters, the search for the "cop-killer" raged for weeks.) Why Lincoln became a suspect is uncertain, except that he was known to be an ardent activist. At one point, Bear Lincoln was shown on *The FBI's Most Wanted*. He turned himself in to police when it looked like his safety could be at least minimally assured. After a contentious trial, Lincoln was ultimately cleared of all charges.

In the days immediately following the shootings, however, the Mendocino County police pointed guns at Indian men, women, and children, ordering them to stop for questioning. Old people were roughed up and verbally abused when they denied having information about Lincoln's whereabouts. Police entered peoples' homes without warrants, interrogated minors in homes without their parents being present, and singled out those on parole and probation for continuous harassment. Randomly, residents were stopped and searched when they left their homes (Round Valley Indian Reservation, 1995 press release). Finally, residents sought help from the Mendocino County Board of Supervisors, requesting intervention from the Bureau of Indian Affairs (BIA). County Supervisor Charles Peterson agreed with the Covelo people that racism was an element in the lawless "frontier" actions of the police force: "This wouldn't have been handled like this if it had happened in [non-Indian communities like] Mendocino or Point Arena. It's because it's Covelo" (Wilson, 1995: 1). Irate law enforcement officials then besieged the board members. Adjacent Indian communities' attempts to help those in Covelo fell short when local and county law enforcement resistance thwarted BIA investigators. Where was Covelo's own police? Why were county police called into a rural Indian reservation in lieu of using their own law enforcement officials? Why were these outside "law enforcers" so certain that no one would interfere?

Native American peoples are subject to a labyrinth of questions every time they are unfortunate enough to intersect with American jurisdiction in Indian country. No indigenous American nation is isolated physically from the jurisdictions of U.S. counties and states surrounding them, and local policing on Indian reserved lands is subjected to a maze of competing state and local interests. Jurisdictional

conflicts in policing reservations often are treated in mainstream discourse as simply a matter of bad coordination between local, state, and BIA policing entities.[2] For instance, a Community Policing Consortium (2000) report neither mentions the history nor critiques any of the policing techniques employed in the modern state. I argue that these jurisdictional conflicts are really a symptom of something much more serious in Indian country. These policing disputes are artifacts of a deep invasion of Native nations' sovereignty. The state's mandate to protect private property and private property owners' "civil rights" conflicts with its other mandate to establish civic order in Indian country, while respecting Native sovereignty. The convoluted history of jurisdiction in Indian country illuminates the presently irreconcilable antagonisms that fuel anti-Indian movements and the racial hatred of Indians expressed everywhere there are reservations and Indian communities exercising treaty rights.

Who decides whose law is sovereign? To Western nation-states, this primary question is linked to land acquisition. How can land, "territory," be bought, sold, or otherwise alienated from its original inhabitants? How can Western order be extended over it? Taking Native lands and the wealth they generated required a systemic extension of *racialized* property concepts and the military might to back up notions that prioritized property ownership for whites. Of primary importance to white settlers who ventured into areas where they were isolated from established notions of American law and order was the ability to protect themselves from Indians who were defending their homelands. The physical and legal means of "law and order," in most cases, came long after American settlements. Even when the American state became a reality, it never completely resolved the problem. Establishing jurisdiction over Native lands and lives was, and is, the most important and negotiated issue between Native peoples and the U.S. government. Sovereignty, for Western law, continuously returns to the question of jurisdiction. The U.S. handled some part of the jurisdiction question by ignobly using treaties. Nevertheless, sovereignty issues in Indian country send Indian peoples, local non-Indian communities, as well as state and federal concerns into the courts every generation.

In conversations and court battles over sovereignty and jurisdiction, non-Natives avoid discussing older indigenous notions of Native sovereignty. The Western legal order has a poor record of recognizing Native American spiritual laws and customs. Native peoples continue to form societies founded on beliefs that they spiritually and physically inhabit place and land. They also believe that their sovereignty is inherent, given by creation. Western rational law does not recognize such spirits and spirituality. These notions of sovereignty, which predate Western law, and the orders that emerge from them have been acknowledged in some form by Westerners and policed, first by early Christian church authorities and now by secular courts (Prucha, 1990: 312).[3] The United States as a *legal* creation is always inhabited by a murdered presence, the Natives who were

"disappeared" by historical genocide. The state must also deal with a *now,* what Avery Gordon (1998: 175) calls "something that must be done." The murdered have returned talking, claiming the land, running casinos, and negotiating directly with Washington, D.C. Beyond the three legal jurisdictions created by the U.S.A. — tribal, state, and federal — there are real Native land and Native peoples. They are presences that necessitate that the U.S continue to negotiate with *Indians* and to work for their erasure by assimilation or other means.[4]

Extending "Law 'n Order"

At the Heard Museum in Phoenix, Arizona, tribal member Joe Joaquin's words are printed over an exhibit depicting Tohono O'odham's life in the cusp of the twenty-first century: "We live under four laws — our cultural law, religious law, state law, and U.S. law."

In this section, I examine several key cases involving the way that American Indian jurisdiction over their historically reserved lands has been mitigated, constrained, and abolished. I suggest that the heightening of jurisdictional struggles creates voids that compromise Native nations' abilities to protect their own people while negotiating self-governance. It is not a coincidence that efforts to remove jurisdiction from Native peoples have accelerated as Native nations have reorganized and grown as a political force.

The new "Americans" huddled on the eastern seaboard of what, to these Europeans, was a little-known continent. They knew that establishing a presence was necessary to insuring their safety and developing an adequate land base on which to grow. In addition, it was very important for them to act discursively, to use the "law" to shore up what was not yet real in substance. These settlers first "constituted" themselves by authorizing their own authority to act. In response, American autochthonous (aboriginal) nations in the old northeast and southeast could, and often would, make alliances, most notably with the British, against the U.S. This occurred as late as the War of 1812. Indigenous peoples, like the Iroquois and the "Five Civilized Tribes," for example, held significant power in their regions as a result.

The settlers, at war with their closest colonial neighbors and surrounded by "wilderness and Indians," found it necessary to simultaneously establish a Bureau of War and a Bureau of Indian Affairs — the Bureau of Indian Affairs was managed by the War Department — in 1789, on the heels of signing the Constitution. Quickly backing their first move to establish control of the land and its inhabitants, the U.S. Congress passed the first Trade and Intercourse Act in 1790. This initial "Intercourse" law addressed two concerns. First, the "United States," 13 barely formed regional governments, declared "Indians," peoples whose numbers and constitution could only be vaguely guessed at by lawmakers, to be a federal, not state, responsibility. The 1790 Trade and Intercourse Act

reserved all trade and "intercourse" — that is, economic trade, diplomatic ties, alliances, and correspondence with "Indians" — for the federal government alone (Prucha, 1990: 12–14).

Second, the United States reserved the "alienation" (removal from Native control) of any land within its borders to the federal state — rather than to individuals or to any individual state. Georgia rebelled almost at once, the earliest example of a state's resistance to a federal court decision. Georgia fought against the establishment of alternative sovereignties within its own "sovereign" borders. In *Cherokee Nation* vs. *Georgia* (1831) and *Worcester* vs. *Georgia* (1832), the federal government reaffirmed the special nature of Indian nations and its primary interest in managing Indians itself. Although these Cherokee Nation cases are considered foundational to the characterization of Native sovereignties, a legal move to reduce them to "quasi-sovereign" was made, mostly to placate the individual states. Georgia ignored the Supreme Court's rulings and invaded and removed the Cherokee Nation from its borders anyway. Any balance of power that existed between Indians and the U.S. government eroded dramatically over the next century. After 1879, the original American peoples were subjected to a wide variety of tactics and inhuman conditions as the vast land grab continued. Treaties reserved lands for indigenous peoples in exchange for promises that the U.S. would equip each reservation to return self-sufficiency. These promises were not kept, so self-sufficiency never occurred. Inhabiting their reserved lands, the surviving aboriginal populations were without "civil liberties" because they were seen as alien to the American polity. The legal ruling, *Ex parte Crow Dog* (1883), led to the Major Crimes Act in 1885. From this date on, the United States used "crime" as an excuse to continuously reduce the Native nations' remaining sovereign jurisdiction.

Currently, the jurisdiction in Indian lands in the U.S. is organized around three questions: "Who is an Indian?" "Did the crime occur in Indian country?" and "Who investigates and who prosecutes?" First, regarding who is an Indian, no single definition of "Indian-ness" exists. The answer lives in another maze where culture, self-definition, census opinion, Indian Reorganization Act (IRA), and non-IRA enrollment procedures, blood quanta, residency, and descent conjoin in a historical web of uncertainty that changes from one generation to the next. Each category ensnarls and diminishes, but does not really tell us who is Indian.

The question of whether a crime occurred in Indian country always reveals the existence of extraordinary, physical jurisdictional spaces within U.S. territorial boundaries. Since the late 1880s, the "locus" of Indian country most often has been the reservations, or the lands that Native peoples reserved through treaties ratified by the U.S. Congress. The very existence of these lands marks almost 200 years of Native people's success, or lack of success, in making the U.S. stick to its word. One of the most damaging curtailments of Indian communal ownership of land occurred in 1887, when Congress passed the Dawes Allotment Act. This act

created a racial identification system and the partitioning of reserved lands and reservations into blocks of Indian-owned areas versus land that was deemed "surplus." Surplus lands were alienated and sold to non-Indians throughout the decades.

Between 1887 and 1934, the United States, fearing the rapid diminishment of the "frontier," that is, "free land," and feeling the need to continue to industrialize, stole, or "legally" took, 90 million acres of the 138 million acres of Indian reserved lands. Presently, many Native nations own less than 50% of their original federally reserved lands. Non-Indians own the rest. Indian governments and peoples are now a minority on many reservations in the United States. More than half of all Native peoples live off-reservation. The "urban" Indian population now ebbs and flows. These "urban" Indians mix into complexly diffuse ethnic urban landscapes, recreating themselves in circuits of residency between cities and towns and returns home (Ramirez, 1999).

The U.S., which alternately perceives itself as the benign guardian (an oxymoron) of Native lands held "in trust," and as the protector of its citizens' civic/property rights, seems forever compelled to draft laws and policies designed to "terminate" Indians' ability to achieve "equality." Even though the U.S. ended its policy of making treaties with Native nations in 1871, the state continued to make arrangements, like the establishment of Presidential Order reserved lands, rancherias, colonies, and villages, with Indians who stubbornly refused to disappear. Other Indians without treaties were only recognized by individual states. With or without treaties, these peoples have no recourse to federal rights and protections. These people live in "Indian country."

The laws extending jurisdiction over Native society began at a time when communities had their own customary practices in place as law. Each of the following developments usurped Native social controls and instigated more invasive policing techniques. Beginning with the Major Crimes Act (1885), the U.S. extended its jurisdiction unilaterally over all Native nations with or without their consent. All crimes deemed major (murder plus 13 other crimes) would be tried by U.S. federal courts rather than by tribal law. The Indian Citizenship Act (1924) unilaterally conferred U.S. citizenship on all American Indians whether they wished it or not. Although some Native nations (Hopi and Onondaga) later refused this individualistic extension overriding tribal citizenship, the ICA ended members right to choose.

In 1934, after a century of criminal neglect and direct federal supervision, the United States again unilaterally acted to reestablish tribal governments within *federally recognized* "tribal" groups (Indian Reorganization Act, IRA, 1934). The establishment of modern state governing narratives and techniques within American Indian communities was widely disputed by Indian peoples who were suspicious of further intervention. Tribal governments, today the foundation for self-governance, are also problematic entities that establish a close symbiosis

between the state and Native nations. Many have been slow to develop a good fit with the communities they serve. They are inextricably involved in negotiating the maze that Indian nations must navigate at the federal level to maintain sovereignty while at the same time negotiating local regional politics to keep the peace and to secure economic security for their peoples. These are complex imperatives that are often at cross-purposes with building strong initiatives that promote social cohesiveness or community health. Indian governments attempts to secure clean water, education, and environmentally safe land for their peoples run directly into local non-Indian communities who do not wish to give Indians "special rights."

During the 1950s, the U.S. turned away from "self-governance" as Americans grew conservative and the powers of states again grew strong. Seeking to bring tribal governments under state jurisdiction, Public Law 280 (1954) finally extended individual state mandates over Native nations, dealing a crushing blow to the separation of federal-state powers represented in the Cherokee cases. Although Public Law 280 was amended in 1968 to require tribal consent, it still has far-reaching powers. The law coincided with the abandonment of federal efforts to build infrastructure on the reservations. Beginning in the late 1950s, the federal government "terminated" 109 tribes and moved thousands of Indian peoples into urban cores with false promises of good employment.

The pendulum swing back to "self-determination" has steadily gained support since the Nixon administration. Tellingly, though, two pivotal cases since 1978 have further reduced tribal jurisdiction. *Oliphant* v. *Suquamish Tribe* (1978) declared that Native nations had no jurisdiction over non-Indians living on their reservations. Tribal governments are currently urged to handle this by deputizing tribal police with state and county jurisdiction, but the case law still severely diminishes the ability of Indians to keep the peace within their own communities. In a 1990 case, *Duro* v. *Reina*, Native jurisdictional power was curtailed even further, when the court ruled that tribal governments could only prosecute their own members, constricting them from arresting and prosecuting any non-member, Indian or otherwise.

Who actually prosecutes in Indian country is always implicated in this mess. In the present generation, the U.S. has moved to allow certain kinds of civil jurisdiction and the establishment of tribal courts with jurisdiction over children, marital relationships, and minor crimes, but has been hugely invasive when U.S. interests were involved. Also, even minor crimes have been a cause for invasive tactics. If the American Indian Movement trials of the last generation have left any enduring lesson, it is that the U.S. nation-state will move the FBI onto any reservation as an occupying police force if the internal politics of a reservation are not coherent to its order. The invasion of federal officers into Pine Ridge in 1976 that touched off the firefight that left two federal officers and Joe Stuntz dead was initiated presumably over a pair of stolen cowboy boots. Leonard Peltier has remained

in prison for over 25 years because the FBI and the American "just-us" system engage in retribution in the face of any semblance of justice in Indian country.

The question of who has jurisdiction has nightmarish qualities regardless of the particular circumstance. From their inception, individual states have been interested in extending their own jurisdictions over Indian resources and are active in thwarting federal interests in protecting or extending the treaty-protected powers of Indian nations. States have salivated over the rights to tax Indians, control land zoning on reservations and water use, and now to legislate and control Indian gaming.

Federal, state, and county governments use arbitrary jurisdiction in Indian country to benefit private industry and the general public's interests over Native community interests. Notably, environmental laws that are tight in some states are less so within federal reservation boundaries. This creates zones where extractive industries have operated with unregulated safety laws, at abominable cost to the health of the land, the workers, and their families. For instance, long touted as an economic savior to the Navajo and Hopi, the mining industry has also been free to use some of the least restrictive, most environmentally destructive methods on earth. The Navajo have paid dearly since black lung disease now afflicts a high percentage of tribal members. Mine tailings have long been suspected as a source of birth defects. Indian lands throughout the 1980s and 1990s were often seen as dumping grounds for refuse, including nuclear wastes. These areas have become "national sacrifice areas" beyond the heavily regulated spaces of the "public" domain. However harsh this may seem, it is business as usual in Indian country. Reservations like the Navajo and Hopi lands that are isolated and have a larger percentage of Native peoples than non-Natives are becoming fewer. Because of historical Indian policy and its outcomes, reservations, while remaining home to many Native peoples, commonly have become fragmented and difficult to defend. Non-Indian towns now surround many Indian communities; as cities have swelled with the exponential growth from late 20th century development, Native peoples have become the locus of hate groups and others who would like to abolish Native treaty-based rights.

The Invasion from Within

Currently, legislators in states with the highest concentrations of Native Americans receive important indirect help in resisting federal bureaucratic agendas at odds with their own. In many states that coincide with Indian country, legislators like Slade Gorton (R.-Washington) who resist federal Indian prerogatives receive unsanctioned but useful support from social pressure put on Indian peoples at local community levels by performing constant and open racial attacks that go unpunished. Anti-Indian legislation is supported and strategies are networked by racist organizations in states where there are treaty rights tribal governments. Local citizens often borrow the rhetoric of these groups without avowing a connection.

According to an October 1994 *Intelligence Report*, a publication of the Southern Poverty and Law Center (1994: 1) that tracks hate crimes, "American Indians are the longest standing class of hate victims in the United States." Moreover, much of the hate crime activity surrounding Indians is highly organized. In a Center for World Indigenous Studies report entitled "Anti-Indian Movement on the Tribal Frontier," Rudolph Ryser (1991) mapped groups with long track records of mixing their rhetoric on property and states' rights with white supremacy. Nationally, they include Protect American's Rights and Resources (PARR) and Citizens Equal Rights Alliance (CERA); among a dozen or more active locally were All Citizens Equal (ACE) in Montana, S/SPAWN in Washington, and Stop Treaty Abuse (STA) in Wisconsin. Attempts to fully track the activities of these groups are rare. Remarking on the high rate of violent crimes directed at Indians, and on the relative absence of hate crime data, the Montana Civil Rights Commission warned of "lack of cooperation due to the tension between law enforcement agencies both on and off the reservation, adds to the problem.... [It is critical] for Native American tribes to be covered by hate crime reporting and malicious harassment statutes in order to address and report incidents of this nature on reservations. Without this a true picture of what is going on cannot be provided" (Southern Law and Poverty Center, 1994: 3).

According to Ryser (1991: 4), since the late 1960s, reservation "non-Indians" have become a "powerful challenge to the peace and stability of Indian nations." He cites non-Indian landowners with acts designed to undermine tribal government stability. "Non-Indian rejection of 'alien tribal governments' built pressures leading to legal confrontations between tribal and state governments over a widening range of jurisdictional subjects." Most important, "increasing numbers of 'reservation non-Indians' supplied state governments with the wedge needed to expand state powers into Indian reservations — *a de facto annexation of tribal lands* (*Ibid*.).

On June 21, 2000, the Washington Republican Party passed a resolution to abolish tribal governments. "We do not recognize them as sovereign nations, as governments," said John Fleming, the Skagit County delegate who was a main author of the resolution. It calls on the federal government to "immediately take whatever steps necessary to terminate all such non-republican forms of government on Indian reservations…." "We think it can be done peacefully," Fleming said. But if tribes were to fight the effort, "then the U.S. Army and the Air Force and the Marines and the National Guard are going to have to battle back" (*The Olympian*, 2000). The national Republican Party immediately withdrew their support for this ill-timed and politically inexpedient platform. In this election year, with George W. Bush making an effort to recruit minority votes, such a racially charged action had immediate reverberations in Indian country and beyond (*Seattle Times*, July 18, 19, 2000).

The national Republican platform notwithstanding, there is rising resistance in western states with large American Indian populations that exercise their treaty

rights. In Idaho, the Nez Perce tribal government is faced with constant harassment from the North Central Idaho Jurisdictional Alliance, an alliance of local governments (Kamiah, Craigmont, Kooskia, Stites, Orofino, Reubens, Nezperce, and Winchester) that overlap the Nez Perce treaty-protected lands. In his essay introducing the Alliance platform of abolishing *any jurisdiction* (including Indian preference on federal contracts) tribal governments might have over non-Indians, Orifino's city administrator, Rick Laam, recently threatened that bloodshed is inevitable (Titone, 2000: 3).

After winning a precedent-setting decision to exclude Alaskan Natives from Indian country earlier this year, Alaska filled its legislative agenda with motions to eliminate protections of Alaskan Natives' sovereign rights, most notably subsistence, the economic support lifeline for rural survival. Using the:

> remaining money from the one million dollar slush fund that the State appropriated to itself and the attorney general to fight "Indian country," the Legislature brought a new action in federal court challenging the constitutionality of Title VIII of the Alaska National Interest Lands and Conservation Act of 1980 (ANILCA), which provides a rural preference for subsistence users on federal lands (*NARF Legal Review*, 1998: 1).

Pitting Native subsistence fishing and hunting peoples against Alaskan non-Native sportsmen will increase already tense situations in rural Alaska and create categories of law that could criminalize a new generation of subsistence-based Native peoples as they attempt to live. Although the federal government assures the tribes of further support for "self-determination," it has simultaneously allowed states to dismantle sovereignty piecemeal. If self-determination has anything to do with self-sufficiency, its failure is most spectacular when it is challenged by citizen's rights and Native economic survival is pitted against individual's civil rights.

These unending challenges and the absence of solid Indian legal jurisdiction over non-Indians are powder kegs awaiting a match. Even if the constant potential for community disruption from crimes and misdemeanors committed by non-community members can be ignored, in the long run the absence of a sense of safety or control for Native peoples in their own homelands is more problematic.

Who Is the Criminal? Racialization, Crime, and Health

> In a suburb of Seattle, Washington, two young white men approached an Indian man standing in front of the Muckleshoot Tribal Center, and began yelling racial slurs before beating him with baseball bats. The victim was left with multiple head injuries (Southern Law and Poverty Center, 1994: 3).

These invasions into the American Indian community parallel the development of an incredible complex of law that has historically and disproportionately

criminalized peoples separated from the "civic" nation, such as African Americans and non-European "immigrants." Differentiating the myriad non-Western cultural peoples into monolithic "races" is central to creating racialized nation-states — states that recognize and position groups of racialized peoples against each other in local and national economies as raced labor and socially constructed surplus and criminalized "identities" (Omi and Winant, 1994; Balibar and Wallerstein, 1991; Lowe, 1996; James, 1996; Forbes, 1990). Being "racialized" is not purely symbolic. It is an environment of physical and discursive practices that continuously mark and treat peoples differently in social and economic terms. *Race*, a socially negotiated meaning over various human physical characteristics, has real effects on any people's ability to sustain community and health and, in this case, ownership of communal land bases. Here, aboriginal identities are reduced to the "the liminal category 'Indian,' …the foreign possessive name for a category, territory, which is the white man's future: a state to be..." (Gordon, 1998: 173). Positioning Native peoples "outside" the national polity (but within its racialized matrix) also places them outside optimum conditions for "health." Recent figures on crime and health give insight into the way Native peoples are positioned and disrupted in rural and urban areas.

Indian communities experience high rates of social violence. Native women experience violence and disruption to their own lives and to those of their families at rates surpassing any other population in the U.S. or Canada (Greenfield et al., 1999; Kingfisher, 1996; Stout and Kipling, 1998). A U.S. Department of Justice report entitled "American Indians and Crime" (Greenfield et al., 1999; also see Kingfisher, 1996: 1–2) statistically traces the historical genocide that is still operative in Indian country. These data document a horrific level of daily violence experienced by Native peoples in diffused (globalized) urban communities and in rural white (localized) counties that include reservations (Greenfield et al., 1999).

Nationally, acts of violence against Native Americans occur twice as often across all age groups than for all other "racial" categories: 124 acts of violence (per 1,000 individuals), compared to 49 for whites, 61 for blacks, and 29 for Asians. Native woman are victimized most often, and are 50% more likely to be victims of an assault than are black men and women, who are also frequently targeted and abused. Native women's assailants are of another race 70% of the time (whites are involved in 60% of all victim reports). Native Americans also experience disproportionately high rates of imprisonment. Although the total incarceration picture for Indians is complicated by federal, state, and local jurisdictional tangles, the Justice Department's conservative figures show that the incarceration rate for Indians is 38% higher than the national average. According to Greenfield et al. (1999: *viii*), "about 16,000 American Indians were held in local jails — a rate of 1,083 per 100,000 adults, the highest of any racial group." The pattern for jailing at local levels becomes more remarkable when the relationship between Indians and locals in the U.S. is considered (*Ibid.*).

Crimes in Indian country are often killings and beatings that stem from alcohol abuse and are related to familial and community discord. There are fewer attempts at social appropriation, i.e., "property" crimes such as bank robberies. Indians who assault other Indians often go to federal penitentiaries, rather than to a state facility, because of the Major Crimes Act. Indian women are disproportionately represented in local or state jails for social crimes related to survival. This is consistent with the experience of other racialized and colonized women regarding the policing of women and their social crimes (prostitution, petty thefts such as bad checks or shoplifting for food), as well as the overly represented local sites of their incarceration (Diaz-Cotto, 1991).

Indian health also measures the challenge to the well-being of the community. In a 1998 Kaiser Health Foundation report on Native Americans and Medicaid, the authors found:

> The health status of Native Americans is significantly lower than that of the rest of the U.S. population. According to the Indian Health Service (IHS) of the Department of Health and Human Services, the age-adjusted mortality rate for American Indians and Alaska Natives residing in the areas served by the IHS was 594.1 (per 100,000 population) for calendar years 1991–1993, compared to a rate of 504.2 for the entire U.S. population in 1992. In some IHS areas, the rate is double that of the total U.S. population. For instance, in the South Dakota, North Dakota, Nebraska, and Iowa area, the rate for calendar years 1991–1993 was 1,045.9. Although there are significant variations from area to area, Native Americans as a whole have higher rates of death and injury caused by accidents and violence (including suicide and homicide) than the U.S. population generally (Schneider and Martinez, 1998).

Native women appear at the top of any list of those who pay, sometimes permanently, for violence and poor health conditions. The Survey of Income and Program Participation (SIPP) report, a nationally representative panel survey of the economic status of the non-institutionalized civilian population, defined disability as "limitation in a functional activity or in a socially defined role or task." In the U.S., the highest rate of disability in the SIPP study was for the Native American population (21.9%), followed by Afro-Americans (20.0%), white Americans (19.7%), and those of Hispanic/Latino origin (14.3%). Asian-Pacific Islanders accounted for only 9.1% of the assessed disability. Women showed a higher rate of disability than did men for each ethnic/racial group. Native American women suffered more disability than all other groups of racialized women, with 21.8% of adult women unable to carry out tasks normally (McNeil, 1993). This has obvious implications for social cohesiveness and the ability of tribal governments to serve the overwhelming needs of families and individuals.

Sovereignty, Jurisdiction, and "Bio-Policing"

When the living take the dead or the past back to a symbolic place, it is connected to the labor aimed at creating in the present a something that must be done (Gordon, 1998: 175).

Our blood is the land and the land is currency.

How could Western law prevail as it moved into lands where other orders so clearly existed? Willing to break its own treaties even before the ink dried and to unilaterally impose case decisions tried in its own courts to every Native nation, the U.S. worked out its own definition of "Indian." Indian powers and limitations have been constructed, deconstructed, and negotiated over the length of the nation-state's existence; "Indian law" is now the trace and the living performance of this history. Every treaty that empowered American Indian peoples has become a site for state litigation. In doing so, the state reduced over 500 polities, with their respective governing arrangements and cultural-economic relations, to the category "Indian." In short, the construction of the federal "Indian" negates the inherent sovereignty of the Nee Mee Poo, Dineh, Xwlemi, the Swinomish, etc.

Most reservations and their inhabitants were purposefully isolated or excluded from the industrial centers and rural economies where other racialized peoples were used as cheap labor. Subsistence economies were largely destroyed, leaving peoples destitute and barred from economic development on their former lands. The worth of Native peoples to the U.S. was not their potential as laborers, but resided in their land and its "resources." To counter and "police" existing sovereignties inside its "body," the U.S. reserved to itself the right to recognize who and what was "Indian" and how land would be transferred from Indian ownership. The original contractor, "Indian" is the subject of the constitution of U.S. legal hegemony.

Late 19th-century science effectively employed eugenics discourses to create, refine, and define the subject of "Indian." As critical analyst Alix Casteel remarked, "quantification assists commodification because it is much simpler to place a price on a particular quantity than on a particular quality." Using notions of "race," the state quantified this relationship, placing it over any Native-defined social identity by enforcing a determination of "blood-quantum" as a legal definition of "Indian-ness." Identification of "biologically" marked individuals as objects of an "Indian" discourse was a double-edged sword. Native peoples who wished to remain in their communities or be identified as cultural peoples were required to register their "blood" with the federal bureaucracy to continue their claims to land or resource ownership. Failure to do so meant one relinquished any rights. The Dawes era (the late 1880s) witnessed the creation of a mechanism to measure the capability to own real property (allotments) by blood-quantum. Jurisdiction over quantified Native individuals thus concerns a relationship

between property, the aboriginal land base of the United States, and the nation-state's legitimacy. Despite federal recognition of Native peoples as groups (treaty-signing entities), state courts moved to recognize blood as a condition of an individual's ability to alienate newly individualized lands (LaDuke, 1991).

Another example is the eugenics-based relationship extended to Hawaiians, whose history with the U.S. differed somewhat. Organized as a state (a monarchy), the Hawaiians were invaded by U.S. military forces in 1893. In pursuit of economic interests, American merchants "constituted" themselves as a provisional government and then invited the U.S. to seize Hawaiian lands. J. Khaulani Kauanui (2000) reconstructs the way in which the Hawaiian Homes Act imposed a blood-quantum rather than kinship or a descent test (race versus relationship) for inclusion in a category of land ownership reserved for indigenous Hawaiians. Individuals who could "prove" they were subjects, or the descendents of subjects, of the Hawaiian monarchy were positioned as a racialized minority rather than as cultural sovereigns whose government had been overthrown and their lands illegally seized. Drawing upon Omi and Winant's concept of a *racial project,* Kauanui marks this constitution and formation of a eugenics-based politics as "simultaneously an interpretation, representation, or explanation of racial dynamics, as an effort to reorganize and redistribute resources along particular racial lines."

Ironically, the Supreme Court's February 2000 decision, *Rice* vs. *Cayetano,* denied these same racialized and robbed peoples control over the only organization (OHA) set up to manage and maintain their remaining lands and income. The decision, based on an interpretation of the Fifteenth Amendment, accused OHA of racial discrimination for excluding whites as a category from voting for trustees.

Conclusion

To survive, Native nations have been forced to become skilled negotiators in a labyrinth of law and policy. Their experience highlights the way in which modern nation-states envelop and involve any people with prior claims to land. In the U.S., a massive bureaucracy institutionalized *racialization* through the blood-quantum requirement in property relations. Unlike other "marked" populations such as African-Americans and other non-European immigrant groups whose concern has been inclusion "into" the civic nation, American Indians have continued to negotiate dual citizenship and a civic and political existence "outside" the state, even though they physically occupy a much larger space than any bounded "reserve." The ability of Native nations to exceed or overdetermine the physical and discursive boundaries of "Indian-ness" serves as a constant annoyance to the state. As peoples with federally recognized powers, Natives are perceived as a threat to local polities and individual property rights if they exercise their treaties. Each generation, they are caught in the crosshairs of competing state's rights and federal sovereignties. Native peoples also inhabit a highly charged and racialized

space in the national consciousness, positioned as national icons and a debased, racialized and criminalized victims who have "special rights." The strain on American Indian governments to find solutions to these historically constructed problems and to negotiate with a schizophrenic American polity is intense.

As indigenous families and communities flow north from Mexico and South America and current northern indigenous populations grow, the federal-Indian relationship will become increasingly strained. Current Native political and social activity is optimistic, and Native sovereignty and nationalism have shown some potency. However, as a leader among capitalist nations, the U.S. remains intent on erasing American aboriginal governance and getting out of the "Indian" business. The relationship of Native nations to state apparatuses and discourses is unique among racialized peoples, and the practice of sovereignty for us involves peril if we fail to examine the governing and political practices of states.

NOTES

1.   Since colonization involves the renaming of peoples and landscapes, American Indians are usually misnamed. Hence, the larger category "Indian" is a racial designation. Among themselves, tribal peoples usually identify through their nation and kinship names, but otherwise have adopted the term "American Indian" for political and other uses. In Alaska, where groups like the Inuit, Yupik, and Aleut do not identify as Indian, people often use the term Native. I alternate between the use of Native, American Indian, Indian, and tribal names to highlight the categorizations used in a system of identification that prevails in the United States. The level of abstraction used revolves around my choice not to single out one American Indian community, or even a region, to ground this essay. I also avoid highlighting the agonies or triumphs of a particular community in their negotiation with the state, as well as the jurisdictional problems, violence, and criminalization that I wish to examine, since they are often used to pathologize communities. In the statistics used, I am seeking the larger order and commonalities that may be present. Extensive differences in culture, language, and economies exist among the nations and within them. "Indian country" is too various for the state to contemplate, so it uses case law in individual communities to adjudicate the "whole" unilaterally.

2.   See, for instance, the Community Policing Consortium's "To Protect and Serve: An Overview of Community Policing on Indian Reservations," available on the Web at http://www.communitypolicing.org/pf/am_ind/ch1.html.

3.   In the *Lyng* (485 U.S. 439) decision, the Supreme Court ruled that Indian religious rights could be violated when such actions are in the "broader interest" of the state's economic interests, making this the only spiritual tradition in the U.S. to be so adjudicated. It takes on more weight when one considers that American Indian spiritualities are also ways of living, governance, and structures of relationships that preside over the way people live in a place. Indian spiritualities are not separable from the place they inhabit, since it is the relation between the land, its characteristics, and the peoples that creates an organized society. Indigenous peoples remember themselves through the land and each place is inhabited by layers of Indian spirit, memory, and significance. A profound development of this idea is contained in Scott Momaday's *The Way to Rainy Mountain* and in Vine Deloria, Jr.'s, works (*God Is Red, Red Earth, White Lies*).

4.   I lean heavily on Avery Gordon's (1998) subtle and moving analysis of the unnamed and the uncanny in social relationships because it is critical to any understanding of Indian country. Indian country is a "place" that remains visible and invisible at the same time. It remains at the heart of what is "America," but American politicians, bureaucrats, and citizens must forever deny its reality. It is

evoked as a haunting, a past that has never been properly resolved, yet it languishes and dares to grow, to be the present where Native peoples are again subject to political thievery and social and physical genocide.

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Maximum Security

Margo Okazawa-Rey and Gwyn Kirk

T HE TERM "MAXIMUM SECURITY," USED IN THE CONTEXT OF THE PRISON SYSTEM, is an oxymoron. Jails, prisons, and other "correctional" facilities provide no real security for communities, guards and other prison officials, or inmates. Imprisoning two million people, building more prisons, identifying poor and working-class youth of color as "gang members," and criminalizing poor Black and Latina women does not increase security.

Rather, we argue that the idea of security must be redefined in sharp contrast to everyday notions of personal security that are based on the protection of material possessions by locks and physical force, as well as prevailing definitions of national and international security based on a militarization that includes the police, border patrols, and armed forces such as the Navy, Army, Marines, and Air Force. To achieve genuine security, we must address the major sources of insecurity: economic, social, and political inequalities among and within nations and communities. The continual objectification of "others" is a central mechanism underlying systems of oppression — and insecurity — based on class, race, gender, nation, and other significant lines of difference (Mies and Shiva, 1993; Plumwood, 1993).

Many people worldwide — in rich and poor countries — lack food, clean water, adequate housing, or a means of livelihood. Others have been dislocated and scarred, physically and emotionally, by war, the threat of war, or preparations for war. Many suffer abuse at the hands of family members. Environmental degradation and an economic system that puts profits before human needs affect us all. The intensification of global economic connections, leading to the widening gap between rich and poor, is a life-threatening process for many people, and for the physical environment. At root, this global economic system does not value people or the nonhuman world. How, then, do we think of security?

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A more sustainable and secure future means rethinking current economic systems and priorities, and emphasizing ecologically sound production to meet people's basic needs. At a local level it implies support for community gardens, farmer's markets, credit unions, and small-scale worker-owned businesses and markets. It implies local control over transnational corporations and the reduction of poor countries' foreign debt. It means living more simply; recycling materials; mending clothes, shoes, and appliances; bartering for some of the things we need; and buying directly from farmers and craft workers. It means valuing unpaid domestic and caring work, a key aspect of sustaining home and community. It requires a broader definition of wealth to include everything that has the potential to enrich people and their communities: health and well-being, physical energy and strength, safety, time, skills, talents, wisdom, creativity, love, community support, a connection to one's own history and cultural heritage, and a sense of belonging. It is important to separate the *quality* of our lives from the *standard* of our living. Frugality originally meant fruitfulness (Filemyr, 1995).

False Faces of Security

Prevailing conceptualizations of security rely on strength and force. Security involves domination and subordination, control and power over the environment, "other" people, and nations. It manifests itself in locks, gates, fences, prisons, and borders — keeping some people in and others out. It relies on weapons, from an individual's use of mace or guns to a nation's stockpiling of arms, high military budgets, and the international arms trade. Security is promoted as something one can buy. It also involves the accumulation of material wealth and state-controlled legal relationships like marriage. We call these the "false faces" of security because, although they may appear to or indeed provide an economic and personal foundation for individuals, they are all ways of separating people and maintaining inequalities between haves and have-nots — between those in the center and the others on the margins. Moreover, they are short-term gains. They cannot address most sources of human insecurity.

Individualism: We are urged to think of ourselves as independent and invulnerable even though most of what we accomplish is not done independently, but through the support of a complex network of connections to others — many of whom we do not know. The idea of mutual aid as a central principle of social cohesion and development has been put forward by many thinkers (Kropotkin, 1955), but competitiveness is a core cultural value, especially in the U.S. and Western Europe, and is rapidly becoming more so in many other societies.

Traditional Family Values: Patriarchal notions of womanhood separate "good" women, those who conform to culture-specific female ideals, from "bad women," those who challenge or transgress these standards. The "patriarchal bargain'' promises a great deal to good women, especially when they enter the marriage contract (Stacey, 1996). The promises include economic security and personal

protection to wives and mothers. Yet the incidence of violence and sexual abuse in families, particularly against women and children, puts the lie to the idea of the family as a "haven in a heartless world" (Lasch, 1977). In fact, although outlawed in 37 states, rape within marriage is still not taken seriously.

Rape now is recognized as a conscious act in war making because it keeps up the troops' morale by providing sexual release and by humiliating the men considered "enemies." Although it is an act of aggression and hostility against women of the enemy group or country, it is aimed, through them, at their husbands, sons, fathers, and brothers (Brownmiller, 1976). Well-documented examples come from the use of rape in the Vietnam War (Enloe, 1983) and the systematic, mass rape of Muslim and Croatian women by Serbian soldiers and U.N. "peacekeeping" forces in Bosnia-Herzegovina (MacKinnon, 1993; Pitter and Stilmayer, 1993; Tax, 1993). In Okinawa, Japan, and South Korea, military violence against women has become routine for U.S. troops based overseas (Enloe, 2000; Kirk and Okazawa-Rey, 1998), even when these countries have not been directly involved in war.

Corporate Capitalism: Even in the U.S., materially the richest country in the world, 36 million people are hungry or unsure of where their next meal will come from and 14 million of these are children (Glickman, 1999); each night approximately 750,000 or two million people per year are homeless (National Alliance to End Homelessness, n.d.); over 43 million have no health insurance (Families USA, 2000), 20% of children live in poverty, and 33% will be poor at some point in their lives (Children's Defense Fund, 2000). Economic restructuring — automation, downsizing, and moving jobs to places where workers will accept lower pay — has created "economically surplus people" worldwide. Corporations have no loyalties to the communities they leave behind. This reality forces us to confront fundamental contradictions that affect the way many people think about work:

- How are we going to make a living?
- What should count as work?
- How should work be rewarded?
- How should those without paid work, many of them women, be supported?
- How can the growing inequalities within and between countries be justified?
- Is continually expanding consumption necessary? Is it a mark of success?

Individuals and communities are pressured to buy into a scarcity mentality that is fundamental to capitalist economic systems, as opposed to a belief that there is enough, even more than enough, to provide for people's basic physical needs and more. Beyond a certain point, material goods do not provide security.

Getting an Education: Formal schooling is often assumed to be a source of security for individuals and their families. For many people in industrialized countries, however, education no longer guarantees a reliable job. Some young people in the United States, especially those in inner-city areas, already know this

and drop out of school, believing it to be irrelevant to their lives. This raises crucial questions concerning the purpose of education and what people need to know. Industrialization and economic development devalue and wipe out other literacies, such as knowledge of local plants and their uses, or basic food production.

Corporate Medicine: The Western medical model separates physical, mental, and emotional well-being and focuses on illness rather than on the wholeness of people's lives. Its emphasis on drugs, surgery, and other high-tech procedures, which earn high profits for drug companies and the manufacturers of medical equipment, has severely skewed the range of treatments available. Western medicine is medicalizing natural processes such as pregnancy and menopause. Although many people benefit from vaccines, antibiotics, drug treatments, and surgery, this form of medicine does not cure chronic conditions, is not preventive, is a source of iatrogenic disease, limits people's knowledge and ability to care for themselves, and is expensive, whether the costs fall on individuals or are shared by society as a whole.

Bigger Prisons, Stronger Borders: Security systems based on locks, high walls, and secure borders assume that threats come from "others," from "outsiders." In the current U.S. context, this means African Americans, Latinos and Latinas, and Central and Latin American immigrants. In contrast to stereotypical portrayals of uncontrollable men of color lurking in dark alleyways in urban centers, violent crime, in general, and crimes committed by African Americans, in particular, have declined steadily since 1973, when official records first began to be kept (Bureau of Justice Statistics, 1999). Yet local and national politicians have voted to add more police officers in urban "trouble spots," to build more prisons and jails than ever before, and to arrest and imprison increasing numbers of people of color.

Congress has enacted more restrictive immigration policies, and state and local governments have adopted punitive social policies such as denying health care and social services to undocumented immigrants and certain classes of legal immigrants. At the same time, undocumented workers are freely exploited in U.S. sweatshops and by U.S. agribusiness. Immigration to the United States is the result of economic and foreign policies — past and present — that have distorted or destroyed local economies and created political unrest, which often results in civil wars and the militarization of these foreign countries. As long as there are severe inequalities in wealth and opportunity among nations, there will always be pressures for immigration.

Strong Defense: The inequalities mentioned above are a major source of instability in the world. Rather than adopting meaningful redistributive policies, governments increase their spending on the military. In 1994, the world's governments spent more than $700 billion on their militaries. The United States spends more on its military than the next 13 countries combined: Russia, China, France, Great Britain, Germany, Japan, South Korea, North Korea, Libya, Syria,

Iraq, and Cuba (Sivard, 1996). Half the world's governments spend more to guard their citizens against military attack than to protect them against all the enemies of good health (Waring, 1988). For every 100,000 people in the world, there are 556 soldiers, but only 85 doctors. Worldwide, the average amount spent per soldier is $22,000; the average amount spent per school-age child is $380 (Sivard, 1996). Weapons and military strategy do not address the major sources of people's misery: hunger, poor health, joblessness, discrimination, hate, and violence. Military spending exacerbates these problems by tying up precious resources that could otherwise be used to solve them.

Militarism also relies on a militarized notion of manhood that involves individualistic heroism based on physical strength, emotional detachment, the capacity for violence and killing, and the appearance of invulnerability (Enloe, 1993). Boys in many parts of the world are socialized into this kind of manliness from early childhood through adventure stories, cartoons, competitive sports, war toys, computer games, and the news media. This routine gender socialization is taken further in military training. Many teenage boys are currently involved in wars. In fact, in many parts of the world, they are much more likely to be given weapons training than job training.

Redefining Security

The "false faces" of security, then, cannot address most sources of human insecurity. To redefine this concept, we draw on Betty Reardon's human security paradigm (1993). She argues that security is primarily derived from the expectation that these four fundamental conditions will be met:

- The environment in which we live can sustain human and other natural life.

- Our basic survival needs for food, clothing, shelter, education, and health care will be met.

- Our fundamental human dignity and personal and cultural identities will be respected, as will various cultural expressions such as art, music, and dance.

- We will be protected from avoidable harm.

By these standards, there are no truly secure societies in the world and none that are fully committed to achieving human security. The present state-centered paradigm gives priority to protection against harm from others over all other sources of human well-being. The militarized international security system is maintained at the expense of the natural environment, the economic and social needs of many people, fundamental human rights, and protection against ill health, poor infrastructure, accidents, and disasters.

Reardon's model is useful at four levels of analysis and interaction: interpersonal, community, national, and global. It allows one to evaluate current policy

and practice, and to determine strategies for change. The following questions are useful for conducting an assessment of where things stand in a specific community and may be used to evaluate conditions at national and global levels as well.

Environmental Security: What is the status of the natural environment in your area? Are the air and water clean and health sustaining? How is your community affected by environmental issues? How is your family affected? How does your community affect the environment of others? If there are environmental problems in your area, what are their causes? Do they affect the population equally? Are there ways in which women, particularly, are affected?

Basic Needs: Are the basic needs for food, clothing, and shelter being adequately met for everyone in your community, family, state, and country? Are there groups who systematically lack these survival supports? Does everyone have access to quality education, medical care, and the information necessary to obtain the benefits available? Are there any who enjoy affluence while others suffer poverty? Are there ways in which women, particularly, are affected? What percentage of public expenditures goes to military purposes? How does this compare with expenditures for economic and social purposes?

Human Dignity and Identity: Are human rights universally enjoyed in your community, state, and country? What circumstances, policies, or values obstruct the universal and equal enjoyment of these rights? Are the rights of all children and women respected equally with the rights of men? Are there particular groups that are systematically denied some or all of these fundamental rights? Are these denials based on cultural beliefs and values, political policies, economic structures, social customs and practices, or a mix of these factors? Do all groups, including women and men, participate equally and fully in policymaking regarding human rights and security? Have "national security," military, or strategic interests been used to justify or explain the denial or violation of human rights?

Protection from Harm: Which threats are most likely to bring harm to most people in your community, state, and nation? How are those threats dealt with? Do women and men face different threats? Are there other groups who face specific threats? What threats to people's security are given the highest priority by government, politicians, or the media? Are these the threats that most undermine the daily security of most people? How actively involved is the military in responding to potential harm? What alternatives to military activity might be proposed? What institutional and cultural changes would be needed to move to a less violent and a more just global system to assure human security? For each issue area, questions to evaluate current practices would include:

- What is the nature and level of government — federal, state, county, and city — commitment to addressing this issue?
- What policies and practices are in place?
- What changes are needed?

- What resources — time, knowledge, skills, money, and materials — are available for addressing this issue in your area?
- Which groups and organizations are already working on this?
- What are their goals?
- How effective are they in terms of a human security approach?
- What else is needed on the micro-, meso-, macro-, and global levels?

Values and Principles of Genuine Security

Exploring these four basic conditions leads to a very different understanding — of connection rather than separation. Some of these principles have been in place for centuries, but have been eroded by the imposition of profit-driven systems and relationships. Others, like genuine democracy, have never been fully developed by nation-states, despite their rhetoric.

Valuing Life

- Valuing people and having confidence in their potential to live in life-affirming ways;
- Valuing the complex web of the nonhuman world that sustains human beings and of which we are a part;
- Building a strong personal core to enable people to work with "others" across lines of significant difference through honest and open dialogue;
- Relying on spiritual values that allow us to make connections to others;
- Creating relationships of care in which children and young people are needed and gain respect for themselves and each other through meaningful participation in community projects, decision making, and work;
- Valuing the caring that people do for one another;
- Redefining manhood to include nurturing and caring for others, and changing the gendered division of labor so that men become more actively involved in parenting; men's sense of well-being, pride, belonging, competence, and security should come from institutions and activities that are life-enhancing.

Democracy and Justice

- Eliminating oppression based on sexism, racism, classism, heterosexism, anti-Semitism, able-body-ism, and other significant differences;
- Respecting differences based on gender, race, and culture, rather than using these attributes to objectify and create "others";
- Valuing cooperation over competition;

- Eliminating gross inequalities of wealth between countries and between people within countries;
- Building genuine democracy — locally, nationally, and internationally — with local control of resources and appropriate education.

In addition to profound structural and institutional change, the process of democratization will require sincere apologies from dominant groups for their participation in oppressive institutions and structures, both current and past. This includes all forms of exploitation. Asking for forgiveness must also include genuine recognition of the sovereignty of this country's indigenous peoples, including Native Hawai'ians, and some form of reparation for those who have been wronged.

Building the Future Today

Many practical projects embody this vision and will provide the building blocks of a genuinely secure and sustainable future. Examples include conflict resolution programs in schools, rape crisis lines and shelters for victims of domestic violence, antisexist men's projects that work to eliminate violence against women, community gardens and kitchens, international cooperation among workers, and alternative economic projects that do not rely on the whims of corporate investment. The following are examples of such successful, sustainable projects.

Community Food Security Coalition (U.S.A.) brings together community-supported farms, farmers' markets, food banks, and community activists to meet the food needs of low-income people and to increase a community's food self-reliance. A community food-security analysis examines such questions as access to grocery stores, food prices, transportation, personal income, ownership of stores, factories, and farms, and environmental sustainability. Food-security programs confront hunger and poverty with creative community-based solutions that feed people while also creating the means for permanent solutions to hunger and poor nutrition.

Save Our Sons and Daughters (SOSAD) was founded in Detroit, Michigan, in January 1987 by mothers who had lost children in street violence. Forty-three children 16 years and younger had been killed, and 365 were shot in the previous year. SOSAD started with grief and bereavement counseling, then expanded its activities to include a crisis hotline, crisis intervention, violence prevention programs, and a pressure group for handgun control. Members have organized memorials, marches, and rallies, and have developed a school curriculum on peace education and conflict resolution.

Ganados Del Valle (Los Ojos, New Mexico) is a community-based nonprofit, economic development project located in a small town that was losing its population due to lack of jobs and economic opportunity. Shepherding and

farming have been the basis of the local economy and one of the aims of this project is to insure that shepherding remains a way of life for local people. Ganados has established a flock of Churro sheep, a hardy breed well suited to local conditions, but which had almost become extinct as commercial ranchers favored other breeds. Since 1983, Ganados has created over 30 new jobs and increased income to local families through its businesses. Tierra Wools produces hand-woven rugs and clothing. Pastores Collections produces a line of wool comforters and pillows. Rio Arriba Wool Washing cleans and dyes the fleeces. Pastores Feed and General Store sells craftwork made by local people. Pastores Lamb raises sheep to be sold as chemical and additive-free lamb. Otra Vuelta recycles used tires into floor and vehicle mats.

Food from the Hood (Los Angeles, California) and Urban Herbals (San Francisco, California) are projects that train young people to garden and market salad dressings, vinegars, jams, salsas, honey, and other products made from urban gardens. The wider aim of these projects is to empower young people, teach gardening and business skills, and to strengthen local communities and economies.

Asian Youth Advocates (Richmond, California) is a project of the Asian Pacific Environmental Network. The program works with Laotian girls and young women organizing for economic, social, and environmental justice in a town dominated by industrial facilities that generate 179,000 tons of hazardous waste annually. These young women also learn about their history and culture, cultivate a community garden, and educate and train their peers about reproductive health and other personal issues. One recent result of the group's activism was Chevron's installation of an early-warning system for their toxic incinerator in languages used in the community.

Ithaca Money (New York) is a community currency project that was started in 1991 and has been the inspiration for many other like programs across the United States. Participants trade their time and skills for Ithaca HOURS, where one hour is equivalent to $10. In effect, participants buy goods and services with their own labor. Some $50,000 worth of Ithaca HOURS have recirculated in the local community, buying goods and services worth an estimated $2,000,000. This system helps people to connect with one another rather than making them into competitors.

New Alchemy Institute (Cape Cod, Massachusetts), founded in 1969, is a research center for the ecological design of food production, energy, and shelter. The institute has developed intense gardening techniques, aqua culture, and solar and wind energy supplies and will ultimately be a self-sufficient enterprise. The Institute's data on water purification and recycling, soil management, and renewable energy systems can be applied to a variety of locales, both urban and rural.

Diverse Women for Diversity (international), established in 1997, is a network that supports women's campaigns that work to protect women's diverse lives,

cultures, and ecosystems. Participants are concerned with issues of hunger, food supply, intellectual property rights, genetic engineering, and biotechnology.

Buklod Center (Philippines) was founded in 1987 to work with bar women who sexually serviced U.S. military personnel at Subic Bay Naval Base. The center offered night-care services for the children of bar women, temporary shelter, and other crisis interventions. When the base closed in 1992, the women needed new ways to make a living. Now, Buklod provides informal education and training for former bar women and other poor women, educational scholarships for some of the member's Amerasian children, training in skills such as sewing and developing small businesses, and a community-based medical clinic.

Okinawa Women Act against Military Violence (Japan) was formed after the rape of a 12-year-old Okinawan girl by U.S. military personnel in September 1995. Members argue that military security will never provide security for women and children. They are campaigning to eliminate U.S. bases in Okinawa, to force the military to clean up the land and water polluted by the bases, and to convert the land to civilian uses beneficial to the local people.

Green Belt Movement (Kenya) was started in 1977 by biologist Wangari Maathai to address and resolve the diminishing supply of fuel wood in rural Kenya. Through the program, women grow trees from seeds or cuttings and transplant them to permanent sites. This project has spread to many countries in Africa and has generated paid work for a number of women. Its wider aims are to develop knowledge and confidence so that people can take part in sustainable, not destructive, development.

Cultural Survival Enterprises (U.S.A.) is a nonprofit trading organization that purchases non-timber rain forest products such as fruits, nuts, oils, essences, pigments, spices, and fibers for international sale. The goal is to buy products from people living in tropical rain forests who are managing undisturbed forests, creating sustainable agroforestry, or reforesting areas of degraded land.

Shifting the Security Paradigm

These projects all involve ideas of interconnectedness, respect, and responsibility among people, and in some cases, between people and nonhuman species. Activists seek to maintain these connections or to remake them where they have been severed. Together, such projects draw on visions of secure and sustainable living, however small-scale and fragile they might be at present. At root, these programs are about taking on the current economic system and the systems of power — personal and institutional — that maintain and benefit from the oppressive, unequal status quo. The challenge is to develop more projects like these, so that more people can take their resources and energies out of nongenerative or purely profit-driven concerns. Such change requires initiative, information, skills, support, courage, creativity, hope, and the stubborn conviction that things can be different.

If the money, time, resources, creativity, and brainpower the world currently devotes to the military were redirected, everyone could have clean water, adequate food, basic health care, good childcare, decent housing, and worthwhile education. We could clean up and begin to regenerate areas that have been used for industrial and military operations, waste dumps, uranium mining, and weapons testing. We could revitalize polluted waterways and infertile land. We could draw on the collective wisdom and knowledge of the many people worldwide who know how to live in harmony with nature. There could be funding for artists — painters, mural artists, poets, writers, sculptors, performance artists, actors, dancers, musicians, weavers, potters, mask makers, fabric artists, and quilt makers.

This process will involve challenging the false faces of security in our writing, teaching, conversations, and political activity. It means putting forward a life-affirming philosophy of human security based on justice and democracy. It means supporting the many projects that embody this vision. We have the whole world to gain — for the new millennium and beyond.

Resource List

Asian Youth Advocates (AYA), Asia Pacific Environmental Network, 310 8th Street, Suite 309, Oakland, CA 94607.

Buklod Center, 23 Rodriquez Street, Mabayuan, Olongapo City 2200, Philippines.

Community Food Security Coalition, P.O. Box 209, Venice, CA 90294.

Cultural Survival Enterprises, 96 Mt. Auburn St., Cambridge, MA 02138.

Diverse Women for Diversity, 10 Jewett Lane, South Hadley, MA 01075.

Food from the Hood, c/o Crenshaw High School, 5010 11th Avenue, Los Angeles, CA 90043.

Ganados del Valle, Los Ojos, NM 87551.

Green Belt Movement, Moi Avenue, P.O. Box 67545, Nairobi, Kenya.

Ithaca Money, Box 6578, Ithaca, NY 14851.

Okinawa Women Against Military Violence, 402, 3–29–41, Kumoji, Naha, Okinawa, Japan 900–0015.

Save Our Sons and Daughters (SOSAD), 2441 W. Grand Boulevard, Detroit, MI 48208.

Urban Herbals, San Francisco League of Urban Gardeners (SLUG), 2088 Oakdale Avenue, San Francisco, CA 94124.

Women's Education, Development, Productivity and Research Organization (WEDPRO), 14 Maalalahanin St., Teachers' Village, Diliman, Quezon City 1101, Philippines.

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Transatlantic Visions: Resisting the Globalization of Mass Incarceration

Julia Sudbury

I got in an accident and I wasn't able to work. I was in a hospital for three months and then I was in a therapy center for another month and a half. So I went through a lot of hassle, I had applied for disability, and I was on my first appeal against rejection of that. I guess it was 6 months after the accident that I was granted a welfare grant. I mean I appreciated it and the food stamps, but I had a $500 car, a $500 apartment. So I lost my car, was about to get kicked out my apartment. They were real nice because they knew I'd been in an accident, but I just didn't have any income. That's when it came up that a friend of mine was having problems too because she'd just had a baby and naturally the guy was no good and you know that story. She came to me, she said we could make these couple of runs and be alright. That was how I ended up here.[1]

DENISHA'S STORY IS TYPICAL OF THE AFRICAN AMERICAN WOMEN WHO CROWD jails and prisons in the U.S. as a result of a "War on Drugs" that in reality is a war on the poor, on communities of color, and on women who rely on welfare to survive. Yet Denisha is not incarcerated in the U.S. This interview took place in Winchester, a small scenic town and former capital of England, where Denisha is detained "at her majesty's pleasure" in the women's annex of a closed (medium security) prison. Denisha was arrested at Heathrow airport and sentenced to five years for importing cocaine from Jamaica. She is caught up in a dramatic increase in women's imprisonment in England and Wales, which has more than doubled since the early 1990s. This article will focus on the emergence of, and resistance to, the prison-industrial complex in Britain. By mapping the genealogies of resistance that have emerged out of the anti-racist, feminist Left in Britain, I hope to identify possibilities for transatlantic coalition-building and prison abolitionism. The article draws on interviews that I carried out with activists during the years 1999 to 2000, but there are undoubtedly pockets of resistance,

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which have been overlooked. Hopefully these absences will become more visible as global connections are accepted as an essential part of activism against the prison-industrial complex.

Mapping the PIC in Britain

The relatively small size of European prison populations and the accompanying low official crime rates are often used by advocates of decarceration in the U.S. to demonstrate that a viable alternative to mass incarceration exists and that Europe could be used as a model. However, although rates of incarceration in Europe are lower than in the U.S., we should pause to examine local realities before advocating a European-style penal system. Britain is the most eager incarcerator in Europe (barring Portugal), with an incarceration rate in England and Wales of approximately 128 per 100,000.[2] A dramatic increase in the use of prison during the last decade has led to "the largest prison building program since the middle of the 19th century" (Morgan, 1999: 110). As in the U.S., people of color are dealt with more harshly at every level of the criminal justice system. In 1998, 24% of women and 18% of men in prison were "black" (using the British definition for "people of color").[3] African Caribbean men and women, who make up less than two percent of the free population, are dramatically overrepresented inside. British-born African Caribbean women, at 12% of women prisoners, are imprisoned at a greater rate than men, who make up 10% of men in prison (NACRO, 2000). South Asian, Chinese, and "Other" women and men make up a further five percent and 3.7% respectively. In addition, "foreign nationals," including Caribbean, African, Latin American, and European women, make up 14% of women and seven percent of men in prison. Although prison industries are not as developed as in the U.S., prisoners carry out the maintenance functions of the prison such as cleaning, cooking, and groundwork, as well as assembling electronic components, making clothes, and other contract work for as little as £7.50 ($12) per week. British prisons vary from the medieval to the latest in "new generation" technology. Increasingly, steel and glass, video surveillance, and "architectural efficiency" are replacing brick, cement, and the traditional guard and key chain as a private prison-building boom transforms the face, but not the substance, of incarceration.

Britain's love affair with incarceration can be traced to the legacy of the Thatcher years and the special relationship developed between the Iron Lady and Ronald Reagan. During 14 years of Thatcherism, a blend of nationalistic populism, free-marketeering, and trenchant attacks on organized Labour and Left activism, "law and order" became a key weapon in the right-wing arsenal. Two years after Thatcher's first election in 1979, urban uprisings swept through Britain. Middle England watched their TV screens in terror as African Caribbean and South Asian young people from London to Liverpool waged war with the police and smashed up neighborhoods that offered them few opportunities for education

or employment. The mainstream media and politicians framed these events as "rioting and looting" by an undisciplined black underclass and black Member of Parliament Bernie Grant was pilloried in the press for stating that he could understand the frustration and anger that lead to the uprisings. Although the official Scarman Report into the uprisings recommended education, entrepreneurship, and community policing as methods of integrating alienated black youth and avoiding future uprisings (Scarman, 1982), Thatcher's government pursued a more populist agenda, promising and delivering stronger policing and harsher punishments for "street criminals." Thatcher's two subsequent successful election campaigns therefore played on the fear of the "alien within," the unruly and disloyal black colonial subjects who had migrated from the colonies to the metropole. Disciplining this alien presence was presented as an unpleasant task that Labour was unable or unwilling to take on. More subtle than the Conservative slogan, "If you want a nigger for a neighbor, vote Labour"[4] or Enoch Powell's claim that rivers of blood would flow if black people were not "repatriated," Thatcher's coded messages about crime and law and order nevertheless effectively deployed anti-immigrant hostilities and the racialization of crime to woo white working-class and lower-middle-class voters. In placing nationalistic and racist sentiments at the center of the political debate, the Conservative Party was able to portray itself as the party of the average (white) voter, despite a profoundly anti-working class agenda that included dismantling the national health service, social programs, and public housing, gutting the unions, and cutting back welfare. This gradual erosion of the welfare state would in turn contribute to social dislocation that would make survival crimes a viable risk for increasing numbers of women and men.[5]

The Emergence of Corporate-State Punishment

The emergence and maintenance of a prison-industrial complex relies on three factors. The first is a "common sense" connection between crime and punishment, so that other connections — between criminalization, poverty, and social justice or between violence and healing — are seen as peripheral to solving the problems of victimization and lawbreaking. Second is the racialization of crime, so that high rates of incarceration can be presented as a normal reaction to "criminal" black, indigenous, immigrant, or other minority populations. Third is the symbiotic relationship between state correctional institutions, politicians, and the corporate sector (Davis, 1998; Goldberg and Evans, 1998). Although Thatcherism had embedded the ideological connections between race and crime in the public consciousness by the early 1980s, the relationship between prison, corporations, and the state had yet to emerge.

This relationship solidified during the 1980s, when Home Secretary Kenneth Clarke, a fervent advocate of privatization, undertook the reform of the prison system. Before this time, there was opposition to prison privatization on both sides

of the House of Commons. Politicians tended to view the denial of freedom as too serious an undertaking to be entrusted to private interests and the vagaries of the profit motive. During the 1980s, however, U.S.-based prison corporations aggressively promoted the benefits of privatization in Britain using sophisticated marketing tactics to woo politicians. Both Labour and Conservative politicians traveled to the U.S. for tours of flagship private prisons where the new steel and glass buildings and latest technological advances in surveillance appeared to offer a striking advance over Britain's decaying penal estate. The glossy rhetoric of the "new corrections," where prisoners were called "residents," prison guards "supervisors," and cells "rooms," was favorably compared to the brutal and dehumanizing prison culture in Britain that had long proved resistant to reform. As Sir Edward Gardner, Chair of the all-party penal affairs group commented after a visit to the U.S. in 1986, "We thought it was stunning. These places didn't feel like prisons and didn't smell like prisons. There was nothing we could find to criticize" (Young, 1987: 3).

In 1987, the Home Affairs Select Committee visited four adult and juvenile jails run by the Corrections Corporation of America (CCA) and the Radio Corporation of America. Prison activists in the U.S. who were highlighting examples of abuses of human rights and lack of accountability in CCA-operated prisons were not invited to meet with the fact-finding committee. The Select Committee subsequently recommended that corporations should be invited to bid for contracts to build and manage custodial institutions, initially as an experiment. A key to the recommendation was that privatization would *dramatically accelerate* the prison-building program, which was hindered by lack of public funds (Speller, 1996: 5). Gradually, key British politicians and administrators were won over to the possibilities for cost cutting, modernization, and prison expansion offered by the corporate agenda. Privatization was presented as a panacea to the problems facing the Prison Service: overcrowding, old buildings, high annual costs, resistance to reform, and a rigid prison guard culture reinforced by the powerful Prison Officers Association.

Between 1991 and 1994, the mutually profitable relationship between conservative politicians and the prison industry culminated in a series of acts that allowed for corporations to design, construct, manage, and finance new prisons and to bid to operate existing prisons.[6] By 1997, Britain had become a profitable location for transnational prison companies, producing revenues of over £95 million for the five leading private incarcerators, Premier Prison Services (a joint venture of Wackenhut and Sodexho), Wackenhut (U.K.) Ltd., UK Detention Services (a joint venture of Corrections Corporation of America and Sodexho), Securicor, and Group 4 (Prison Privatisation Report International, 1998a). As private corporations began to build and operate prisons, the government was relieved of the immediate consequences of prison expansion. The Prison Service could commission the construction of new prisons without being restricted by annual capital

budgets. The cost of the new construction would be paid by private corporations, in return for multiyear contracts based on the numbers of prisoners warehoused. Privatization therefore removed financial barriers to the prison-building boom and masked the long-term costs of increasing dependence on incarceration.

New Labour, New Prisons

Before the 1997 elections, New Labour had opposed prison privatization, arguing that it was "morally unacceptable for the private sector to undertake the incarceration of those whom the state has decided need to be imprisoned"[7] and promising to return privately run prisons to the public sector. A month after the election, however, Home Secretary Jack Straw renewed a private contract for HMP Blakenhurst and agreed to two new DCMF (Design, Construct, Manage, and Finance) prisons. Within a year of the election, the U-turn was complete. Straw announced that existing prisons would return to the public sector only if they could outbid their private competitors and that new prisons in England and Wales would be privately built and run (Prison Privatisation Report International, 1998b).

The corporate strategy of keeping unions out of the new prisons, wages low, and hours long, combined with the use of new technology to reduce staffing ratios, positioned the private sector as *the* lowest cost incarcerator. Caught between limits to public spending and a growing prison population, New Labour faced two options: decarcerate or privatize. Despite an election promise to be "tough on crime, tough on the causes of crime," the pursuit of populist politics ensured that the government would continue to deploy prison rather than tackle deep-rooted social problems, including drug use, racism, and the feminization of poverty. Only by continuing with the private-sector financed prison boom could New Labour position itself as being as "tough on crime," and as willing to incarcerate, as the Conservatives. Britain therefore entered an unprecedented period of bipartisan support for the corporate prison experiment.

The Prison Boom of the 1990s

Although Conservative political rhetoric on crime during the 1980s led to an upward trend in imprisonment, Home Office officials in the late 1980s began to challenge the high rates of incarceration, arguing that prison was an expensive and ineffective way of dealing with crime. Indeed, a 1988 policy document that promoted home detention, curfews, and tougher community sanctions as an alternative to incarceration had by the early 1990s created a downward trend in imprisonment (Home Office, 1998). This approach, which criminologist Pat Carlen (1998) calls "transcarceralism," fails to challenge the logic of punishment as a response to social problems. Instead, it transforms homes into "outposts of the prison estate" and forces women to monitor their husbands and sons on behalf of the state. In the absence of a wider abolitionist framework, the Home Office's

attempt to move away from incarceration failed as the media decried the new "soft" approach and called for more punitive measures. In this context, the most influential pro-prison Home Secretary in recent times was appointed. Michael Howard's (in)famous "Prison Works" speech at the Conservative Party conference in 1993 created the ideological framework for a turn-of-the-century prison boom. Prison, Howard argued, "ensures that we are protected from murderers, muggers, and rapists — and it will make many who are tempted to commit crimes think twice" (*Ibid.*: 2). The language of crime Howard deployed was racialized, from the myth of the black rapist to the urban folk devil of the black mugger (Hall et al., 1978). In addition to more cells, Howard demanded an "austere" prison environment with little to distract from the business of punishing the undisciplined bodies of black and working-class women and men.

To achieve this carceral expansion, ideological and practical borrowings from the U.S. were deployed. U.S.-style legislation was introduced to ensure that the judiciary handed down sufficiently punitive sentences. For example, the mandatory minimum sentences for repeat burglars and drug dealers and mandatory life sentences for a second violent or sexual offense, introduced under the 1996 Crime (Sentences) Act, mirrored mandatory minimums and "three strikes" legislation in the U.S. Further, right-wing social scientists such as Charles Murray (1997), co-author of *The Bell Curve* and an advocate of stringent welfare reform, provided the ideological fodder by drawing on a partial picture of U.S. imprisonment and crime rates to "prove" that prison would indeed work for Britain. The courts responded to political directives, new legislation, and the punitive ideological atmosphere by sentencing more people to prison, for longer terms. The pro-prison lobby was successful. In only six years, the prison population increased by more than 50%, from 40,600 in 1992 to 66,500 in 1998 (Morgan, 1999: 110).

Mapping Resistance

How are activists responding to the prison-building boom, the emergence of corporate-state punishment, and the racialization of crime? Despite the dramatic increase in imprisonment and unprecedented private profit associated with this increase, progressive movements have been slow to launch a broad-based and coherent challenge to the transnational expansion of the prison-industrial complex. Long-established organizations in the penal reform movement, including the Prison Reform Trust, the Howard League, NACRO (National Association for the Care and Resettlement of Offenders), UNLOCK, and the Penal Affairs Consortium have consistently opposed Britain's increasing reliance on incarceration and have focused attention on promoting alternatives to incarceration and challenging the belief that "prison works." These organizations also vocally opposed privatization when it was first proposed by the Conservative government. However, these reformist organizations are limited by several factors. They have tended to seek a close relationship with the new government, sitting on consulta-

tive groups and developing close working relationships with individual administrators. With the Conservatives in power, penal reform organizations were more likely to take an oppositional position to the state and to make vocal criticisms known in the press:

> The previous administration tried their hardest to silence NACRO and cut our central budget by three quarters, simply because the Home Secretary at the time just hated NACRO. They thought that we were on the side of the offender, that we were soft, and that we would often criticize them because of policies which would affect offenders and their families and the knock-on consequences for society. And they also felt because we weren't saying that you should lock up more people that they weren't prepared to fund an organization which didn't play the game (Representative, NACRO).

During the many years that Labour was in opposition, these organizations viewed the Labour Party as an ally. After Labour's election, the administration began to work with reform organizations, seeking out their expertise on issues such as preventing suicides in custody, treatment of pregnant women prisoners, and reforming the women's prison estate:

> With the new government, there is a change of attitude, if not a change of policy because there hasn't been much change in policy. But we are working closely is not the right word, but we've got involved in a variety of steering groups and monitoring groups with the prison service.... So we're got involved in quite a lot of those things, and Martin Narey the Prison Service Director is coming here next week (Representative, Prison Reform Trust).

Even where organizations had reservations about New Labour's position on criminal justice, many were unwilling to attack the new government out of loyalty, hoping that Labour was temporarily "playing safe," and would later introduce more radical measures, and for fear of strengthening right-wing opponents. A representative from the Howard League, which has stayed an arm's length from government consultative mechanisms, stated:

> Differences [between the groups] become more stark with the Labour government; before that we all sounded very similar. And when Labour came in a lot of voluntary organizations were very torn having worked with them for years, hoping to persuade them and we watched for a few months. We disagree among ourselves about how much change there is.... They're doing what they can within the political environment they've inherited and as time passes they might do more to get people out of prison. There have been a lot of changes that are quite positive, but at

the same time they've done things which will probably mean that more children will end up in prison (Representative, Howard League).

The appearance of a new approach — access to prisons, consultative meetings, friendly relationships with administrators, and openness to discussing alternatives to incarceration — is in sharp contrast with the substance of penal policy under the new government. The inherent problem in reformist organizations is that they do not argue against the logic of incarceration, only against its use in certain cases (for women, first-time nonviolent offenders, etc.) and against brutalizing prison conditions. When a government is simultaneously pursuing policies that may improve conditions for prisoners *and* dramatically increase the numbers of men and women imprisoned, as well as the corporate stake in that imprisonment, there is a risk that they can "buy off" vocal opposition to the emerging prison-industrial complex with the promise of newer, more humane prisons. In becoming a resource for information on how to improve the penal estate, British reform organizations are increasingly becoming an integral part of the prison-industrial complex, an essential humanizing element that permits public acceptance of the new private prisons.

A second problem with the penal reform organizations is that they have not sought to create a mass base to generate and force public recognition of their demands. There is therefore a disjuncture between these organizations and those affected by the prison boom: prisoners, former prisoners, and their families. Almost all staff and board members of penal reform organizations are white and middle class, and former prisoners are starkly missing. For example, the (independent) Committee on Women's Imprisonment, which published its findings in 2000, included a membership of four academics, a prison governor, and chair of the Board of Visitors, but no formerly or presently incarcerated women. There are exceptions; NACRO has an active Race Unit and UNLOCK is run by and for "ex-offenders"; however, neither organization has mobilized a mass movement against the prison boom. The lack of involvement and decision-making power of former prisoners contrasts sharply with grass-roots organizations that appoint board members and staff from their membership and other nonprofit organizations in other fields that have moved to establish "user groups" and other mechanisms to ensure that those who are affected by the service have a say in how the organization is run. The failure to include black people and former prisoners indicates a failure to make a decisive break with the missionary roots of penal reform (Sullivan, 1990), and a lack of acceptance in the agency and organizational capacity of women and men who have been in conflict with the law.

Black Prisoners' Organizations

Penal reform organizations have been slow to involve black women and men, but black prisoner organizations have emerged in Nottingham, Leicester, Manches-

ter, London, and Birmingham. These grass-roots organizations grew out of the experiences of discrimination and the lack of legal advice for black women and men in prison. Many of the staff and members are former prisoners and their family members. All the organizations are rooted in experiences of imprisonment, racism, and sexism, but their resources for implementing their visions for change are limited. For example, Nottingham Black Prisoner Support, with one staff worker, had 297 active cases in 1999. Hibiscus, the only organization supporting foreign national women in the country, has a larger staff that spends most of its time visiting prisons and providing information to prisoners. These organizations therefore become service providers that deal with multiple incidents of discrimination and human rights abuses on a case-by-case basis. They rely on good relationships with the Crown Prosecution Service, Probation, and the Prison Service to achieve small gains for individual prisoners and to guarantee continued access to prisons, but this limits their potential for direct confrontation. Local Probation Services fund many of these organizations, and as one member stated, "they don't like us to do that [campaigns and policy work]."

The creation of a national Federation of Black Prisoner Organizations heralds the possibility of taking on a more direct campaigning role and identifying issues at a national level. So far the network has limited its goals to working in partnership with the Prison Service toward reforms related to the treatment of black prisoners. This may achieve an anti-racist or culturally appropriate prison environment, an important gain for black prisoners. It will not significantly reduce the numbers of black people incarcerated or mount a serious challenge to the prison-industrial complex, as minimum standards for racial etiquette and culturally appropriate programming, foods, and hair products are incorporated into contracts with private incarcerators without slowing the prison explosion.

Anti-Racist Challenges to Criminal (In)Justice

The 1990s witnessed the dramatic revival of an anti-racist movement that many considered to be in abeyance. Popular mobilization against racism in the criminal justice system has been at the core of this revival and the murder of African Caribbean teenager Stephen Lawrence in April 1993 served as a catalyst. Stephen Lawrence's fatal stabbing by a gang of white youths who were shouting racist slurs outraged the black community. Yet community activism was galvanized by the failure of the police to bring murder charges against any of the youths and their refusal to recognize failings in the investigation. When Lawrence's parents brought a private prosecution against the alleged attackers, they received widespread popular support from black communities and anti-racist supporters. Black organizations such as the National Assembly Against Racism, the National Black Caucus, and the Black Racial Attacks Information Network drew connections with other racially motivated murders that had received similarly dismissive treatment by police investigators, and emphasized the need for Asian and African

Caribbean communities to create a unified voice in demanding justice for the parents of murder victims. Eventually, popular pressure forced the government to announce an official inquiry that received thousands of submissions from community activists and statutory and nonprofit agencies. The committee, chaired by Sir William Macpherson, delivered a hard-hitting analysis of the black community's lack of confidence in the criminal justice system, as well as of the institutional racism in the police force. Finding that "the investigation was marred by a combination of professional incompetence, institutional racism, and a failure of leadership by senior officers," the 1999 report gave official credence to popular sentiments within black communities nationally. Activists demanded that criminal justice agencies, in particular the police, but also the Crown Prosecution Service, the Prison Service, and other statutory agencies, introduce structural changes in response to the report rather than make liberal reforms:

> The liberal approach to "matters of equality is about educating hearts and minds," whereas "a Black approach to equality is education, law, and rights." A flaw in the liberal approach is that Black people's right to equality can be dependent on "whether the Chief Constable of the area where I live likes Macpherson or doesn't like Macpherson; thinks it's a good idea, or thinks it's a bad idea." To avoid such a situation, he maintains the right to equality "should be reflected and enshrined in law and that law has to be both adequate and capable of being able to offer me redress and sanctions where I am discriminated against. And that's the acid test of whether we've got a multicultural democracy.[8]

The Stephen Lawrence case has effectively created a strong, popularly based victims' rights movement in Black British communities. Victims' rights groups in the U.S. and elsewhere have tended to promote strong policing and harsh punitive use of imprisonment to tackle crime, and have therefore been used as allies and spokespersons for the "law and order" lobby. Such movements tend to be white and middle class, and to push for harsher sanctions against dangerous racialized "others." The emergence of the "new" anti-racist movement as a form of victims' rights movement should therefore ring alarm bells. The convergence of anti-racist victims' rights and pro-prison perspectives is evident in the promise by black Home Office Minister Paul Boateng to "lock up more offenders" because "the criminal justice system is not just about rehabilitation, it is also about punishment and retribution. *Our system has become focused on the offender and not enough on the victim*" (*Guardian*, May 10, 2000).

The context for the anti-racist movement in Britain is a rising tide of racist attacks by individuals and far-right organizations that have emerged from political and social upheavals throughout Europe. It is part of a wider movement that seeks criminal and social justice for marginalized and brutalized minorities, including immigrants, asylum-seekers, and European-born people of color. Anti-racists are

thus in the contradictory position of calling for more incarceration (of racists) and for less (of asylum-seekers). David Michael, chair of the Black Police Association, summarized black perspectives on criminal justice when he stated that the black community still feels underprotected and overpoliced (*Ibid*.). In the anti-racist movement's two-pronged approach to criminal justice, activists have demanded that the police protect black communities from racial attacks and prosecute incidents of racially motivated violence aggressively; they have also challenged racist practices by police and prison officers, for example, by campaigning against deaths in custody, "stop and search" practices, and the detention of asylum-seekers. An unresolved conflict at the core of this approach is the role of the state and the relationship of anti-racist activists to law enforcement agencies. In the 1970s, when African Caribbean and Asian women and men formed alliances against racist immigration legislation, workplace and union discrimination, educational exclusion, and Depo Provera and police brutality, activists took a clear stance in locating themselves outside and in opposition to the state. Three decades later, spaces have opened up for collaboration, dialogue, and employment with the police, Prison Service, and other statutory agencies. As a result, significant numbers of police and prison officers and black associations have formed within both services. The anti-racist movement thus finds itself called on to support black police officers victimized by racist colleagues and institutional discrimination, black youth victimized by the police, black prison officers suffering racist abuse, and black prisoners who experience brutalization and infantilization at the hands of prison guards. From an anti-racist or "black perspective," both groups may be victims of a racist criminal justice system. However, adding an analysis of class and the role of the state indicates that black prison officers are simultaneously victimized by and implicated in the racist incarceration of black (and working-class white) women and men. Yet the invisibility of black prisoners and their inability to attend anti-racist meetings and rallies means that the criminal justice system will be represented at such events not by prisoners, but by black professionals.

In such alliances, anti-racist approaches to incarceration have focused on miscarriages of justice, rather than on a broader systematic critique. Important grass-roots struggles that have demonstrated widespread racism within the Crown Prosecution and Prison Services include the cases of African Caribbean remand prisoner Alton Manning (asphyxiated by prison officers in 1995), Satpal Ram (sentenced to life for defending himself from racist attackers in Birmingham after a trial at which the evidence of key Bengali-speaking witnesses was not translated), and Biba Sakharia (a Sikh political prisoner who went on hunger strike to protest human rights abuses against Asian prisoners). These campaigns have not been positioned as part of a dialogue on prison abolitionism and corporate-state punishment. For example, that Alton Manning's death took place in one of the new private prisons, run by CCA venture U.K. Detention Services, went largely unnoticed by anti-racist organizations. Lacking such a context, common-sense

ideas — that prison works, that most prisoners are "rapists and murderers" (and, now, racists) who get their just deserts — remain unchallenged. Human rights abuses and miscarriages of justice are managed by the state through inquiries, reforms, and bureaucratic inaction and more deep-seated challenges to the emerging prison-industrial complex are sidestepped. One year after publication of the Stephen Lawrence Inquiry report, activists have already begun to identify a "backlash." The Police Federation claimed that "political correctness" is preventing officers from apprehending criminals and has led to an increase in street crime, an argument supported by Leader of the Opposition William Hague, who stated that Britain needs "more PCs [Police Constables] and less PC" (*Independent*, May 19, 2000).[9] Although the Prison Service appointed its first Race Equality Advisor in 1999 and established RESPOND in response to the Stephen Lawrence Inquiry, the corporate sector stands to benefit most from concerns about racism. By presenting itself as an alternative to the entrenched racist culture of British prisons, the corporate sector is speeding up the privatization process. For example, after investigating a scandal at HMP Brixton, where officers targeted black prisoners for punishment and segregation, the Prison Service decided that privatization was the only way to significantly change the prison's culture (*Guardian*, July 7, 2000). This step was supported by the former prisoner-led advocacy group UNLOCK. Radical activists have yet to respond to corporate appropriation of the language of anti-racism and the contradictory emergence of the "anti-racist corporate prison."

Feminist Organizing

The feminist movement in Britain, as elsewhere, has been more concerned with women as victims of crime than as victims of criminalization. Feminist activists have demanded more forceful protection against violent husbands, abusive fathers, and rapists.

Women prisoners were less visible and less clearly victimized by patriarchy and therefore received little support from the early feminist movement. In the early 1980s, a group of mainly former prisoners came together to form Women in Prison to raise the profile of women prisoners and the inequity of women's treatment by the Prison Service. The group focused on vigils outside Holloway Prison in London, and, in collaboration with sympathetic academics, on producing publications and letters. Women in Prison advocates the abolition of prisons for women as a first step in a more general strategy of prison abolition (Carlen, 1998: 5). However, they have not received the widespread support of the broader feminist movement. This may be due to the reluctance of activists who have long campaigned for men to receive prison sentences for violent acts against women to envisage a world without prisons. For many activists, the goal has been to tackle patriarchal judicial collusion in which men who have killed their wives for adultery or "nagging" receive a community sentence, whereas women who kill their male partners receive mandatory life sentences. Abolitionists have not

adequately addressed feminist concerns that women's safety may be compromised by an abolitionist stance. Indeed, there has been little dialogue in Britain about the possibilities for a feminist abolitionism. Most feminists involved in prison advocacy, including criminologists, have argued instead for an autonomous approach, suggesting that the in/decarceration of women has little in common with men's imprisonment (Heidensohn, 1985).

Located at the intersection of the anti-racist and women's movements, black feminists have also challenged the prison system. This engagement has been predominantly in support of victims of domestic violence who have been incarcerated for killing their abusive male partners. Black women's organizations had been campaigning for provision and support for black victims of domestic violence since the 1970s, but one case brought that struggle into prison. In 1989, Kiranjit Ahluwalia, a Sikh woman from India, was sentenced to life for the murder of her physically, verbally, and sexually abusive husband. The prosecution used Kiranjit's disconnected demeanor immediately after the event and the fact that she had set him on fire to depict her as a calculating and sadistic murderess. Kiranjit mounted an appeal with the support of the Southall Black Sisters (an organization that has been at the forefront in breaking the silence around violence against Asian women) and Justice for Women (a predominantly white feminist group). Amassing extensive evidence, they argued that the traditional notion of provocation should be expanded to include the cumulative effects of a history of violence and that Kiranjit's behavior was influenced by battered women's syndrome. The shame she felt at being a battered woman, her unwillingness to seek help due to her sense of *izzat* (honor), and her desperation and isolation as an Indian woman were taken into account and in 1992 she was released on time served (Ahluwalia and Gupta, 1997). Kiranjit's case raised public awareness about domestic violence and the judiciary's inadequate treatment of women who defend themselves. It also made visible the treatment of Asian women in prison. The successful appeal opened the door for subsequent appeals by black and white women and for the use of battered woman's syndrome in the defense of abused women. It was therefore an important victory. However, activists involved in the case have since expressed concern that Kiranjit's profile as a middle-class woman from suburban London, as well as stereotypes about Asian women's passivity and need for protection, were key factors in winning public support for her case. In deploying racialized and class-based notions of guilt and innocence, Kiranjit Ahluwalia's successful appeal did little to challenge the increasing incarceration of poor African Caribbean women, many of whom have been victims of male abuse and violence, but are imprisoned for other types of "survival crimes," such as welfare fraud, theft, and drug importation (Sudbury, 2001). Activists fail to challenge the logic of incarceration or to stem the criminalization and feminization of poverty when cases of women who were "falsely imprisoned" for defending themselves against violence are separated from the mass of women who are "justly imprisoned" for

a "crime." Even as significant gains have been made in changing judicial attitudes toward survivors of domestic violence, three new women's prisons to warehouse poor and black women are slated for construction.

Opposing Capitalist Punishment

In June 1999, the City of London, Britain's financial center, was brought to a standstill by a "Carnival against Capitalism." The demonstration, known as J18, brought together activists from a broad range of struggles in a broad-based direct action to oppose the free reign of multinational corporations, to challenge exploitative sweatshop conditions globally, and to demand an end to Third World debt. The carnival was part of a mass movement against globalization, which had its counterparts in Seattle and Washington, D.C. Its strength lay in its broad-based, nonhierarchical form of organizing, anonymity, and use of new technology. The Internet and nightly fly posting were used to call on activists and supporters to converge at locations in London for the demonstration and rally. Thousands responded to the call, which mirrored weekly calls to "Reclaim the Streets" in various parts of London, where supporters turned up for unpredictable and therefore uncontrolled street parties. Prisons were not visible on the agenda of these protests, but a network of groups emerged from these actions to focus specifically on the emergence of "capitalist punishment" in Britain. By providing information about corporations that are profiting from incarceration, CAGE seeks to create grass-roots opposition to the prison-building boom:

> The most significant thing about prison privatisation is that it allows the government to build a lot more of them and lock more people up. This is part of a general state clampdown that is felt in harsher sentencing, zero tolerance policing, and everyday surveillance, as well as the criminalisation of dissent (most recently the Anti-Terrorist Bill) and attacks on environmental protesters and anticapitalists.... Our resistance is growing.... By physically disrupting prison building, by targeting the companies who build and run prisons or use prison labour, by solidarity with prisoners and by linking our struggles, we can stop this.[10]

Although the Reclaim the Streets movement was predominantly an urban youth phenomenon, CAGE is also made up of activists from Earth First, a grass-roots environmentalist group with strong representation in rural areas. CAGE operates in small towns and in urban centers and has groups in Oxford, Brighton, Swansea, Sheffield, Nottingham, Leeds, and London. CAGE has created coalitions with black and prisoner organizations to reach beyond the predominantly white anticapitalist and environmentalist constituencies. Many of the group's actions are against privately built and managed immigration detention centers. During the past decade, asylum seekers in Britain have been vilified by the right-

wing press, branded "bogus" by the government, and forced to live on vouchers rather than on welfare payments. By connecting the vibrant mass movement in support of asylum seekers with the struggle against prison construction, CAGE brings an important analysis of the symbiotic relation between the state and prison industries to direct actions by immigrant rights organizations, prisoner rights groups, and anticapitalist activists. However, opposition to the prison-industrial complex needs to tackle state and privatized manifestations of punishment as well as violence if it is to challenge the racialized logic of incarceration. As such, these direct actions have yet to win the broad-based mass support mobilized by demands for state redress for black victims of racist violence.

Building Coalitions Toward a New Abolitionism

The first step in challenging the globalization of the prison-industrial complex is to make visible its diverse manifestations. The prison system in Britain is the result of racist and postcolonial ideologies, an economic landscape, and a political history, all of which are unique to that country. However, it owes much to the U.S.: the corporations that facilitate and profit from the prison-building boom, the scholars who provide the academic justification for the continued use of incarceration, and the politicians who eagerly share legislative innovations such as three strikes and mandatory minimums. By tracing shifts in ideologies and practices of penality, we can identify the emergence of the prison-industrial complex in Britain as part of the aggressive globalization of capital. Though this complex has roots in the moral panics on crime and mugging of the 1970s, the introduction of private profit into penal practices in Britain has enabled the state to continue a prison-building frenzy that, despite frequent predictions about a downturn in imprisonment, has yet to slow.

Despite a long history of penal reform activism in Britain, it lacks a broad-based radical prison movement. Instead, piecemeal opposition to the prison-industrial complex arises out of a plethora of anti-racist, feminist, anti-capitalist, environmentalist, and immigrant rights groups. The opposition's fragmentation is a weakness in that it prevents a comprehensive critique of imprisonment that includes capitalist exploitation, corporate profit, racism, xenophobia, patriarchy, and homophobia. It is also a potential strength, for it speaks to the possibility of a broad-based movement with support from diverse locations, along the model of the coalitions that created "Critical Resistance: Beyond the Prison-Industrial Complex."[11] The attendance at Critical Resistance of activists from black British organizations was a starting point in establishing transatlantic connections. However, though black professional associations in Britain such as the Society of Black Lawyers and the Black Police Association have been nurtured and supported by their African American counterparts, the radical prison movement has not been so proactive. This contrasts sharply with transatlantic activism in support of the Irish Republican struggle, where the financial, political, and practical

support from Irish Americans played an important role in the recent closure of Long Kesh (known officially as HMP Maze) and in the release of prisoners of war under the Good Friday Agreement (*An Phoblacht*, August 9, 2000).[12] Radical anti-prison activists in both countries have perhaps been caught up in immediate battles against prison-building projects and legislation such as Proposition 21 in California and the Anti-Terrorist Bill in Britain. Activists in the U.S. have therefore focused their energies on challenging developments within U.S. borders. Meanwhile, corporations in an era of globalization respect no borders, and the prison-industrial complex has long since spread beyond its birthplace. The challenge for activists is to extend the scope of our coalitions and vision to battle a phenomenon with tentacles throughout the Americas, Europe, Southern Africa, Australia, and New Zealand. Indeed, attacking the prison-industrial complex in the U.S. alone is like attempting to kill a weed by chopping off the head. The roots, nurtured in the blood and sweat of prisoners from London to Johannesburg, will continue to thrive and search out new, more sympathetic locations for growth.

NOTES

1. Interview, Her Majesty's Prison Winchester, June 23, 1999. "Denisha" is a pseudonym.
2. Prisons in England and Wales are governed by the Prison Service within the Home Office. The prison population of England and Wales in 1998 was 66,500 out of a total population of approximately 46 million.
3. The term "black" was adopted in Britain by the anti-racist movement in the 1960s as a political category that would unite African, Caribbean, and Asian people in struggles against racism and colonialism. For further details, see Sudbury (1998).
4. The slogan was used successfully by Conservative Peter Griffiths to win the 1964 Smethwick By-election.
5. For example, the replacement of housing "rates" with a poll tax that taxed the number of inhabitants rather than the value of the property led to prison sentences for those who were unable to pay the inflated taxes for overcrowded homes in poor neighborhoods. Mass protests eventually lead to the repeal of the poll tax.
6. Politicians hurried to cash in on the private-prison boom. For example, Sir Edward Gardner of the penal affairs group, quoted above, left Parliament to become chair of Contract Prisons, a company set up to bid for contracts to run U.K. prisons.
7. Shadow Home Secretary Jack Straw in "Labour to Halt New Private Prisons" (Prison Privatisation Report International, June 1996).
8. Lee Jasper, Secretary, National Assembly Against Racism, interviewed in *The Runnymede Trust Bulletin* (London: Runnymede Trust, 2000).
9. From a speech to the Police Federation Conference, "Criminals Are Not Victims of Society."
10. CAGE website, www.veggies.org.uk/CAGE (August 31, 2000).
11. See articles in this volume and www.criticalresistance.org.
12. See www.geocities.com/CapitolHill/4025/prisoners.html.

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Yell Real Loud:
HIV-Positive Women Prisoners Challenge Constructions of Justice

Cynthia Chandler and Carol Kingery

Society works backwards a lot. It lets your dad send you to school with black eyes and your husband lock you up in an institution when you're fourteen because he's leaving town and doesn't trust you. But society wants you to live up to its rules....

— Rosemary Willeby (1999), prisoner and HIV peer educator, one month before dying of liver disease at the Central California Women's Facility in Chowchilla, California. She was serving a five-year sentence for a nonviolent offense.

An activist is somebody who will fight and stand against all odds to win rights for others. I have been an activist on the inside. Being positive and being put in a group of people who are labeled unsafe makes me fight harder. I have been treated with prejudice because I question "Why?" I am harassed because of my demands for answers.

— Theresa Martinez (2000), HIV peer advocate and prisoner activist.

Introduction

THIS ARTICLE DOCUMENTS THE OPINIONS AND EXPERIENCES OF HIV-POSITIVE women prisoner activists in order to develop a progressive antiviolence strategy aimed at increasing the safety of women while simultaneously challenging the expansion of the prison-industrial complex. The rhetoric of "public safety," "justice," and "victims' rights" is regularly used by the political Right to justify what we believe is excessive imprisonment and the widening net

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of the criminal justice system. As a result, the United States has the highest incarceration rate in the world (Lichtenstein and Kroll, 1996: 17) and imprisons a disproportionate number of poor people of color. This disparate policy of imprisonment has resulted in the destruction of families and entire communities.

Yet, with the only discourse on safety being offered by the political Right, impoverished communities suffering from high crime rates are forced to rely on this same paradigm in their own search for safety. Such communities are plagued by victimization and community fragmentation due to excessive imprisonment. Consequently, we must develop a social justice strategy that addresses disenfranchised communities' needs for safety, but does not contribute to the destruction of these same communities.

Victimization and excessive imprisonment have acutely affected the community of HIV-positive women prisoners. The dramatic increase in imprisonment in the United States has been accompanied by epidemic rates of HIV among prisoners.[1] Moreover, women currently incarcerated in the U.S. suffer disproportionately higher rates of HIV infection than do free people and male prisoners.[2]

Incarcerated women and HIV-positive women share many demographic characteristics (Smith and Dailard, 1994: 78–79; Zierler and Krieger, 1997: 410–11). Both are overwhelmingly made up of women of color struggling with poverty and addiction,[3] who have histories of sexual abuse and other victimization.[4]

Linked to all of these risk factors are conditions of disempowerment — resulting from poverty, racism, and sexism — that heighten the susceptibility of women to victimization, imprisonment, and life-threatening diseases.[5] Women with HIV are particularly vulnerable to victimization and stigmatization because of their disenfranchised social status. Additionally, because of this disenfranchised status, they are also arguably one of the groups least able to access democracy to protect themselves against a widening net of imprisonment.

This article is a collaborative effort toward developing an alternative progressive discourse on "safety" and "justice" that resists excessive imprisonment and offers, instead, community-based individualized interventions as positive solutions to crime. As staff members of Women's Positive Legal Action Network — a nonprofit organization providing legal services and community education around the special needs of HIV-positive women caught in the criminal justice system — we asked HIV-positive women prisoner activists to share their experiences of surviving violent crime in and out of the prison setting, and to detail their interactions with the criminal justice system. In particular, we asked these women how they define justice and safety, how, and if, the current criminal justice system should be included in a strategy of social justice and violence prevention, and what role activism can play in galvanizing social change.

Their stories and perceptions reveal the particular vulnerability of women to HIV infection, violence, and imprisonment because of poverty, racism, and sexism. Further, the pervasive and continuous nature of violence in these women's

lives testifies to the connection between systemic and individual acts of violence and discrimination. They challenge incarceration as a solution to violence, especially violence against women, and instead show that state-sanctioned acts of racism, misogyny, and classism within the current paradigm of incarceration serve to perpetuate violence and enforce the submission of those who try to resist abuses of authority. In their call for positive individualized community-based solutions to crime, these women serve as role models in the fight for a more effective and empowering method of social justice. They challenge us to have the courage to join them in their struggle to resist injustice.

Testimony

Rebecca

Violence: Lots of things contributed to my being a prostitute. My mom sold me and my sister into pornography when I was little. No one told me it's wrong to sell your body. I was abused as a child and I learned, if all else fails, sell your ass. I'm not a normal person. And I'm a drug addict. But at any time, I could have gotten a job. I had some choices, but I based my choices on my value system and environment. No one ever taught me differently.

My father is the most violent man I have ever met. He's an elder in his church who would come home and beat my stepmother. I'm just like my mother according to him, i.e., a tramp, no good for anything, a slut, whore, drug-addicted bitch. "Missed abortion" was a favorite. Once he beat me for squeezing the toothpaste in the middle of the tube. To this day, I never use Crest. I've kept finding him. When I find a man, he has a potential for violence. The father of my youngest child kidnapped our daughter, demanding drugs or he would send her back in pieces.

State Violence: In terms of violence against women, the system locks men up over and over again without rehabilitation or mandatory anger management training. I think we need mandatory prison for at least 16 months flat for first-time offenders who hurt women. But not prison like it is today. Anger management and alcohol and drug treatment should be mandatory. Also, they should offer self-esteem classes to the women free of charge. We need to give people incentives to become rehabilitated and offer a wide spectrum of programs and classes to help people with different problems.

Violence by an individual is felt quickly by its target, whereas misogyny is an undercurrent that nobody talks about, but everybody feels. That feeling of power and fear can lead to acts of violence. Misogyny and racism are always good for a fight. Untreated mental illness also causes violence, especially in prison since it has become a dumping ground for the mentally ill. So is classism. HIV and class seem to be confused. Like you must be low-class to have become infected, so it's okay to treat you worse. When I was first tested for HIV, I was in a county jail. They put me in a suicide watch room with a glass wall. They took away my clothes and

tied me down in four-point restraints. I was freezing and everyone could see me naked. I wasn't suicidal; they did this because I had AIDS.

Safety: What is "safety"? I looked it up in the dictionary because I wasn't exactly sure. I looked up "justice" too. Webster describes safety as "free from danger, security, a protective device, or a football back in the deepest position." For me, safety is free from harm. I only feel safe when I am in the hospital.

The criminal justice system isn't capable of serving society's needs. All the justice system does is lock up people and give minimal attention to rehabilitation. As far as addressing my specific needs, so far they haven't really asked.

A society is only as strong as its members, and ours is in the beginning of destroying itself. People are like links of a chain. When the chain becomes weak and is not repaired, like how the people in prison are not being rehabilitated, it will just fall apart. When enough people are incarcerated, there will come social destruction.

We need to send people to programs and use prisons only as a place for the most dangerous. By dangerous I mean someone who seriously injures someone else. For most people, we need to reward proper action, including offering a lot more alternatives to imprisonment. As it is now, prison is a destroyer of prisoners' self-esteem. The main problem in America isn't crime; it's drug abuse. We need to treat it like an illness, not a crime.

Activism: We need to be activists against state violence — stopping misogyny and disagreements between races, stopping prejudice and acts of violence by guards who push or hit inmates or leave them in situations where harm will come to them. We must give factual accounts to people on the outside, those who have voices, thus bringing light to the problems both inside and out.

Being an activist means getting incremental changes in a system, caring more about the rights of others, and having the courage to stand up against a system, regardless of the consequences. To be an activist in prison you need to talk to, and for, people who don't have a voice or the courage to talk in front of others. You have to find out what the problems are, pass on the information to others, yell real loud, and not be afraid of what might happen to you.

I've been punished for being an activist. I've become close to a lot of people who have died. I have been threatened by a prison's chief medical officer, who told me he'd commit me to a mental hospital and no one could do anything about it. When people think you're crazy, you have no voice at all. I've been put in isolation and have been forced to take toxic medications that I didn't need. Other people with HIV are not treated like that.

I receive inspiration from those of us who fought for equal rights until they could fight no longer and who, in their deaths, brought about the changes that they only hoped for in life — those who in death brought about public awareness of what happens to the people society forgot.

Brandy

Violence: I have been so wounded through the years. All I've been looking for is someone to love me unconditionally and for me to be able to do the same back. I never had it at home. I pick all the wrong men; I never had a role model. I have never had a meaningful, loving relationship with a man in my life. All of them have been about what they're going to take from me. It's all centered on narcotics. When I got HIV, I thought it was the end of the world. I thought, who's going to love me now?

My mother didn't have time to love me. There were eight kids. I was the oldest. No hugs, no kisses. I had asthma attacks just to get her attention. Eventually I learned how to act, how to shut down. I was able to numb things. I watched my parents fighting so much. The first few times I was scared for my mom, and then I stopped. I had tried to protect her from getting beaten; she would turn on my brother and me and tell us to go to bed. "Mind your business," she'd say. I just stopped getting up for it. If they [my family] weren't tearing my self-esteem down, the people on the streets were.

The first time I was molested was by a friend of my fathers. He came into the kids' bedroom. I felt him over the bed. I could smell him, a cigar smell. He was rubbing on my legs, saying, "How you doing, are you O.K.? I'm not gonna hurt you." All my life I've been scared of something.

I picked the same type men my mom had. Dad held her, controlled her. I said that no one would do that to me. But at 18 years old, the man gave me heroin. I was in business college. The dope man was the ticket, God, daddy. When I met him, he would say, "Why are you in school? You're not learning anything." He stuck a needle in my arm when things got bad. But soon he was picked up. When he went, so did the supply. A friend said, "You want it, you suck my dick for it." I stole, snatched a purse to pay for it. Eventually, I became a prostitute to pay for the dope.

Prostitution was horrible. Pimps taking your money, telling you what to do with it. I wanted to stay loaded in order to keep doing it. I got into cars with strangers. A man picked me up one night and took me home. He had lye in the bathtub. I could either do what he said or try to jump out of his third-story window, or he'd burn my face in the lye. He put a coat hanger around my neck and told me to bark like a dog while he sodomized me. He kept me for two or three days before he let me go. Eventually I got to not feel anything.

In 1982, I went to cop some dope in an apartment complex where wetbacks lived. I brought some white women there to turn tricks. A guy shows me a $100 bill. I go into his apartment. The lights went out; I got hit in the back of the head. Fifteen guys lived there. They hog-tied and blindfolded me and put me in the closet for two weeks. They sodomized me and did everything else for two weeks. I believed they would kill me. A 15-year-old kid from Mexico, the houseboy, finally let me go. I stayed in the hospital one month after that boy let me go. I didn't call the cops; I said nothing.

I went back two months later. That was my first armed robbery. I did it on my own. It led to a series of 50 robberies. I targeted houses with groups of wetback men. Beat them with crowbars. I didn't just take money; I hit somebody. It was my campaign to pay them back for what they did to me. It almost got me killed. The rage.

In prison I belonged. I had an identity in a society when I never fit in at home. In prison I rolled on the personalities of the people I met in county jail until I found my own. That protected me. That character went outside and got in trouble, hustling, prostitution, robbery, sales. That character kept me coming back here.

State Violence: We're released to a bus station. The threat of parole immediately begins: "If you don't show up there and do this, that's going to happen to you." They set you up to fail, leave you in fear. You start to get depressed before the bus even stops. As an addict, what do you do when you are scared? You relax the only way you've ever known how, if you don't OD trying to kill that fear. So you're back to dope, to the war zone of your family and friends.

Safety: It's not realistic to say that all crime will ever stop. What we can believe is that once addiction is taken out of society, or once addicts are treated for their addictions, then safety comes in. I will advocate until we all feel safe to come forward.

Davara

Justice: Not to misappropriate individual responsibility, but we need to recognize the foundation of "Justice for all" — how, why, and what brought about our country. The United States was founded on criminal intent: taking the Native Americans' land and kidnapping, enslaving various groups of people to work and build a nation. The father of our county, being the "white male," "fair minded" orchestrator of our government or society, made "others" second-class citizens subject to rape, oppression, and capitalism. This criminal hierarchy may be inherently violent depending on the "others'" ability or desire to submit.

I fail to accept that our "justice" system is truly motivated to protect anyone other than the undisclosed perverted, authoritative, politically disguised, financially secure male. Yes, the criminal justice system could service and understand our (my) needs, if political influences were not the issue. Today, justice is bought and sold, fluctuating by economics for those who may or may not be able to afford appetites. Laws are legislated for, or by, a financially privileged group. Also "who you know" and "money talks" dictate where and what type of incarceration one endures.

State Violence: Currently, I am sexually assaulted on a daily basis. "Pat searches" whet the hands and appetites of corrections officers as they fondle my breasts and genitals. I had to escape prison once to avoid being forced to undergo an unnecessary and unwanted hysterectomy. A corrupt system such as ours is not about safety or justice, especially not for people of color, women, people with

HIV, or other illnesses. The majority of the women's prison population has experienced abuse as a child and a parent, and as a victim and a perpetrator. It's a cycle. Drug addiction is a bondage all its own — a chemical warfare that should be intricately studied and treated, not punished. Mental illness has fine lines of particular need that cannot get adequate attention in prisons concerned with the political rights and desires of the privileged and healthy.

Activism: It is imperative that we speak out against the injustices of our country and society that extend to our prisons. As a group, imprisoned women are activists in some category or other — as mothers, singles, wives, minorities, etc. An activist is being open and stimulated to prevail in exposing, enlightening, sharing, and correcting. But when you speak out against the state, you are punished by the paranoid system by being subject to the loss of mail (your connection with family and community), broken or defaced property, exploitation, or being lied upon or framed. Justice should be about the punishment positively fitting the crime. There should be a correlation between the offense to constructively make up for what was done. Prisoners, "offenders," should be mandated and encouraged and taught to give back to society. Social justice would be investing in the ability of the offender back into the society, the whole. Gaining moral and educational accomplishments meet the needs of prisoners and society, while meeting economic goals. Any of us may fall short, but justice should establish maintenance programs that keep us from falling again. True safety is the ability to recover and establish boundaries that are selective enough to protect hope. I hope that I may be a blessing of hope in the strategic implementation of care and concern between those of us in need.

NOTES

1.   De Groot et al. (1996: 79) report that the rate of HIV infection among prisoners is 10 to 100 times higher than the infection rate in the general population.

2.   De Groot et al. (1996: 81) report that the rate of HIV infection is higher among women in almost all correctional systems surveyed. Brien and Harlow (1995: 1) relate that 4.2% of female prisoners reported testing HIV-positive as compared to 2.5% of male prisoners.

3.   Smith and Dailard (1994: 78–79) argue that racism, poverty, and drug use put women at increased risk of both contracting HIV and of being incarcerated.

4.   Cuccinelli and De Groot (1997: 225–226) argue that a history of sexual abuse increases women's vulnerability to HIV and to incarceration. De Groot et al. (1998: 162–163) contend that incarcerated and HIV-positive women are likely to have experienced sexual abuse.

5.   The Global AIDS Policy Coalition (1993: 4–6) argues that belonging to a marginalized and disenfranchised cultural group is a significant risk factor for HIV infection. Zierler and Krieger (1997: 401) argue that social inequities are strongly related to HIV infection among women in the United States. Virgo (1996: 47) describes the links between incarceration, poverty, race, and gender.

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Reflections on Inside/Out Organizing

Karlene Faith

A S PRISON ACTIVISTS, WE KNOW A LOT ABOUT MEN IN PRISON, BUT MUCH LESS about women. There are far fewer incarcerated women, and they are seldom in the news. My purpose here is to briefly reflect on certain events during three decades of prisoners' rights activism: first, the early days of activism in California, through which I identify seven organizing and unifying principles, and second, more recent activities in Canada.

Years ago, I lived, worked, and studied in a variety of countries. Everywhere, I saw criminal justice systems as instruments of injustice. In the United States in the late 1950s, it was Blacks who were getting rounded up. In France in the 1960s, it was North African "gypsies"; in Eritrea it was Muslims. In Jamaica in the 1970s, it was Rastafarians and other anticolonialists. Globally, the patterns have been clear — the people most likely to be criminalized, incarcerated, and tortured are primarily young men of political minority groups.

In the late 1960s, the civil rights, black power, antiwar, and women's movements spawned other social movements, such as organized homemakers, midwives, farm workers, welfare recipients, people with physical disabilities, and antiwar Vietnam War veterans. From within this mélange of issues, the prisoners' rights movement surfaced with a certain clarity and political force that recognized prisons as a key convergence of social injustices.

While the prisoners' rights movement was taking shape as an offshoot of antiwar, anti-racism, and socialist movements, academic research and university courses were producing data and critical analyses of carceral enterprises. At the University of California at Santa Cruz, where I was an undergraduate (and later a graduate student), economist John Isbister and psychologist Ted Sarbin were producing empirically grounded critiques of prisons. In the Bay Area, attorney Faye Stender was exposing the lawlessness of prison regimes. The fledgling *Crime and Social Justice* journal (now *Social Justice*) became a valued aid in examining the intricacies of punishment as a state enterprise. Prisoners' writings and defense committees, especially those of war resisters and black power figures (particularly George Jackson, Angela Davis, Ericka Huggins, and Huey Newton), were stirring the public consciences of liberals and radicals alike. By the time the

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FBI went on a shoot-'em-up cross-country rampage against the Black Panthers, political prisoner support groups had been sprouting all over California and throughout the U.S. At U.C. Santa Cruz, we were being influenced by the writings of Richard Quinney, Jessica Mitford, and the Quakers' abolitionist book, *Instead of Prisons*.

Educators such as Rafael Guzman, for whom I worked as a teaching assistant on campus and at Soledad prison, were taking students into prisons and bringing newly released prisoners to the university, three of whom were teaching assistants in his popular on-campus prison course. Prisons and universities represented antithetical institutions, and the contradictions between them exposed fundamental societal inequities and the mechanisms of social tracking. Taking the university into the prison felt like a revolutionary act. I also studied with, and later assisted, Herman Blake in a Black History course, which presented a perspective on the disproportionate numbers of African Americans in prison. These sorts of liberatory educational experiences were not uncommon in the 1970s, when, for example, Women's Studies was in its nascent stage.

Benefit concerts, rallies, and grass-roots conferences on prisoners' rights generated extensive networks of activists with a primary focus on prisoners in the hardcore maximum-security men's institutions, such as Soledad, San Quentin, and Folsom. Many women, including self-identified feminists, participated in defense committees and other prison-related work, which most commonly focused on men. In the early 1970s, few people knew anything about women who were locked up. Not even the activists or former (male) prisoners who came to the university and to community-sponsored prisoners' rights events knew anything about incarcerated women. At radical conferences and rallies, and in government reports, women were rarely mentioned. Most remarkably to me, even the men I worked with in Soledad prison didn't know anything about imprisoned women's whereabouts, though some of them had wives, mothers, daughters, or sisters in prison "somewhere."

In 1970, when very few women spoke publicly about their prison experiences, I met Diane Ramsay, a poet who had been incarcerated at the California Institution for Women (CIW) for marijuana possession, losing her children in the process. She was candid about the experience of being a prisoner. We teamed up and did presentations in Santa Cruz and the Bay Area, where I would give some background on incarcerated women, and then she would talk and read her poetry:

> *My baby was three months old*
> *Three years ago.*
> *He calls his Grandma, "Mommy."*
> *My daughter just turned six.*
> *She calls Aunt Marilyn*
> *"Mommy."*

My children do not know me.
I haven't seen my husband's face
Or heard his voice
In these three years.
I don't know when
I stopped loving him.
I can't love a stranger. (Unpublished manuscript.)

Soon, encouraged by Diane, other women who had been imprisoned were also coming forward and speaking of their experiences.

Lesson #1. The first human right is to speak in one's own voice. Only someone who has been imprisoned can speak subjectively of this experience. Advocates can only report on what they are told. The incarceration of Angela Davis, Ericka Huggins, Susan Saxe, and others brought women into the frame. They were each inspiring as icons in the struggle for freedom and justice, but their celebrity obfuscated the everyday injustices against anonymous imprisoned women. Yet, as more women of color, such as Joann Little, Inez Garcia, and Yvonne Wanrow became identified as political prisoners, a more grounded interest in women's prisons begin to take shape. Through this focus on individuals, questions were being raised about carceral practices more generally, and feminists were campaigning for imprisoned women's rights. The radical feminists situated women's incarceration within a broader analysis of violence against women, and were subversive in such ways as smuggling feminist literature into women's prisons. The liberals (who were often the legalists), following an equality model, advocated that women prisoners had a right to the same education, vocation, health, and other services provided in men's prisons. The socialists offered political education that blended revisionist Marxism with feminist critiques of capitalist patriarchy.

Beginning in 1972, the Santa Cruz Women's Prison Project (SCWPP) took university-level courses (accredited by U.C. Santa Cruz), community workshops, and cultural activities into CIW, then the only women's state prison. (The total population was 600 at that time, but later expanded to more than 2,000. A string of new women's prisons have since been built, and currently more than 11,000 women are incarcerated by the state of California.) Over the course of four years, with a series of rotating project coordinators including Jeanne Gallick, Debra Miller, Catherine Cusic, Frances Reid, Nancy Stoller, and myself, several hundred volunteers went into the prison. Scholars, activists, and performers from around the state contributed to and participated in the curriculum, entertainment, and cultural events. From the start, the SCWPP coordinators consulted with the women prisoners before making any significant decision that would affect the program. Much of what we did was a result of their initiative, and when the SCWPP was temporarily expelled several times from the prison for various investigations (a common experience for community groups), the student-prison-

ers became politicized and organized, engaging in, among other things, a work strike. One of our "older" students (in her 40s), Norma Stafford, discovered her creative writing ability, and, like other incarcerated women, formed opinions about sexism, racism, capitalism, and imperialist wars through her studies and contact with SCWPP volunteers. Upon her release, Norma became a popular presence at community events, and she later published her poetry. Here is one of her poems:

to an unnamed guerilla in vietnam

rumpled hair, bloodstained face
that was you in the stillness of
a photograph won't quit my senses.
young man, without a name, you
stood thick in muscle and loving someone.
with nostrils distended, eyes blazing defiance,
you stood as strong as I now stand deep in shame
for your tortured body and lost young life.
they said you "wouldn't talk"
so, my government killed you.

my brother, my brother!
there is no requiem for you here
except this:
I love you and I love your defiance.
at the foot of your hate for me and mine
I do obeisance to the fire passed on by your death.
your seeds have not been wasted
nor has your blood run in futile streams.
I kiss the earth, squeeze the soil between my toes,
yell at rivers and hug trees,
because I know in these simple things of life
a peasant, even like me, can touch
your still form letting you know
that you do not lie in the dark alone (Stafford, 1975).

As the work of the SCWPP continued over several years, we engaged in considerable collaboration with women in the prison, most notably and memorably for me in a conference on "Alternatives to Prison" in 1973. The U.C. Santa Cruz graduate program, History of Consciousness, had co-sponsored a new CIW self-help group, the Long-Termers' Organization (LTO), for women serving life sentences. The conference was the LTOs first major contribution to the life of the prison, with 200 outsiders in attendance, including family members and many prisoners. The women presented a stimulating set of talks, with time for intense

discussion among people from both sides of the law, who at the end of the day collectively recognized the futility of prisons as a response to street crime. The event was historic because it was the first time a conference that focused on breaking away from institutionalized retribution was being held within a prison — a women's prison.

Lesson #2. Build a support base for the work through forums, held inside and out, that facilitate communication between imprisoned women and "the public." Frances Reid, the Los Angeles coordinator with the SCWPP, organized a well-attended public forum in our first year, which brought the issue of women's prisons to the urban feminist agenda. Given the proximity of the California Institution for Women to Los Angeles, many of the CIW prisoners are from L.A. and most parole back to that city. The forum was attended by community activists, women who had served time, and family members, all of whom had direct knowledge of systemic injustices. The event catalyzed a new L.A. group, organized by Mary K. Blackmon, which focused on women's efforts to hold their friendships and families together during their incarceration.

A significant cultural force within the women's movement was the surfacing of many strong musicians. A number of these performers had given concerts and done workshops at CIW, and four of them were featured in a statewide tour of "women's music," produced by Marianne Schneller of Women on Wheels and Frances Reid of Iris Films. The tour brought attention to abuses taking place at CIW and was to end with a concert held at the prison. Singer-songwriter-musicans Margie Adam, Meg Christian, Holly Near, and Cris Williamson gave sold-out concerts in large halls in six cities across the state, raising prison issues from the stage; the following day, with former prisoners and local activists, I led workshops on prisoners' rights activism.

Early in the tour, the prison administration withdrew permission for the prison concert when officials realized that a number of the individuals involved with Women on Wheels had been members of the SCWPP, which had been a headache for the prison administration. In less than two weeks, over 10,000 people throughout California signed petitions calling for the prison concert and an end to human rights abuses in CIW. Ultimately, due to the publicity and political pressure, the concert was permitted, but a number of us who were affiliated with the tour and the SCWPP were banned.

The February 1976 statewide concert/workshop Women on Wheels tour had the effect of rallying an uncommon interest in women's prison conditions. On March 19, while the energy was still high, we followed up the tour with a rally, 1,000 strong, in front of the State Capitol buildings in Sacramento, organized by Catherine Cusic, Laurie Hauer, Patty Roberts, and others. San Francisco-based lawyers affiliated with the SCWPP prepared briefs, which they presented at a legislative hearing taking place inside the Capitol on such issues as mother/child separation, harassment against lesbians in prison, lack of advocates for women

being punished for prison rule infractions, high-security classification for low-risk women, staff tampering with prisoners' mail, holdups of mail for non-English-speaking prisoners, improper and abusive medical procedures, lack of community access to the prison, the absence of any way of monitoring human rights abuses within the prison, and a plan by corrections officials to open a behavior modification unit at CIW. (This hearing was one of a number of such hearings at which members of the SCWPP read briefs and contributed to legislative inquiries. Although we were not allowed to reenter the prison, we were sought out as consultants to policymakers.)

While the legal researchers were presenting expert testimony to the government, numerous former prisoners and activists spoke to the crowd outside. Musicians performed. The key issue was the construction of a new behavior modification unit at CIW for women the prison considered "political." This unit was meant to deter women from speaking out against abusive prison policies and/or practices. After the rally, the crowd linked arms, moved into the domed Capitol building, and occupied the corridor while singing, in unison, Cris Williamson's "Song of the Soul." Due in part to sustained pressure, authorities canceled the plans for the behavior modification unit.

Music and resistance politics have a long shared history. Within the prison, musicians bridged the social distance between prisoners and outsiders, and prisoners found camaraderie among themselves. On the outside, at benefit concerts musicians performed and offered engaging commentary on the state of women's prisons from the stage, at once entertaining and educating. In the late 1970s in Los Angeles, Debra Miller, Vickie Randle, myself, and former prisoners organized "Music Inside/Out" to coordinate prison concerts, and up north in the Bay Area, Laraine Goodman did the same thing for years.

Lesson #3. As a form of social expression, music is at the heart of social change because it is a great unifier. Most music is welcoming, whereas political rhetoric is often challenging and hostile. A community's chosen musicians, poets, and artists represent the soul of any social movement.

Lesson #4. Research and communication skills are necessary to effective organizing. Anything said or written will be scrutinized by people concerned with factual accuracy, especially those whose ideologies and institutions we oppose, so we must be able to defend what we say and write. The landmark "Women against Prison and Repression" conference, held at a rustic mountain retreat in the Santa Cruz mountains in 1977, was organized by Nancy Stoller and other activists, together with former prisoners who were now joining the outside movement for prisoners' rights. These women were getting their lives together, often with the support of SCWPP affiliates around the state. They were going to school, finding jobs and housing, caring for their children, and speaking out at public meetings, in the media, and in classrooms about their own histories as well as about conditions in the prison. Just a few years before, women on parole stayed in the

closet rather than face the stigma associated with their situation. This coalition gathering was significant for women who were encountering, for the first time, so many other women on the outside who had also done time, who understood the prison experience, and who were finding their collective voice.

The "Women against Prison and Repression" conference stood in contrast to other prisoners' rights conferences organized around the state in previous years, in which incarcerated women — with the exception of well-known political prisoners — were virtually never mentioned. In this venue, as at the Sacramento rally and so many other prisoners' rights events throughout the 1970s, women — with all their diversities and the totality of their experiences in and out of prison — were the whole point.

Lesson #5. Grass-roots coalitions are the only effective means of growing a social movement. This process requires extending one's vision beyond the single issue for which one struggles, e.g., prisoners' rights, to recognize that that challenge exists in the context of a global struggle for human rights. Ellen Barry, a longtime advocate for the rights of prisoners and their children, established annual roundtables that, over the years, have brought together many former prisoners and community activists throughout the U.S. One collective achievement of advocates for imprisoned women's human rights in the late 20th century was the creation of spaces where women who have been criminalized could safely meet with one another, speak their own truths, and find or form communities of women committed to working together for social change.

Lesson #6. In a victim-offender continuum, up to 80% of all imprisoned girls and women are prior victims of sexual and other violent physical abuse, as children and as adults, whereas in the general population, the abuse rate is about 50%. Some of these women are in prison for assault or other violent crimes. More, however, are in prison for crimes of poverty and pain, including theft, fraud, and illegal drugs. To work against the conditions that produce crime and selective punishment is to work against the inequitable political economies and patriarchal violence that victimize women and children. Over the years I have worked with a number of groups whose goals were long term, but who stayed in contact with women inside to do short-term reform work that improved prison conditions, such as bringing in a law library, an exercise-dance class, or a class in creative writing. Ellen Barry's legal work put corrections officials on alert to medical abuses at CIW. Another project developed a better childcare environment for family visits. Every reform raises the question of whether, in Gramsci's terms, it is a revolutionary reform, one that has liberatory potential to challenge the status quo, or a reform reform, which may ease the problem temporarily or superficially, but reinforces the status quo by validating the system through the process of improving it. We do liberal reform work because real women in real crises occupy the prisons, and they can't be ignored. Revolutionary reform work is educative: it raises questions of human rights (and thereby validates prisoners as human beings) and demonstrates

that the state apparatus, which is mandated to uphold human rights, is one of the worst rights abusers.

Lesson #7. When appraising whether a project is reformist reform or has revolutionary reform potential, the question to ask is, "*Cui bono*?" That is, "Who benefits?" If the reform benefits women in the long run, strengthens communities, and reduces the numbers of prisoners, it is revolutionary; if it eases conditions for a few women, temporarily, but at the same time reinforces a correctional ideology that benefits the state and a philosophy of retribution, it is reform. One effective way to reduce prison populations is to reduce recidivism, which means that community support systems have to be in place for women exiting prison. In 1994 in Canada, a group of former prisoners and allies organized Strength in Sisterhood (SIS), a national network of women who have done time and are there for each other for post-prison support. It is a kind of underground railway for newly released women who are trying to tow the line and avoid returning to prison. SIS members also testify at public hearings and in classrooms about conditions in the prison and do advocacy for women inside.

The populations of Canada, a nation, and California, a state, are approximately the same, around 30 million in 2000. The approximately 6,000 women imprisoned annually by the 10 Canadian provinces and the two territories are serving two years or less (on average, a one-month sentence) for relatively minor offences. The approximately 350 women (compared to almost 15,000 men) serving two years or more are federal prisoners held in women-only federal prisons in six provinces across Canada. By contrast, 11,000 women are incarcerated in California state prisons, over 30 times the Canadian rate for women. (The difference is due in part to California's draconian sentences for drug offences.)

The first international conference on "female offenders" took place in Vancouver, B.C., in 1979, sponsored by Simon Fraser University. At those meetings I helped the now-legendary abolitionist Claire Culhane, and Marie-Andrée Bertrand, organize a "radical" caucus, got involved with the initial stages of Canadian activists organizing and advocating with women in prison, and heard the then-Solicitor General, Jean-Jacque Blais, announce that the archaic, domed, limestone Prison for Women (P4W) in Kingston, Ontario, at the time the only women's prison in Canada (surrounded by 18-foot stone walls), would be closed imminently. For three decades, the Canadian government promised a closure date for this fortress-like institution, which it would then postpone. It finally closed on May 8, 2000.

The construction of six new regional prisons in the mid-1990s was proposed by a feminist task force, not because they wanted to see more women imprisoned (build cells and judges will fill them), but because the conditions at the centralized prison for women in Kingston were so abominable and forced prisoners to be thousands of miles from their children. The Task Force on Federally Sentenced Women, sponsored by the Solicitor General in 1990 to 1991 and comprised of

many feminists and First Nations women (including prisoners), proposed mini-mum-security, open apartment-style living that welcomed children and had easy access to community resources.[1] Instead, although most women are classified minimum or medium security, the prisons are maximum security, with walls, fences, lasers, cameras, dogs, emergency response teams, and so on, and now include elaborate super-max segregation units. Activists succeeded in getting some women closer to their children and improving the inmates' physical environments, but bed space for federal women prisoners more than doubled with the new prisons. A retributive, correctional ideology was decisively re-entrenched in the name of reform. Correctional Services of Canada is investing in futuristic custodial hardware and technology while the government has been closing educational programs, women's halfway houses, and other community services.

Activist Canadian leadership in the 1990s and into the 21st century has come, in particular, from Kim Pate, who, as the executive director of the Canadian Association of Elizabeth Fry Societies, is routinely in personal contact with women in all the prisons in Canada and keeps the rest of us alert to new developments. Across the country, as in the U.S., hundreds of individuals are teaching, doing research, defending women in court, volunteering in the prisons, and/or organizing in the community. They have come together in various regions and national coalitions to organize rallies, workshops, research-activist forums, and community conferences to bring to public light the gender factor in the punishment industry. Those most deeply engaged in the work also have smaller strategy meetings with one another, including grass-roots human rights activists, lawyers, scholars, and former prisoners, such as at the Gatineau Gathering in winter 1997 at a Québec mountain retreat.

It is an important time for feminist activists to mobilize media and movement attention to women in prison. More women are being locked up for more trivial crimes and for longer sentences than ever before, both in California (one of the most carceral jurisdictions in the Western world) and in Canada (at a much slower, but nevertheless steady, pace). In Canada, this carceral trend is occurring at the turn of the millennium despite the "restorative justice" rhetoric used by high-ranking justice and corrections officials. The punishment industry is like a truck racing downhill without a driver. Given the relationship of runaway technology to increased surveillance and security globally, given the law-and-order ideology that invites technological innovation to be used for the control of human beings, and given that prisons are, de facto, conducive to abuses against prisoners, there is cause for resistance.

Prisoners' rights activists have succeeded in protecting some women's human rights for some period of time in some prisons, and, in Canada in 1996, in catalyzing a federal inquiry into violence against women at P4W that produced a scathing indictment of the entire prison system, especially around the treatment of women. The Honorable Louise Arbour, who conducted the inquiry, became the

chief justice of the U.N. Tribunal on War Crimes, and in 1999, she was appointed to the Supreme Court of Canada. From the grass-roots to the High Court, we continue to build a strong prisoners' rights movement, with more people agreeing that money needed for education and social services should not be diverted to prisons, especially amid a steady decline in the crime rate.

Every year, on August 10 prisoners across Canada join in honoring Prisoners' Justice Day, a memorial for all the men and women who have died in Canadian prisons, often by suicide. Community demonstrations support prisoners who go on work strike for the day and fast. Former prisoners join community rallies as speakers and drummers. When Claire Culhane was first organizing Prisoners' Justice Day in Vancouver in the early 1980s, just a dozen people or fewer would show up for the "rally," but she persevered and others carried on after her passing. In 1999 on the street in front of the Vancouver city jail, at least 150 former prisoners, their friends and families, and allies of all generations gathered to protest conditions in Canadian prisons and selective incarceration. It was a calm, spiritually harmonious crowd with a strong Aboriginal presence and articulate women and men speaking of their prison experiences, and the media was taking it all in.

The more than 3,000 people who attended the Critical Resistance conference in Berkeley in 1998 are indicative of a new North American movement working toward more rational and community-oriented analyses of, and responses to, harm done unto others, legal or illegal, at all levels of society. The spirit of revolutionary work is captured for me in the words of Lilla Watson, an Aboriginal woman from Australia. They were passed on to me by Canadian prisoner rights advocates Gayle Horii and Kim Pate.

> *If you have come here to help me,*
> *you are wasting your time.*
> *If you have come here because*
> *your liberation is bound up with mine,*
> *Then let us work together.*

NOTE

1.   First Nations refers to the 600-plus aboriginal bands that represent the first nations inhabiting the North American continent. Each band is distinct from the other in, among other things, language. The term "First Nations" is political (issues of sovereignty), respectful, and commonplace in everyday speech. "Aboriginal" is used both anthropologically and legally.

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Women Prisoners on the Cutting Edge: Development of the Activist Women's Prisoners' Rights Movement

Ellen M. Barry

Introduction

SOMETHING HAPPENED TO THE PRISONERS' RIGHTS MOVEMENT FROM 1975 TO THE 1990s. Women happened. Over the past 25 years, inside and outside of prison, in progressive organizations and in more mainstream efforts, in adult prisons and juvenile facilities, gender has become an increasingly prominent and urgent issue. Although women and girls are still a small minority of the overall prison population, issues affecting women and girls, and, by extension, children, families, and community members, have had a significant impact in shaping the emerging dialogue about the U.S. prison-industrial complex.

Critical Resistance organizing has reflected this issue in a variety of ways. The initial exchange that produced the original CR organizing committee was rooted in a feminist dialogue shaped primarily by women activists and academics working with women in prison. Women made up over three-quarters of the first organizing committee, more by happenstance than by deliberate selection. Young women, mostly women of color, are heavily represented in the leadership of CR Youth Force — the powerful youth coalition that germinated in CR and has grown by leaps and bounds since the first national conference. Although not a conference *about* women in prison, organizers of the first national conference *foregrounded* issues affecting women and girls in prisons and jails, integrating women into every aspect of the program.

Some prisoners' rights activists have been concerned that foregrounding women's issues would detract from, or diminish, the importance of activism by, and on behalf of, male prisoners. In fact, the attention to issues affecting women has led some to conclude that CR is a movement primarily focused on women in prison. This is clearly not the case. Rather, the foregrounding of issues affecting women has brought a richness and strength to prison organizing that has benefited

all prisoners, and prison organizing generally. By the same token, the parallel emphasis on issues affecting prisoners of color and their families and communities in the CR conference and campaign has effectively broadened organizing efforts, and has not, in any way, been meant to exclude the interests of prisoners who are white.

The Emergence of Women's Issues in the 1970s

The prominence of women prisoners and activists working with women in prison in the Critical Resistance movement is no accident. It is the result of a sea change in the prisoners' rights movement over the past 25 to 30 years. In the early to mid-1970s, very few organizers in the United States were working with incarcerated women and girls. The focus of grass-roots organizing efforts, as well as prison litigation and legislative advocacy, was overwhelmingly on male prisoners. Most of that organizing and litigation involved issues affecting men inside prisons. Few activists were focusing on the impact of incarceration on the children and families of (male) prisoners. The visionary work of the Black Panther Party, linking the need for strong community programs for children and families, flourished in the 1960s, but was being dismantled by COINTELPRO and the incarceration of a number of prominent party leaders. A few women had emerged as leaders in the civil rights and prisoners' rights movements, most significantly Angela Davis and Assata Shakur in the late 1960s and early 1970s, but women prisoners were otherwise virtually invisible to the progressive Left, as well as to the more mainstream efforts to reform the prison system.

However, as the 1970s progressed, a general consciousness about the presence of women and girls in U.S. prisons began to emerge. Grass-roots organizations were springing up throughout the country to address the serious legal and political needs of women in prison. New York University Law School — which has an unusually strong focus on progressive and public interest law — had a very active and effective legal clinic that worked with women prisoners at Bedford Hills Women's prison in New York. Several other law schools were beginning to work with women prisoners as well. Perhaps most significant, a number of the organizations created during this period were either started by, or staffed and developed by, currently and formerly incarcerated women. Aid to Incarcerated Mothers in Boston, Massachusetts, was the brainchild of two prisoners at the Massachusetts Correctional Facility at Framingham, Greer Toney and Susan Saxe. Inside, prisoner volunteers and staff created this program to serve the needs and interests of incarcerated mothers and their children, and, eventually, hired an outside, non-incarcerated director to continue the work. Prison MATCH (Prison Mothers and their Children) developed a pioneering program for incarcerated mothers and their children in which mothers worked closely with their children in a protected, child-centered environment at the prison in conjunction with several outside child development specialists. Prison MATCH had an active prisoner advisory board, which included incarcerated mothers and, eventually, incarcer-

ated fathers when the prison became "co-correctional." Since its inception in 1978, Legal Services for Prisoners with Children (LSPC) has had current and former prisoners on staff, on the Board, and as integral members of the organization.

Incarcerated Mothers: The Tie That Binds

It is no accident that women prisoners' issues and women's activism were, and are, integral to the CR campaign; neither was it an accident that the early activism around women in prison and jail involved an emphasis on incarcerated mothers and their children. Conservatively, at least 75% of women in prison and jail are mothers, and as the U.S. prison population ages, an increasing number are also grandmothers. Although not every woman in prison is actually a birth mother, it is my experience (I have worked with women in prison for many years) that there are very few women doing time who have not nurtured or cared for children and young adults in their communities in some capacity. Women on the inside are very much like women on the outside in this respect. Birth mothers, adoptive mothers, "play" mothers, foster mothers, grandmothers, and so on are the primary nurturers in any community. When I began my own work with women prisoners at Bedford Hills Women's Prison in New York in 1976, I repeatedly was struck by the fact that whatever else might be going on with a woman I was working with — whether she was facing serious medical care deficiencies, being sexually abused or otherwise harassed, or serving time on an unjust sentence — her first and primary concern was usually, "what is happening with my kids?"

An old adage in this field is that when men go to prison, the women who love them often relocate closer to the prison where the men are serving time, or do whatever else it takes to keep the family intact. If, for some reason, the mother/ partner is not there to keep the family together, the grandmother or sister will step in. When women go to prison, however, it is rarely the case that their male partners assume the primary parenting role or keep the family intact. Although I have worked with a few remarkable men who *have* stepped in as the primary caregivers when their wives/partners have been incarcerated, these men are very much the exception. One poignant example of this difference between the experiences of women and men in prison is in an average prison visitation day. At the men's institutions, generally speaking, hundreds of women, wives, and partners of male prisoners line up to visit in the rain, in the heat and humidity, and in the cold, often bringing babies and children of all ages to see their fathers. In stark contrast, women in prison receive considerably fewer visits, and, if they see their children at all, they are usually brought to the prison by the grandmothers and sisters of the women. It is not unusual for an incarcerated woman to confide to me that she only sees her children once a year, or sometimes, that she has not seen them for several years.

Championing the critical importance of the bond between maternal figures and children for women in prison has been a challenge; typically, the prison

movement has focused intently on men and on men's issues. The issue of children and incarcerated mothers is often seen as "soft," "unimportant," less "political," and less "radical" than concerns about the conditions of confinement. I question that view for several reasons. First, I consistently have found that women prisoners and former prisoners identify the issue of children as *the* most important issue to *them* and their community. Second, the movement to terminate parental rights and to place increasing numbers of children of incarcerated mothers (and fathers) in foster care and adoptive situations has grown significantly over the past two decades and is causing severe fragmentation of families, primarily those in low-income communities of color. Third, the future of these communities is fundamentally linked to the future of children whose parents are being ensnared in the criminal system, and to the punitive movement to criminalize such children at younger and younger ages.

Activism Inside: Women Prisoners Take the Lead

In several dramatic cases where women prisoners have organized to change egregious conditions in prisons and jails, the focus of activism has come out of women prisoners' experiences and concerns as mothers. For example, Annette Harris was motivated to organize a group of pregnant women prisoners at the California Institution for Women when she lost her baby late in her pregnancy. As a result, she became the lead plaintiff in the lawsuit challenging the barbaric treatment of pregnant women in California state prisons and spearheaded the organizing effort. Similarly, Doris Mitchell, devastated by the loss of a full-term pregnancy at the Santa Rita County Jail in Alameda County in Northern California, organized women at the county jail to bring a successful class action lawsuit. Elsewhere, women prisoners have effectively organized to get more equitable vocational and work furlough programs and to challenge sexual abuse and harassment by male guards. In all of these examples, women prisoners and their advocates have done the work a little differently from their male counterparts.

Whether mothers or not, the majority of women in prison place particular emphasis on their connection to their families and communities. Women inside have a tendency to support each other — through difficult pregnancies, battles with cancer or AIDS, bad news from home, crises with children or other loved ones, or deaths in the family. Some people point out that women often "compete" with one another, frequently over men. Others contend that women in prison don't organize or come together in the way male prisoners do, that they do not resist and protest as often as men, and that they are not as "political" as men. Even if these generalizations were true several decades ago, I would argue that these observations are largely out of date and do not accurately describe the behavior of many of the women who are incarcerated currently, or were formerly incarcerated.

**Activism Outside:
Formerly Incarcerated Women and Advocates Form a Movement**

Among the most significant developments in the progressive prison move-ment, and particularly in the new movement around women in prison and jail, has been the emergence of the National Network for Women in Prison (NNWP) and the National Roundtables for Women in Prison. The first National Roundtable took place in 1985 in New York, New York, and was a "National Roundtable on Mothers in Prison." It was organized by LSPC from San Francisco, California, and hosted by Governor Mario Cuomo's Women's Division (the first and last time the Roundtable was hosted by a government-affiliated entity). Fifty-five people from across the country met at this event to strategize and talk about issues affecting incarcerated mothers and their children. A formerly incarcerated woman was one of the core organizers, and several former prisoners attended the Roundtable. In 1986, the Second National Roundtable on Mothers in Prison took place in Chicago, Illinois, and was co-organized by LSPC and Chicago Legal Aid to Incarcerated Mothers (CLAIM). This gathering was an all-day event with multiple panels and the attendance was nearly double that of the first conference.

The Third National Roundtable took place in 1987, in Waynesboro, Virginia, and was organized by LSPC, and co-sponsored by CLAIM, Prison MATCH, AIM (Aid to Imprisoned Mothers), and a coalition of grass-roots prisoners' rights organizations. The conference took place over several days and was more like a retreat, with a great deal of discussion about coming to consensus on policies and model programs for women in prison. The conference expanded its focus from mothers in prison to all women in prison, and the proceedings were published. One of the grass-roots programs donated its facility to the Roundtable, including meeting rooms, accommodations, and meals, which greatly assisted the nascent, underfunded movement's ability to include several former prisoners, family members of prisoners, and community advocates who otherwise would not have been able to attend. The downside of the conference location (which participants and organizers did not discover until they were onsite) was that it was also a school for training correctional guards and staff. Although this fact initially created tension and discomfort for most of the activists, it eventually led to a very productive dialogue about the relationship between this growing grass-roots movement and other aspects of criminal justice and corrections networks.

In 1988, the Fourth National Roundtable on Women in Prison took place at the Headlands Institute in the San Francisco Bay Area. A significant number of former women prisoners, family members of prisoners, people of color, and community activists were involved in the planning and implementation of the conference, and the Roundtable was a watershed in the development of the national advocacy movement for women in prison. LSPC organized the Roundtable with the active involvement of a coalition of community and prisoners' rights organizations.

More than 175 people from 18 states, Canada, and Mexico attended, including many former prisoners and a number of people of color. Almost every panel included former prisoners and the Roundtable concluded with a very significant gathering of activists, during which the National Network for Women in Prison (NNWP) was formed. Four regional representatives from each of the four geographic regions in the U.S. (Northeast, Midwest, South, and West) were selected, and attendees were encouraged to carry on the momentum of the Roundtable when they returned to their own communities.

In 1989, the Fifth National Roundtable took place in Atlanta, Georgia, at Spellman College, a historically Black women's college. Significantly, the conference organizing "torch" was passed from LSPC — which had been the "mother ship" for the first four Roundtables and for the launching of the NNWP — to AIM (Aid to Imprisoned Mothers) in Atlanta. This was the first time that the conference had been held at a college or university, and the first time that the Sisterhood Luncheon occurred. A major topic of the conference was the experience of battered women in prison, including battered women who had killed their abusers. The National Clearinghouse for the Defense of Battered Women played an important role in forging a dialogue and new alliance between domestic violence advocates and advocates for women prisoners.

The Sixth Roundtable took place in 1991 in Chicago, Illinois, at Loyola University and was organized by CLAIM. By this time, the Roundtable was a forum for community activists and advocates and members of the network affirmed at this conference that the NNWP Board, panelists at conferences, and spokespeople for the movement would not include individuals employed as guards or staff at corrections facilities. Regional representatives met at this conference and began to function as a Board. Funding was raised from Blue Mountain, the Ms. Foundation, and the Vanguard Foundation to support the development of a functional Board. The first Board retreat occurred in 1992, and the founding Board was elected. From the beginning, it was agreed that at least 50% of the Board members would have to be former women prisoners and at least 50% would have to be women of color.

In 1993, the Women's Prison Project of the National Women's Law Center organized the Seventh National Roundtable in Washington, D.C., at American University Law School. This was by far the largest Roundtable to date, with significant funding from SAMSA, which resulted in a significant focus on drug and alcohol recovery issues for women coming out of prison and jail. Angela Davis was a keynote speaker and several other keynote panels and luncheons took place. The NNWP reached a new level of sophistication and visibility with the development of a professional logo and a presence in the U.S. capital.

From 1993 through 1997, the NNWP went through a notable period of growth and change. Funding was raised from the Public Welfare Foundation and other major and individual donors. The NNWP Board created an Organizational

Development Plan to raise funding, open a national office in Washington, D.C., and develop a curriculum to teach formerly incarcerated women leadership skills. A National Advisory Board (NAB) was formed and Angela Davis agreed to chair it. The Board went through a metamorphosis as new members came on board and some of the original board members moved on. The focus shifted from the development of National Roundtables to the creation of the Leadership Training Institute for Formerly Incarcerated Women (LTI), one of the single most exciting grass-roots efforts in the field of prisoner advocacy. In 1997, the NNWP received a challenge grant to raise $35,000 in three months so that it could open a national office in Washington, D.C. The NNWP met the challenge and opened a small office there in June 1997, but decided to shift its emphasis and funding efforts toward developing the LTI.

The LTI is a truly inspiring effort that has thus far produced two national training sessions of formerly incarcerated women and four regional training sessions. The NNWP raised funds to work with Beth Ritchie — author, professor, and advocate for battered African American women in prison — to develop a detailed curriculum to train talented and motivated women who had done time in prison, jail, or juvenile hall to become effective spokeswomen on behalf of women and girls caught in the criminal justice system. Although all NNWP Board members were involved in this effort, formerly incarcerated women on the Board took the lead with respect to the development of the curriculum, the teaching of trainers (all formerly incarcerated people), and the eventual training sessions. The first national training took place in Arcadia, California. Twenty-one women were selected from a nationwide pool of applicants and three trainers from the NNWP Board conducted a rigorous, emotional, exciting, and productive two-day training. Participants then attended the Eighth National Roundtable on Women in Prison in Pasadena, California, as newly trained spokeswomen for women in prison. The Eighth Roundtable was organized by the Center for the Children of Incarcerated Parents (CCIP) and featured several events that highlighted the leadership of formerly incarcerated women. This was the first Roundtable organized primarily by formerly incarcerated women and the lead coordinator was herself a former prisoner. The LTI participants brought a unique and exciting energy to the National Roundtable and to organizing by, and for, women prisoners.

Since the first LTI in 1997, the NNWP has organized a second National LTI in Washington, D.C. (1998), and three regional training institutes in Chicago (1999), Little Rock (1998), and Los Angeles (1999). The curriculum has been tested and revised, and, at the Ninth National Roundtable in Ann Arbor, Michigan (1999), representatives from all five training institutes met with the NNWP Board to access the effectiveness of the Training Institutes. The Ninth Roundtable featured a tribute to Joyce Dixson, a formerly incarcerated woman who had served more than 16 years in the Michigan prison system and then started her own nonprofit organization, SADOI (Sons and Daughters of the Incarcerated). This

fundraising effort enabled a significant number of former prisoners to attend the Roundtable and established a large scholarship fund for women returning to the community after incarceration. The Roundtable also produced a beautiful compilation of writings and art by currently incarcerated women, which has been distributed to a wide range of advocates throughout the country.

The NNWP will hold its Tenth Roundtable in New York City in 2001 and will be working closely with the Critical Resistance campaign and the organizers of the its next conference, which will also take place in New York. We face many challenges in the decade ahead, but the NNWP and the growing movement around women and girls in jails and prisons has contributed greatly to the development of a progressive and holistic approach to attacking the growth of the prison-industrial complex.

American Radical Traditions
In Conference Organizing

Marge Frantz, as interviewed by Cassandra Shaylor

CS: I want to talk with you about the role of conferences in building movements. Could you speak about what roles conferences played in earlier historical periods in the U.S.? Do you see similarities between these events in different periods and movements?

MF: In terms of women's rights, the 1848 Seneca Falls Convention in New York was important for a few reasons. For one, in those days when communication was so slow and people were so isolated, it was extremely important for morale. The attendance was quite limited geographically — Lucretia Mott came from Pennsylvania, which was quite a distance then. But beyond breaking isolation, the convention's significance was also programmatic. The first call for women's suffrage happened at the first meeting of the conference, which was not necessarily planned. Out of that conference also came some kind of nascent organizational structure. It is extremely important when organizing conferences to build into the work the need to think ahead about where to go from there.

CS: What was it about conferences that encouraged radical organizing in the first half of the 20th century? I know that most of the organizing you were involved in during that period was in the southern part of the U.S., so maybe we could start there.

MF: Extremely important organizing was going on in the South in the 1930s and 1940s. The Southern Conference for Human Welfare was organized in Birmingham, Alabama, in 1938. This was an important event because it was the first public interracial meeting in the South since Reconstruction. There had been some

MARGE FRANTZ is a long-time activist who grew up in Alabama and became a member of the Young Communist League at the age of 13. She later worked on the Southern Conference for Human Welfare and the Henry Wallace campaign in the 1930s and 1940s. Frantz was driven out of the South by McCarthyism in 1950 and moved to California, where she has been active in social justice movements ranging from labor to civil rights to peace. She recently retired from the University of California, Santa Cruz, Department of Women's Studies (Santa Cruz, CA 95064; e-mail: mfrantz@cats.ucsc.edu), where she taught classes on McCarthyism and radical social movements for many years. **CASSANDRA SHAYLOR** is the Co-Director of Justice Now (1611 Telegraph, Suite 822, Oakland, CA 94612), a new organization that trains law students and undergraduates to provide direct legal services to women prisoners in California. Ms. Shaylor is also a Ph.D. candidate in the History of Consciousness Department at the University of California at Santa Cruz where she is working on a dissertation on women in prison. She is a member of Critical Resistance and the Santa Cruz chapter of the California Coalition for Women Prisoners.

interracial work in the populist movement, but interracial organizing within that movement had been disrupted. The SCHW was also the first meeting of liberals and labor in the South. The organizers and participants consisted of labor — including people from the Congress of Industrial Organizations (CIO, which was new) and some American Federation of Labor (AFL) people — as well as New Deal functionaries in the South, academics, professional people, and working people. The conference was called for by Joseph Gelders, who was a full-time labor defense worker and civil rights organizer.

CS: How did the conference come about?

MF: Gelders had been in touch with Eleanor Roosevelt about some individual civil rights cases, and she had invited him to Hyde Park, New York, to discuss some of the problems in the South. He talked with her about his idea for a conference that focused on labor and civil rights issues; she encouraged him to develop a broader agenda. At the time, the South was essentially a colony of Wall Street — there was a tremendous wage differential. So the conference agenda was expanded to include the broader issues of poverty and economic disparity in the South.

About 1,500 delegates showed up for the four-day meeting. Initially, the conference was desegregated, which was unheard of at the time. Bull Connor had just been elected the Chief of Public Safety. The conference was held in the Birmingham Civic Auditorium, and on the second day, Connor showed up to demand that the conference organizers segregate the seating. He surrounded the outside with the police and threatened violence and arrests if the delegates did not follow his orders. The delegates decided to comply so that the conference could move forward. At the same time, they divided the hall down the middle and passed a resolution condemning segregation laws. Eleanor Roosevelt arrived the next day and refused to submit to Connor's bullying tactics. She placed her chair in the middle of the aisle between the black and white delegates in protest. A permanent organization was formed out of this conference, also called the Southern Conference for Human Welfare, which was an important result.

In the same period, the Southern Negro Youth Conference played a significant role in bringing black youth together. The first meeting drew over 500 hundred delegates from 13 states to Richmond, Virginia. The delegates voted to establish a permanent organization. The organization focused on the development of a civil rights movement, and Louis Burnham, an important left organizer in Birmingham, eventually became the director. Also in 1938, the American Youth Congress was held in Lake Geneva, Wisconsin. The meeting was organized by a coalition of youth organizations, and though it was comprised mostly of religious youth groups — in that period Methodists were major players in organizing around social justice issues — it was pushed by young Communists and peace movement kids as well. The American Youth Congress conventions also were important occa-

sions for isolated young people to come together and get support. The meetings also served as a school for training organizers and gave youth exposure to a breadth of strong organizations and speakers.

CS: Let's go back to the Southern Conference for Human Welfare for a minute. What work did the SCHW do after the initial conference?

MF: SCHW held conferences again in 1940 in Chattanooga, Tennessee, and then in 1942 in Nashville, Tennessee. Joseph Gelders became the secretary of the Civil Rights Committee of the SCHW, the main projects of which were suffrage and abolishing the poll tax. The Civil Rights Committee actually got a case up to the Supreme Court that challenged the constitutionality of the poll tax, but, unfortunately, they lost. The Committee also drew up a bill to abolish the poll tax, but could not get a single Southern congressman to introduce it. Instead, a California senator did. Eventually this organizing effort spawned the National Committee to Abolish the Poll Tax, which had an office in Washington, D.C. The SCHW continued to operate during World War II, setting up state organizations to work on state-specific issues.

CS: What were the most significant results of this organizing? What lessons can be learned from this example?

MF: What was important about this effort was that it sustained a commitment to interracial organizing that was unheard of at the time. It also served as a morale booster. When working alone, especially in the South in that period, such an event was incredibly significant. The Southern Conference brought 1,500 people together from all walks of life. It created a sense of solidarity; that kind of human connection was incredibly important. It also developed into a permanent organization that continued to do good work for many years. The conference also attempted to maintain contact with its participants and to host somewhat regular follow-up conferences. The publications that came out of these meetings kept people abreast of what was going on at the time and helped to build support for issues that came up.

CS: What happened to the organization?

MF: Eventually it was torn apart by what happened to most left-liberal organizations at that time — they suffered from the effects of consistent red-baiting and the racism related to it, and they got pulled into conflicts over foreign policy when the Soviet Pact was signed. The struggle played itself out at the 1940 conference and threatened to split the organization. Despite those conflicts, the organization continued to do important work locally and nationally for several more years. In 1946, internal struggles eventually led the SCHW to split in two. One organization was called the Southern Conference, and it published a paper called the *Southern Patriot;* the other was called the Southern Conference Educational Fund, and it moved to Nashville and was run by Jim Dombrowski. Later, in the early 1960s, New Left youth took it over, but it eventually folded.

CS: Can you talk a bit about more recent conferences that have spurred political action?

MF: In the organizing in the 1980s against nuclear buildup, the action at the Lawrence Livermore National Laboratory in Livermore, California, though not exactly a conference, was a central movement-building moment. There was an astonishing sense of solidarity among the women involved, even after spending 10 days in jail. We had formed affinity groups during the organizing leading up to the Livermore action. Those groups were important for building a sense of solidarity and a support system for the activists involved. When several hundred of us got arrested, the participants managed to continue organizing within the jail. We were separated from the prisoners in the rest of the jail, so, unfortunately, we did not have any contact with them. The Livermore action organizers were extremely busy during that period in jail. They held workshops on every subject you can think of, developed a library, organized entertainment, etc. They made use of all of the talent and skill they had. Of course they also talked incessantly about organizing — discussing theories about resisting hierarchical structures and leadership in the feminist movement — but unfortunately did not figure out a way to keep it going. It seemed the Livermore Action Group could do it, but they were not able to sustain it afterwards. This seems to me to be one of the greatest challenges to conference organizers and participants — taking the energy and enthusiasm after a meeting or an action and keeping it going.

Reflections on Critical Resistance

Rita (Bo) Brown, Terry Kupers, Andrea Smith, and Julia Sudbury, as interviewed by Dylan Rodriguez and Nancy Stoller

Four members of the Critical Resistance (CR) conference organizing committee reflect on the conference and its aftermath.

CR: When you initially became involved with the CR organizing committee, what were you envisioning for the three-day event?

Andrea Smith (AS): I thought this event could be very successful in assisting the building of a mass movement against the prison system. This vision was very compelling to me because I believe that the repressiveness of the state is growing tremendously under the guise of protecting "law and order." Even political progressives sometimes do not question the need to "stop crime" and therefore support measures that strengthen the criminal justice system. In particular, I felt this conference could help to challenge the anti-violence against women movement's reliance on the criminal justice system as the primary avenue for addressing sexual/domestic violence. That is, the anti-sexual/domestic violence movement has become increasingly depoliticized and professionalized. It emphasizes providing social services and legal advocacy to survivors instead of developing a

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grass-roots political movement against violence. Domestic/sexual violence service agencies now depend primarily on the state for their primary funding sources. Consequently, they emphasize cooperation with the state rather than mobilization against state violence. I thought Critical Resistance could provide a starting point for injecting a critical analysis regarding state violence into the sexual/domestic violence movement. At the same time, I believe prison activists have neglected to seriously address the safety concerns of survivors of domestic/sexual violence in their work and hoped that this conference could provide a point of dialogue between these two movements.

In addition, Native communities are often in the vanguard of developing alternatives to the incarceration system, and I thought this conference might bring greater visibility of these models to non-Indian communities. Restorative justice models are largely inspired by indigenous models of justice (although non-Native proponents of restorative justice largely forget this fact). Indigenous forms of justice are often evoked by non-Natives in the restorative justice movement in the absence of Native peoples. I was hoping Critical Resistance could bring greater visibility to the Native peoples who are actually doing this work.

Julia Sudbury (JS): I was invited to join the committee at a time when I was fairly new in the area and in the country. I did not know a great deal about prison issues in the U.S. and thought that this would be a way for me to learn more and incorporate that new knowledge into my research and activism. I did not have a clear idea of what the conference would be like, but felt it was a lot of money for a onetime event. In my previous work in community development, the funds being proposed would have funded a small advocacy group for a few years! I therefore hoped that the conference would lead to ongoing networking and activism greater than the event itself.

Terry Kupers (TK): I saw the conference as an opportunity to give a voice, as well as a collective audience, to activists and ex-prisoners who had been silenced for far too long. As the gap between rich and poor widens, and the people at the bottom of the economic ladder are deemed dispensable and "disappearable," the prisons become warehouses for a growing number of forgotten people. Cruelty inside grows in proportion to society's forgetting. A lack of media coverage for their efforts, gag rules for prisoners, very restricted visitation, and increasing repression against those who care about prisoners begin to wear down prison activists until they begin to feel disappeared themselves, alone in their courageous organizing efforts. I saw the conference as an opportunity to bring activists and ex-prisoners together to share our ideas and experiences and recognize the strength of our collective movement. Meanwhile, the event could serve to educate the public about the plight of prisoners and the folly of the prison-industrial complex, links could be forged between activists on the inside and the outside, and out of the conference would come renewed resolve to do what needs doing and an improved network and strategy for waging the struggle.

Bo Brown (BB): I didn't really have a clue. I never worked on a big conference. I thought it was good that this wide assortment of people was doing something around prisons and thought that anything they did would be good. It was a very intellectual circle, but basically I felt: "Yea, about fucking time! Let me check this out!"

CR: How did your view of what CR would be change and how did your original and changed visions keep you motivated?

BB: It got bigger and bigger and bigger. It became a monster. But I thought it was way overdue and needed to happen. The main people that I knew about who were doing prison work were the ones who were doing it since the 1970s and had carried it on in the 1980s and 1990s. We focused mostly on political prisoners. We wanted to do more and tried to do more, but we didn't have enough people. And now there were more; it was a good thing.

JS: I don't think the vision of CR was clear to me during the organizing prior to the conference. By this I mean I felt I was constantly fighting against time to hold down three jobs and do an immense amount of organizing, rather than having time to reflect on what CR was about. I think my understanding of CR's vision emerged more out of the "where to next" sessions after the conference. The reason I stayed involved was more from having made a commitment than from seeing CR as having a compelling vision.

After the conference, I realized the huge amount of energy that CR had generated. My students' excitement about the issues also affected me as I realized that we really were changing opinions and opening up minds. I found that CR's vision was important to me in a number of ways, which I did not find in my previous organizing:

- CR makes explicit the link between corporate profit and the prison system and gave a practical angle from which to challenge the global capitalist economy.

- CR has a feminist approach, which highlights the experiences of women prisoners, unlike most black community approaches to criminal justice, which focus on men.

- CR points toward alternative ways of thinking about crime, punishment, and community safety that go beyond the logic of incarceration.

- CR challenges feminists and anti-racists to deal with domestic violence and racial hate crimes without fuelling the prison-industrial complex.

- CR has the potential to unite communities of color against the prison-industrial complex globally.

CR: What positives and negatives do you now see in the initial organizing and the conference itself?

TK: Essentially, we accomplished what I'd envisioned and more. The excitement at the conference was palpable. A lot of people reported that they could not get over the fact that there are so many others who believe as they do and are committed to the struggle. A reunion of 11 survivors of the Attica rebellion happened, almost as a mini-conference within the CR conference, adding inspiration for the rest of us. We need to remember that no single event will accomplish the goal of tearing down the prison-industrial complex. An ongoing struggle is needed, and it needs to be linked with other progressive struggles. The conference provided an important step in that direction.

BB: The positive thing is that in spite of the initial organizing, CR was allowed to grow and become itself. No one could control it and that was okay. That it was a nonhierarchical organization was a positive. After all, 3,500 people attended a *free* conference on prisons and many ex-prisoners got transportation grants.

Another thing that was excellent was the cultural work: the films and other art that was incorporated into the CR construct. The participation by so many young people was extremely important, and I was very happy to see their presence all over the place. I really enjoyed the puppets on the last day's march. We need to give special credit to the young people; they are the future.

AS: Organizing the conference was a tremendous feat. However, in celebrating the conference, I believe it is important not to overlook the serious flaws within the organizing process. One of the reasons it was so successful was that some very prominent and influential people were involved in the conference, either as speakers or as organizers. The result was that many people would attend the conference regardless of how well it was organized. This "star power" enabled the conference to be successful despite the major flaws in the organizing process. Many people on the organizing committee believe that the conference's success indicates that the organizing committee did a good job organizing the conference. This belief has prevented us from looking at the flaws in our organizing structure and process as much as we need. Now, we are suffering the consequences of these organizational problems. [Andrea's critique is elaborated on below.]

JS: I felt the group was a bit more disorganized than I had expected. I was surprised when members took on tasks and then did not complete them for weeks, without comment. I was not used to this type of very consensual organizing and worried about accountability. I felt that if we had employed a coordinator earlier on, and set up some systems, the organizing prior to the conference would not have been so fraught. I felt exhausted and overwhelmed in the weeks before the conference and was hugely burned out afterward. On the positive side, I felt the group made opportunities for everyone to get involved and learn new skills. For example, I learned a lot about films in the process of organizing the film festival. I was also hugely impressed with the Web cast, Web site, video, and prisoner phone-in; they were great. Also, our integration of culture and politics, including the film festival,

was groundbreaking and has created a sort of cultural/political renaissance in the Bay Area.

TK: Of course there's room for self-criticism. While we attempted to avoid a "star system" and to provide air time for as many of the great people in attendance as possible, not everyone had an opportunity to share their work and ideas in a public setting, and the "big names" did get to address the larger audiences. In addition, because so much energy was put into arranging the conference and bringing people together (one of the great decisions of the organizing committee was to put most of the money raised into bringing ex-prisoners and activists of color to the conference), we did not do sufficient planning of the kind of networking and campaigning that would evolve after the conference closed. That's where a lot of ongoing work is needed.

AS: In terms of the long-term viability of CR, I think the major problem with the conference is that we did not go into the conference with a long-range plan to make it a viable organization and campaign. I think it is always a mistake to go to a conference hoping that a movement will just materialize without putting some structures in place to maintain and build momentum after the conference. Sadly, I have noticed that CR has provided a negative example of doing organizing work. In many events I have been involved in since, a common phrase I often hear is, "Let us make sure we do not do what Critical Resistance did." The major critique I hear is that Critical Resistance did not carefully think through the follow-up work after the conference and hence lost much of its momentum.

BB: One problem that I ran into early on with CR was that I didn't have a computer. So I got kicked out of the communication loop; people mostly discussed things over e-mail. Much human conflict is about race or class. As a white working-class lesbian, most conflict comes to me as homophobia or as straight-up class differences. Here's an example: After my work schedule changed, I tried to stay in touch by telephone so people could let me know what was going on and include me in the process. But they didn't return calls and I felt ignored. Intellectuals talk a lot about class, but they often aren't very good about being aware of how they exercise their class privilege. Finally, I was put in touch with Naneen, and she downloaded about 200 pages of the discussion that had been going on over e-mail and sent it to me. I read all of this and then I went to a meeting. People said to me, "Oh, we didn't know where you were." I was so angry, I was ready to quit right then. But some good sisters took me aside (over to a corner) and chilled me out and convinced me to stay. Of course, there was similar class stuff throughout, but that is the nature of class conflict. Because I was convinced that CR was important in the world, I was determined to stick it out.

Eddie Hatcher, a Native man and former political prisoner, was brought to the conference by CR, but he wasn't utilized at all — he wasn't used as a panelist or speaker. It's too bad, because his story is extremely important. He had to ask

himself, "Why the fuck am I here?" Eddie also doesn't have any money, he's a gay man, he's HIV positive, and he just doesn't have that pushy arrogance that he would've needed to interject himself into the workshops as an afterthought or whatever. I don't think a middle-class man would have been treated the same way; even if he had, he would've faired better at CR.

CR: What is your most severe critique of the CR conference, both in terms of the organizing process and the event itself?

JS: I think the most serious criticism is that burnout affected our ability to organize an effective follow-up, which has negatively affected CR. For example, our Web site still has not been updated, giving the impression that it was all over after the conference. Second, despite discussions about diversity, CR failed to bring meaningful Latino and American Indian participation into the planning process. This was revealed in a conflict in the closing plenary. Again, this affected our vision and our effectiveness.

AS: The most significant problem to me was the marginalization of Native peoples (as well as other communities of color) in the conference. For instance, in the conference organizing, I seemed to be valued only to the extent that I could bring other Native people to the conference. When I tried to make other contributions to the conference, I was completely dismissed and, in fact, was often actively excluded from participating. Other people were treated similarly: they were valued only to the extent that they could bring in people from their particular racial/ ethnic group. In addition, I often felt that I was seen as the *only* person responsible for recruiting Native peoples to attend the conference. For instance, when I pointed out that there was a dearth of Native peoples listed as speakers, I was informed that this absence was not a problem because Ward Churchill would be speaking. So, I secured a grant specifically to fund Native peoples to attend the conference, at which point I was informed that the money should only go to defray existing conference costs, rather than to increase the attendance of Native peoples. Similarly, the conference has been critiqued for the absence of Latinos in the speaker line-up. The response by many is that the reason is that there were no Latinos on the organizing committee. This response indicates that we are not taking collective responsibility for ensuring equitable representation in our organizing strategies. If there were too few Latinos represented in the conference, then I need to hold myself personally responsible rather than simply believe we need to have a Latino on the committee "to take care of the problem." I also think CR needs to be more critical of its own racism, classism, etc. For instance, I noticed that many of the white people in CR tended to do a lot of finger pointing at other white people's racism as if they were immune to racism themselves. Some white people were ejected from CR for being "too racist," as if the white people within CR were not displaying racism themselves. Quite frankly, working with CR has been very frustrating for me; there have been few organizing efforts I have been

involved in where I have been treated so condescendingly and disrespectfully. I sense that many people of color have become alienated from CR since the conference for the same reasons. At the same time, however, I do not want to just blame other people in CR for being oppressive, without holding myself accountable for similar behavior. Many times I failed to intervene in a situation where I should have or where I displayed insensitivity or thoughtlessness. There needs to be a structure or space for CR to discuss its own oppressive dynamics more honestly since no one is immune to being part of such dynamics.

BB: I think there was a lack of real communication. Take the mission statement: I never saw it until four days after the conference. I found out later that it was written up two nights before the conference began. So, I didn't see it before the conference, let alone participate in deciding what it would say. I did, however, stuff 1,000 of them into the registration packets that were handed to people. That was another class thing: there was a lot of shit work, and I didn't see too many people doing it. I made sure I did some of it, but I didn't see many of those lawyers or professor-types stuffing envelopes. Is my time worth less than theirs? I have another critical question: who decided which workshops should be videotaped? On the last day of the conference, Sunday, former Puerto Rican political prisoner Rafael Cancel Miranda (aged 65), Attica brother Big Black (60), my comrade from the George Jackson Brigade, Ed Mead (55), and I, Bo (50) spoke on our experience with revolutionary organizing in prison. The four of us had never been in the same place at the same time before. Two hundred and fifty people, or more, came to that workshop. I can't tell you how many people have asked me for a copy of it, but it was not videotaped. This was an important political discussion. How did that get ignored? Another issue for me was lesbian invisibility. Many, many lesbians worked on CR, but in all our publications, nothing was ever mentioned about lesbians. Some sister actually thought that raising the question of lesbian invisibility would somehow be the same as participating in identity politics. I don't think so. This confusion keeps lesbians quietly in the closets of left politics, never getting credit for our contributions. And, it has been used as a divisive tactic to cloud discussions of homophobia, sexism, etc. For me, it's always better to be out there as a strong lesbian who is doing strong work for all people. A lot of people came to the lesbian/gay/queer workshop. Lesbians have been working in every movement for the last 20 years, and we never give ourselves any recognition or credit. Who knows, maybe the movements wouldn't have survived as well without us.

The areas overseen by the logistics committee were sometimes very weak; a lot of things got lost. Like childcare and onsite medical support. There were no provisions for blind people, and the panel on disabilities in prison was held in an inaccessible room.

Sometimes I think people do the fun work first and leave the shit work for last. It's good for people to enjoy themselves, but it takes a fair amount of real hard work

to build a strong foundation, and that foundation has to hold up the rest of the structure.

CR: What effects (good and bad) have CR had on the political work of movements, organizations, and individuals with which you are involved? How do you see the influence of CR as having enabled and/or transformed your work?

AS: I think the conference has been very important in mobilizing support against the prison system and radicalizing people's analyses of prisons. It now seems less "out there" to advocate prison abolition, for instance. CR has given people a vocabulary to talk about radical alternatives to the prison system. CR has been very important in my work, which centers on challenging the depoliticization of the anti-sexual/domestic violence movements and their overreliance on the state. The conference and organization I am organizing builds upon the work CR has done and the analyses it has put forth. After CR, I coordinated a national conference, "The Color of Violence: Violence Against Women of Color," in April 2000. Many people from CR assisted with the conference and helped put together one of the workshops on law enforcement. Two of the speakers, Angela Davis and Beth Richie, were very central in critiquing the anti-violence movement's reliance upon the state, based on CR's analysis, which helped frame the entire conference. From this conference, we are building a national organization of women of color against violence that will attempt to accomplish this task. Within Native organizing, the work of CR is also becoming important. For instance, one tribe is proposing to build a prison on their lands as a business enterprise. I was contacted by opponents of this plan for information that could be used to educate other members of the tribe about the problems with prisons. CR's materials were used to open negotiations with the tribal council in order to reconsider the proposal. Another contribution CR has made is providing a role model for bringing together academics and activists to work collaboratively. The "Color of Violence" borrowed this model, and I am seeing how powerful it can be. Academics are held accountable by activists to make their work accessible to the general public. Activists can be informed by critical analyses that can inform their organizing strategies. Usually, when activists and academics are brought together, they talk past each other. But CR's strategy of assuring that academics were not allowed to read academic papers helped prevent some of these problems. Critical Resistance's name alone indicates the need to resist both depoliticized academic work and anti-intellectual activism, as well as to encourage the development of scholar/activists both inside and outside academic circles.

JS: There are too many to mention them all:

- Faith Nolan and I set up Empowerment Through Music, a collaboration between students, musicians, and faculty at Mills College to bring "music circles" to San Francisco County Jail and the federal prison for women at Dublin, California (FCI Dublin).

- The "Go to Prison Week" concert at FCI Dublin was a powerful event that countered isolation for political prisoners following the new warden's crackdown on them.

- About 20% of my students have done some project or research on prisons, race, and gender.

- Many Mills College students are now involved in youth organizing for "Schools Not Jails," especially against Proposition 21.

- The conference inspired the formation of Critical Resistance Youth Task Force (YTF), a powerful coalition of youth groups located in Northern California.

- Millions for Mumia used same format for its conference at University of California, Berkeley.

- CR increased the use of music/culture/hip-hop for social change and as a part of the anti-prison-industrial complex community in the Bay Area.

- The "Schools Not Jails" benefit concert for CR, No on 21, and Barrios Unidos in Santa Cruz in March were organized by CR activists and included such hip-hop giants as Black Star.

- "Project Rescue," set up in Hawaii, counters prison construction on the Big Island and holds consultation forums on every island in Hawaii.

- National black projects in the U.K. — National Black Caucus and the Association of Black Probation Officers — are committed to networking with CR and hosting a conference in the future.

- I have given presentations on the prison-industrial complex in Canada, making the link between education and social service cuts and the construction of five new "superjails" in Ontario. Networking there continues.

CR also totally transformed my research. I was working on transracial adoption, and now I am writing a book on women of color in the global prison-industrial complex (PIC)! It transformed my analysis of global capital and gave me new insight into how communities of color in Canada, the U.K., and the U.S. are linked through the PIC. CR also transformed my teaching. Nearly all my classes — from Theories of Race and Ethnicity to African American Women's History — deal with the PIC in some way. Students are writing research papers on the PIC and youth resistance. It transformed my life. I can't go anywhere nowadays without trying to get inside a prison!

TK: CR has raised consciousness in all progressive organizations and movements about the importance of the struggle to tear down the PIC. I've been reinspired in my prison activism. Prior to my experience on the conference organizing committee, I felt that I just happened to have opportunities, for example, as a plaintiff's

expert in class action lawsuits, to enter the secret world of prisons and come out to report the horrors I had witnessed. I thought that this was important work, that the imprisonment binge and all the related injustices and cruelties were reflections of the deep structural evils of our society, but not necessarily the central act in our current social tragedy. Collaborating closely with other prison activists led me to increasingly place the PIC more at the core of my analysis of what's wrong with this society and what we have to do to change things.

BB: CR's effect has been overwhelmingly positive for prisoners. It raises hope to realize that this many people give a shit. If you are in prison and you hear that 3,500 people — including a lot of young people — came to a conference to brainstorm about how to confront the prison-industrial complex, that is really meaningful. Prisoners were able to call in from all over the country (Ohio, Georgia, etc.) and speak with the people attending the panels. The women political prisoners had their own call-in workshop. It is very important that prisoners got to participate on a real level. The follow through has been a bit slow, but we are working on that. A lot of new organizations have sprung up in the wake of CR, which shows that people were encouraged to go out and take initiative. CR obviously happened at an opportune time, when people were becoming more aware of the cost of the prison-industrial complex and thinking about how to confront it. There are a lot more prison groups now than before the conference, and that's not all due to us. A movement is flowering. It is significant to note that the Prison Activist Resource Center's Web site is getting 10,000 hits a day. CR was able to add some fertilizer and other nutrients to the mix. I've seen this flowering all around me. Out of Control's main support work is for the women and lesbian political prisoners, and we produce a newsletter called *Out of Time*. There seems to be more interest these days. More people write to the women political prisoners and more people are visiting them. Again, what I notice especially is more interest from young people. I think more folks are just questioning: "What is this prison-industrial complex and what are the alternatives?"

In terms of how it transformed my work, we are very out lesbians, doing prison work; CR broadened our acceptability. We've already been around for 15 years and already have built some respect. More people seem to be doing more work around women in prison. More networking is going on and fewer people are forgetting that we do exist. A lot more young lesbian college students have contacted us for information about lesbian and other political prisoners. There used to be one or two requests a year. Now there are six to eight requests.

CR: What is your evaluation of developments within CR (the organizing committee, steering committee, etc.) since September 27, 1998? How has it changed as an organizational entity, and what has it become? What significant organizations, campaigns, or other committees have emerged in connection with CR? Offer an analysis of the good, the bad, and the ugly, if you can.

JS: CR has changed from a committee organizing a conference to an organization in abeyance after the conference. In 1999, it became an organization that swings from being an umbrella/resource at the national level to being a grass-roots mobilizing group around issues like the prison slated to be built in Delano, California, and Prop. 21 (juvenile incarceration). There has been a dropping off of people of color at the meetings I have attended. But the Youth Task Force has burst onto the scene as a multiracial group led by youth of color. This is problematic if the CR organizing committee is seen as being white-led. We need to get back into working class, American Indian, black, Chicano, and Latino communities. There are organizations that have emerged since the conference: Project Rescue (Hawaii), Empowerment Through Music, YTF, and CR-New York. CR-U.K. emerged, but now seems to have disappeared as an organized group.

I think the new developments are positive, especially YTF. However, I think CR risks losing its identity into the Freedom Winter coalition (a group organized by CR members to fight Prop. 21). Also, CR's relationship with the Youth Task Force is fragmented, with poor communication at times.

AS: Since September 27, 1998, it seems as though the flaws in the organizational structure have become increasingly apparent. It seems as though fewer people of color are involved in CR. Many Native people I know, who were initially interested in CR, have become alienated from it. CR seems to be very issue-specific and is having difficulty coming up with a more comprehensive strategic plan for the organization. We did good work on the juvenile justice campaign, but we did not seem to link this campaign to a larger strategy (something I might add that the Right is very good at doing, and hence is more successful than we are). I think one of the major problems inherent in CR is our inability to look honestly at who holds the power in the organization. We tell ourselves that we have a loose, democratic structure in which we make decisions collectively. What we actually have is a situation in which a few people hold much of the informal organizing power and are constantly able to undermine collective decisions.

In addition, because of CR's loose structure, no one has been designated with the responsibility of assuring that nothing falls through the cracks. Such a person can make sure things run smoothly without necessarily being given decision-making power. Plus, we did in fact have people who were in charge during the conference, but were able to escape accountability for their decisions by hiding behind the fact that they did not have a formal position within the organization. Another result of this situation was that avenues for action became blocked by certain individuals, which prevented many people (myself for one) from making more significant contributions to the organization. I should stress, however, that I do not think the problem lies with a few people because each of us can end up in an organizing venture where s/he wields a disproportionate amount of informal power. Rather, the problem is structural. How can an organization develop a structure that is democratic in practice, not simply in theory? I should note that I

think things have improved tremendously since we hired a coordinator. This person is doing an excellent job, I believe, of making sure all the necessary tasks get done while ensuring that everyone has a say in determining CR's direction.

BB: CR's mass has dwindled. There has been a lot of burnout. The organization expanded and swelled for the conference and then deflated afterwards. That's probably a common cycle. We had to get beyond our trend to own it or patent it. Now it's sort of settled into a more modest but sustainable size. There is a smaller core of truly committed people who understand that to change the world you have to start with your own self and your own organization and do a lot of hard work. CR is a construct, a new way of thinking and seeing, and not just another gimmick for the opportunists. In terms of significant organizations or campaigns that came out in connection with CR, "Go to Prison Week" was a good idea, but a last-minute idea, and therefore a bit of a weak idea. We needed to have a beginning, middle, and an end. We should have had people start by building local prison groups, with their first activity being to go to a prison. It's about building a movement; it's not about building a moment. The work around Prop. 21 was excellent. And now, the Delano lawsuit to stop construction of yet another California prison is great.

TK: I think there was some confusion and difference among the organizers about what would happen after the conference. Many of the organizers had taken leave of most of their responsibilities in other prison organizations to dedicate themselves to putting on the conference. That dedication was needed — people worked extremely creatively and hard, and without that dedication and work, the conference could not have been the extraordinary success it was. After the conference, some of the organizers returned to their other organizations and withdrew a significant proportion of their energies from CR. There is nothing wrong with their doing so. But to the extent that we want CR to become an ongoing campaign, we need dedicated organizers who will be there well into the future.

The problem in the organizing committee, in my opinion, was that we never faced this reality head-on. We should have polled the membership of the organizing committee and the Youth Task Force to see what they'd be down to do on an ongoing basis, and then without any hard feelings, replenish the membership of the organizing committee with new people who would be willing to put in endless hours into the future. In fact, that's what the CR campaign is in the process of doing right now, and with the impressive leadership and energy of our new director, Rose Braz, much will be accomplished.

Meanwhile, we have not done badly since the conference. I am referring to the regional actions and organizing that has been going on around the country in the name of CR, organized by people whose energies were renewed by the CR conference.

CR: What is your ideal vision of the immediate future of CR as an organization? What do you think its purpose, goals, and strategies should be? What kind of

infrastructure (if any) do you think it should embody? Are there alternate forms of organization building that you can imagine for CR?

JS: I think CR should have a clear national identity as an umbrella group that gives good information, analysis, leads campaigns, and provides advice for organizing, for example, our role in supporting CR-New York and organizing in Hawaii. This would involve updating the Web site, putting together resource packets on the PIC, getting national groups together to endorse a focused campaign, etc. We need to win back the national agenda and focus. I think there should be a national CR as well as regionals, e.g., Hawaii, New York, Northern California, etc. Perhaps we need to separate the Northern California and national groups so that we do not get swallowed up in regional crises. I also think CR should take its international commitment seriously, and we should brainstorm about how we can support activism in Canada and the U.K., for example, where analysis of the PIC is still emergent. Finally, we should have a regional responsibility for projects such as Delano and Prop. 21, but this should not detract from the national and international actions. Also, we should prioritize working with communities of color, building alliances and recognizing barriers to participation. CR needs a staff to get the work done. This is not to say that we cannot work on a voluntary basis, but realistically, we need some good fulltime people on the job. This should be based on a collective structure and include folks of color. CR needs funding for this. I think we can continue to take funds from progressive funders who do not attempt to water down our message.

BB: CR should be a monster anti-prison network, like a giant computer with a way of connecting people doing the work in their communities with others doing similar stuff. There should be space for broad concepts and discussions; people could share their local information and see what other folks are doing. People could get local facts by demanding them from their local department of prisons and then post that information for all to see. Then, of course, hard copies of everything have to be made available to the prisoners and others who do not have computer privileges.

Beyond the work of facilitating the networking between prison activists nationally, we need to do more work on a local, grass-roots level in every community. We haven't done enough work to have a strong enough foundation to be a national organization. We realistically are more of an umbrella.

AS: I think there would be a dual structure to CR. There should be a national office that is cohesive and very politically clear. However, CR should also incorporate a number of local, state, and regional organizations that are more loosely affiliated and that do not have to specifically answer to a national office. That way, we can have a broad-based movement that can attract people of varying political persuasions, but we can also have a tight and cohesive national organization that can offer political clarity. Regarding fundraising, we need to emphasize grass-roots

fundraising strategies, such as "membership" development, canvassing, etc. Such approaches are time consuming, but ultimately are necessary if we are going to build a broad base of support and not become a foundation-driven organization.

TK: I am pleased with recent decisions to open an office, hire a director, apply for grants, and evolve as a broad-based, alliance-building prisoner advocacy organization.

CR: What relation should CR have to the nonprofit sector, liberal-to-progressive foundations, and the state (meaning its array of affiliated institutions, as well as its formal governmental structure)?

BB: CR should be fiercely independent for as long as possible to protect its center. CR needs to be strong enough, and conscious enough, not to get sucked up or bought out or absorbed into any of those well-established institutions. Assimilation is always a danger when radical ideas become popular trends.

JS: We should keep an arm's length relationship with the state, i.e., no state funding, although we can work with progressive individuals, e.g., probation officers, on an individual basis. The issue of coalitions with agencies that are not progressive in some ways, such as in the recent debate about working with environmental agencies that are anti-immigrant, shows that we need to think carefully before we "get into bed" with so-called allies. This type of alliance could cost us our base in immigrant communities.

CR: Are there alternate forms of organization building that you can imagine for CR?

BB: I'd like to see CR share the lessons it has learned with new prison groups. I'd like to see us do a "How to Start Your Own Prison Group" pamphlet, possibly in conjunction with other Bay Area prison groups such as the Prison Activist Resource Center, the California Coalition for Women Prisoners, or California Prison Focus. This pamphlet could include information that a prison activist group should have about the prisons near it, a bibliography of films and books, and ideas on nonhierarchical organizational structure.

CR: How has CR made an impact on the political agendas of groups that have traditionally not devoted their primary attention to prison or prisoner work?

AS: I think CR did much to increase interest in prison organizing. However, this impact may be short-lived as CR has not been successful in sustaining its momentum due to its organizational flaws. I hope that does not happen.

TK: I believe that most of the people involved in organizing and attending the CR conference came to the realization that prison activism is more central to a progressive agenda than we previously thought. Groups that organize around labor, immigration, civil rights, welfare, the homeless, or the WTO now see recent trends in the criminal justice system, especially the disappearing of huge numbers of people of color behind bars, as a critical part of the structure that maintains the

inequities and injustices their groups are campaigning to end. In that sense, the conference helped to bring the struggle to tear down the PIC into the Left's core agenda.

BB: We helped make links with education groups and local community groups by drawing attention to the fact that the resources that have gone toward community development are now being used to build the prison-industrial complex. We helped others see this and ask more questions: Were these effects expected or unanticipated? These things were slowly coming — CR sped up the process, and that's our job!

Slavery and Prison —
Understanding the Connections

Kim Gilmore

$\textbf{\Large ``}$ I'M BEGINNING TO BELIEVE THAT 'U.S.A.' STANDS FOR THE UNDERPRIVILEGED Slaves of America" (Esposito and Wood, 1982: 149), wrote a 20th-century prisoner from Mississippi in a letter detailing the daily violence he witnessed behind prison walls. His statement resounds with a long tradition of prisoners, particularly African-American prisoners, who have used the language and narrative of slavery to describe the conditions of their imprisonment. In the year 2000, as the punishment industry becomes a leading employer and producer for the U.S. "state," and as private prison and "security" corporations bargain to control the profits of this traffic in human unfreedom, the analogies between slavery and prison abound. This year the U.S. prison population cascaded past 2,000,000,[1] with millions more under the jurisdiction of the criminal justice system in local jails awaiting trial, in INS prisons awaiting deportation, or in their homes linked with criminal justice authorities through ankle bracelets that track their every move. Recent studies of the prison boom stress the persistent disparities in sentencing according to race — prison populations continue to be disproportionately African American and Latino. With longer sentences being imposed for nonviolent drug offenses, with aggressive campaigns aimed at criminalizing young people, and with the growing number of children left orphaned by the criminal justice system, the carceral reach of the state and private corporations resonates with the history of slavery and marks a level of human bondage unparalleled in the 20th century.

Scholars and activists have plunged into an examination of the historical origins of racialized slavery as a coercive labor form and social system in an attempt to explain the huge increase in mass incarceration in the U.S. since the end of World War II. Drawing these links has been important in explaining the relationship between racism and criminalization after emancipation, and in connecting the rise of industrial and mechanized labor to the destructive effects of deindustrialization and globalization. The point of retracing this history is not to argue that prisons have been a direct outgrowth of slavery, but to interrogate the persistent connections between racism and the global economy. Mass imprison-

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ment on the level seen in the U.S. in the 20th century occupies a phase along the spectrum of unfree labor related to, yet distinct from, chattel slavery. As many scholars of the punishment industry have shown, regardless of the labor prisoners do to service the larger economy (either private or public), prisons increasingly function in the U.S. economy as answers to the devastation unleashed by the dual forces of Reaganomics and the globalization of capital (Parenti, 1999; Gilmore, 1997; Manning, 1983). The immediate post-emancipation period is a key place to start in outlining the investment of the U.S. state in this trade in humanity.

Related to the above is the growth of new abolitionist movements whose goals are the elimination of mass imprisonment as a method of treatment for addiction and mental illness, as an economic ameliorative, and as a method of social control — what one scholar has termed "the carceral management of poverty" (Wacquant, 1999: 349). The connections between slavery and imprisonment have been used by abolitionists as an historical explanation and as part of a radical political strategy that questions the feasibility of "reform" as an appropriate response to prison expansion. As a leader in the creation of this new abolitionist movement, Angela Davis (1996: 26) has written, "I choose the word 'abolitionist' deliberately. The 13th Amendment, when it abolished slavery, did so except for convicts. Through the prison system, the vestiges of slavery have persisted. It thus makes sense to use a word that has this historical resonance." Though some 20th-century abolitionist movements connect themselves expressly with the tradition of 19th-century abolitionists and antislavery advocates, abolitionism as defined here is the conglomerate of many local movements that express abolitionist aims indirectly through challenging the fundamental methods of the prison-industrial complex — mandatory minimum sentences, harsh penalties for nonviolent drug offenses, and the continuous construction of prisons that goes on regardless of crime rates. Although a fully conceptualized abolitionism is starting to emerge, it may be useful to outline some of the historical antecedents to current anti-prison and antiracist movements.

As prison construction and the crime frenzy continue around the U.S. (and indeed, the world) at such a dizzying pace, calls for prison abolition risk being perceived as utopian. The state, as it is currently configured in the U.S., has a primary investment in making the world safe for free trade, with domestic "stability" through state violence and brutality a key method of achieving the temporary façade of stability. In rural and urban areas crippled by the slow decline in manufacturing and skilled jobs, the punishment industry has emerged as the new jobs program, a role it plays with the military.[2] In this moment, it may seem more difficult than ever to envision a state that supports humanity rather than eviscerates the possibility of freedom and health for so many of its people. Yet it is precisely now, when prisons crowd the physical and psychic landscape, that imagining abolition is most critical. Thus, the new abolitionism has arisen out of the communities most affected by the prison state — those least able to

conceptualize anything other than a transformation of the state as it is currently configured.

Studies of the relationship between slavery and mass imprisonment have a long history in the United States and internationally.[3] This article will discuss some of the connections activist groups have made between the legacy of slavery and the prison expansion of the last several decades, starting with a brief outline of some of the historical scholarship on the convict lease program, the Black Codes, and later, Jim Crow. Tracing this history and the relationship between slavery and prison expansion can help inform current efforts toward prison abolition and provide a context for moving beyond reforms that have usually boosted the carceral state through a rejuvenation of the prison system, rather than clearing a path for true liberation and transformation.

From the vantage point of post-slavery emancipation, it seemed like the possibility of genuine freedom and democracy for freed slaves was a reality in the making. Although the roots of 19th-century abolitionism were varied, the popular understanding is that it was a middle-class movement led by whites and a few ex-slaves. In reality, much of the scholarship on abolitionism conflicts with this limited conception of the coalitions that powered the move to end slavery (Aptheker, 1941; Robinson, 1997). Whether rushing over Union lines to fight against the Confederacy, planning slave revolts, or resisting slavery through countless individual acts, freed blacks and slaves challenged the foundations of a labor and social system based on racialized slavery. Anti-slavery efforts spearheaded by slaves pushed emancipation as they refused to accept the terms of gradual emancipation. African-American slaves and anti-slavery activists sought not only the abolition of slavery as a labor form, but also a broader realization of slaves' dreams of freedom, alive despite hundreds of years of violence and coerced labor (Du Bois, 1935; Foner, 1988; McKelvey, 1935). These visions of freedom rarely conformed to the narrowly articulated parameters defined in the Constitution; yet to make their ideas plausible to the state, freed slaves often had to frame their arguments for freedom in the language and categories constructed by the formal state. Although the creation of African-American free communities and institutions during Reconstruction were almost immediately threatened by new configurations of white power and supremacy, freed slaves continued to exercise their right to vote and hold office in order to enact their own plans for education, land ownership, and self-determination. This incomplete transformation was cut short by vigilante justice and racialized violence, as well as by the state-sponsored criminalization of African Americans.

In the past decade, several influential studies of this period have revealed the relationship between emancipation, the 13th Amendment, and the convict lease program (Lichtenstein, 1996a; Mancini, 1996; Davis, 1999). Built into the 13th Amendment was state authorization to use prison labor as a bridge between slavery and paid work. Slavery was abolished "except as a punishment for crime." This

stipulation provided the intellectual and legal mechanisms to enable the state to use "unfree" labor by leasing prisoners to local businesses and corporations desperate to rebuild the South's infrastructure. During this period, white "Redeemers" — white planters, small farmers, and political leaders — set out to rebuild the pre-emancipation racial order by enacting laws that restricted black access to political representation and by creating Black Codes that, among other things, increased the penalties for crimes such as vagrancy, loitering, and public drunkenness (Davis, 2000). As African Americans continued the process of building schools, churches, and social organizations, and vigorously fought for political participation, a broad coalition of Redeemers used informal and state-sponsored forms of violence and repression to roll back the gains made during Reconstruction. Thus, mass imprisonment was employed as a means of coercing resistant freed slaves into becoming wage laborers. Prison populations soared during this period, enabling the state to play a critical role in mediating the brutal terms of negotiation between capitalism and the spectrum of unfree labor. The transition from slave-based agriculture to industrial economies thrust ex-slaves and "unskilled" laborers into new labor arrangements that left them vulnerable to depressed, resistant white workers or pushed them outside the labor market completely.

The transfer of power to the state signaled by the 13th Amendment profoundly reshaped the political landscape along with emancipation. By empowering the state to regulate relationships between private individuals, the state also gained the ability to determine the contours of freedom and unfreedom. The expansion of state jurisdiction thus had the dual effect of establishing legal rights for African Americans while paving the way for new, state-maintained structures of racism. Convict labor became increasingly racialized: it was assumed that blacks were more suitable for hard physical labor on Southern prison farms and on corporate railroad and construction company projects (Lichtenstein, 1996b). Contrary to popular representations of chain gang labor, not only black men, but also black women were forced to work on the lines and on hard labor projects, revealing how the slave order was being mirrored in the emerging punishment system. This mimicking of the slave system structure in the post-emancipation prison system, particularly in the South, suggested a belief that the performance of antebellum culture could bring the slave system back to life (Jackson, 1999). In Northern prisons, which had historically been structured around industrial rather than agricultural labor, racially based divisions were sharpened after emancipation as well. African Americans were criminalized for committing Black Code-type crimes and often were subject to tougher sentences than those imposed upon whites convicted of similar crimes (Du Bois, 1935).

Even though the efforts of ex-slaves and other abolitionists made it impossible to reinstall legalized chattel slavery, racialized labor arrangements persisted in the form of convict labor. Convict labor built the post-Civil War infrastructure in the U.S., not just in the South but also throughout the U.S., and the struggle to

determine how free unfree labor would be continued. Labor unions, which had always been skeptical about prison labor, aggressively lobbied against the leasing of convicts to private corporations. Throughout the Depression years, unionists made it clear that an expanded use of prison labor would further imperil an already overfull work force and intervene in "free markets" in ways that threatened the stability of capitalism and laid bare its most excessive failures. Slowly, prisons and jails solved this problem by developing a "state-use" system in which prison labor was used solely for state projects. This solution eliminated the competition between convict labor and union labor, while still enabling convicts to offset their cost to the state (McGinn, 1993). The Prison Industries Reorganization Administration (PIRA), a New Deal project, conducted a massive study of prison labor in all 50 states and concluded by outlining this new state-use system. Citing overcrowding and inadequate facilities, the PIRA recommended the expansion of the prison system and the construction of new prisons in almost every state (Fraser and Gerstle, 1989). No clear statistics demonstrate that "crime," particularly violent crime, had increased during this period. Moreover, many of those who ended up in prison were criminalized for crimes stemming from unemployment, suggesting that if the state had had a handle on unemployment, there may not have been a need for more prisons. Thus, the PIRA embodied one of the many contradictions embedded in the "New Deal state" — its inability (or unwillingness) to deal with its overabundance of labor. Thus, the PIRA, together with a racialized labor system that had roots in the slave system, cleared the path for the prison-industrial complex that has flourished in the post-World War II period.

Given the links between the legacy of slavery and mass imprisonment of people of color in the U.S., it might be useful to examine how a few previous prison abolition movements positioned themselves in relation to this history. These groups were often led by Quakers or inspired by the Quaker abolitionists of the 19th century. One such group, the Committee to Abolish Prison Slavery (CAPS), was active in the late 1970s and early 1980s and saw the abolition of mass imprisonment as the key to completing the partial emancipation signaled by the 13th Amendment. According to CAPS, which produced *Prison Slavery*, their collaboratively authored book, the triumph of emancipation was not a total victory since the 13th Amendment legalized penal servitude as punishment for particular crimes, a stipulation that was incorporated into many state constitutions. *Prison Slavery* (Esposito and Wood, 1982: 114) cites the significant 1871 court ruling from *Ruffin* v. *Commonwealth*. This landmark Virginia case — revealingly argued using the language of slavery — set a precedent for state control of inmate bodies and labor:

> [1] For the time, during his term of service in the penitentiary, he is in a state of penal servitude to the State. He has, as a consequence of his crime, not only forfeited his liberty, but all his personal rights except those

which the law in its humanity accords to him. He is for the time being a
slave of the State. He is *civiliter mortus*; and his estate, if he has any, is
administered like that of a dead man.

CAPS found much to admire in the 19th-century slave abolition movement, but
viewed penal servitude as a new incarnation of slavery. The group critiqued the
failure of abolitionists, particularly Quakers, who worked to overthrow the
Southern slave regime but stopped short of eliminating the broader inequalities
that were reflected in the prison system. CAPS was, essentially, struggling to
define the continuing nature of unfree labor and was critical of the Quakers who
preceded them for participating in class oppression.

When *Prison Slavery* was published in 1982, many states still had clauses in
their constitutions that deemed slavery and indentured servitude legal punish-
ments or had no proviso about the legality or illegality of prison enslavement
(some states eliminated any reference to slavery in the middle decades of this
century). Since this 13th Amendment provision was, for CAPS, the legal corner-
stone codifying prison slavery, they proposed a "new abolitionism" that would
make the elimination of these clauses from all constitutions its goal. Their
abolitionist strategies also included education campaigns to inform the public
about prison conditions, an issue typically relegated to the sidelines of an
individual's physical and psychic landscapes. The group also advocated boycott-
ing consumer products made by prison labor, supporting alternatives to imprison-
ment, and working toward an acknowledgement of the class-based exploitation
inherent in mass imprisonment. By circulating petitions that would amend state
punishment clauses, CAPS created alliances between prisoners on the inside and
activists on the outside. They learned of the brutalities that often occurred behind
prison walls through testimonies from inmates who had developed their own
analyses of prison system injustices, but frequently found themselves confined by
the limited resources available to them, or constrained by criminal justice
administrators and guards who threatened prisoners with violence for expressing
their views and working for change.

Like CAPS, the Prison Research Education Action Project (PREAP) saw the
abolition of prisons as the only avenue for real change, for reform movements
generally succeeded only in temporarily improving prison conditions rather than
questioning the very efficacy of long-term punishment. In their handbook for
change, *Instead of Prisons*, PREAP catalogued the general sentiment of the prison
abolition movement of the 1970s — espoused by elected officials, inmates, ex-
cons, former prison administrators, and inmate advocates — that evidence
revealed that incarceration was hardly a deterrent to crime and that it actually
tended to exacerbate crime. The early 1970s marked the onset of new drug laws
and sentencing guidelines, such as the Rockefeller drug laws in New York that
provided the legal justification for prison expansion throughout the U.S. During

the first half of the 1970s, however, a prisoners' rights revolution was going on, in which prisoners all over the U.S. were filing individual and class action lawsuits that challenged the constitutionality of the conditions existing within U.S. prisons, including unchecked violence and inhumane working situations (Chilton, 1991; Natale and Rosenberg, 1974; Cohen, 1972). Legal theorists — using evidence that attempts of reform movements to improve conditions inside prisons continually fell short and failed to protect inmates from cruel and unusual punishment — argued that the state's goal should be the gradual elimination of long-term sentences for drug offenders and other nonviolent prisoners. While these lawsuits brought abolitionist views into the courts, groups like PREAP were learning to balance legal strategies for change with other tactics. Such tactics included gathering acknowledgements from different arenas that mass imprisonment was failing — failing to address the problems of violence, failing to rehabilitate, and failing to provide anything but a destructive response to issues of racism, unemployment, and deindustrialization.

The working group that assembled *Instead of Prisons* put forward compelling arguments that illustrated the limits of reform. They argued that although prison reform movements could change the material existences of people in prison in real and important ways at particular moments, at the core reformers accept the premise that there is value in mass punishment. The activists writing this volume thus faced the very difficult task of trying to conceptualize abolition while acknowledging the importance of creating short-term strategies for change. They called for an immediate moratorium on prison construction and illustrated the ways in which the state was funneling money into incarceration rather than education. The authors pointed to the importance of creating and supporting innovative alternatives to incarceration, which then (as now) were not given a chance to succeed. More fundamentally, they interrogated the mythologies of deterrence and turned definitions of crime inside out by asking how the state produces criminalization rather than how people produce crime. Without under-playing the very real tragedies resulting from violence, both within and outside prisons, PREAP tried to envision responses to these issues that would limit violence rather than increase it.

From the late 1960s to the mid-1970s, the prisoners' rights movement helped to bring the violence and disorder that prevailed in U.S. prisons to the forefront of public consciousness. Previous to the landmark prisoners' rights cases of the 1960s and 1970s, a "hands-off" policy had left the administration of prisons to criminal justice officials. Yet, as prisoners filed cases that slowly revealed the human rights abuses that were common throughout the criminal justice system, the tide began to turn. Cases like *Holt* v. *Sarver* in Arkansas drew attention to issues of prison violence. The Arkansas court ruled that the entire prison system constituted cruel and unusual punishment after investigators discovered that inmates were routinely beaten, packed into unlivable living quarters, and forced

to work excruciating shifts on the prison farms while being undernourished and constantly threatened with violence. This case, and others, led to a vast federal assessment of state prison systems. By the early 1980s, dozens of prisons were under federal court supervision for violating the rights of inmates. Despite all this, prisons already had started to operate as industries and the abolitionist expressions of anti-incarceration advocates were lost amid the "law and order" rhetoric that eventually helped elect Ronald Reagan in 1980.

Groups like CAPS and PREAP suffered because they did not understand the processes of globalization and deindustrialization taking place concurrently with prison expansion. Just as the aftermath of 19th-century emancipation reproduced the racial hierarchies of slavery in the structures of the criminal justice system, during the post-World War II period new economic and social configurations provided fresh impetus to the acceleration of prison building. Ruth Wilson Gilmore (1997) traces how these transformations — globalization, reindustrialization, imperialism, and racism — converged in the 1960s and 1970s. Unfortunately, activists inside and outside prisons refused to see these changes as "forces," but instead as choices that emerged from state reconciliation with capital. Prisons were the physical structures called upon to help respond to the chaos unleashed by the globalization of capital and they were supposed to (at least in theory) contain the array of struggles waged against these processes by people of color, immigrants, and the poor.

Although new prison construction was propelled by state officials, corrections administrators, and politicians, it was also endorsed by populations who have benefited from deindustrialization and globalization. A new and growing body of scholarship has shown how racist ideologies of exclusion generated by white property owners and voters, among others, have underpinned the social and political fields in the U.S. after World War II. Ideologies of white privilege, though perhaps not always articulated as such, were put in motion through red-lining projects, discriminatory union practices, and the privatization of public spaces, all of which hastened the exclusion of people of color from the realm of state protections (Roediger, 1991; Goldfield, 1999; Lipsitz, 1998; Oliver and Shapiro, 1995). These forms of welfare — suburbanization and privatization — were often administered by the state through the same people who were active on neighbor-hood association boards, school boards, and corrections and police boards. Whiteness, just as it functioned in the 19th century to pave over class differences in the interest of racial solidarity, also has contributed to structuring urban poverty and to building the fear of criminal populations (nonwhites) that has fueled the construction of the prison-industrial complex.

Previous prison abolition movements seem to have understood mass incarceration as a class-based injustice perpetrated against the working classes and the poor. Yet as Angela Davis has pointed out, prison abolitionists have much to gain from building coalitions with those who focus on the abolition of "whiteness" as

a way to approach the effects of racism embodied in the prison-industrial complex (Gordon, 1998). Because racism has played such a central role in the proliferation of prisons and the irrational fear of crime (helping to assure passage of legislation like California's Proposition 21), imagining abolitionism requires us to envision the elimination of the privileges of whiteness, as well as a divestment of public resources from prison building. Because the uneven distribution of state resources that has contributed to the prison-industrial complex has been driven by racism, movements that challenge the terms of mass imprisonment will necessarily be joined with antiracist movements, which acknowledge the continued racialization of state resource distribution.

The echoes of slavery still reverberate throughout the prison state; earlier this year, the Wackenhut corporation announced a new contract to build a federal prison on the site of a former slave plantation in North Carolina. This brings us back to the question of the feasibility of anti-incarceration movements. In the age of Proposition 21, the Super-Max, the rapid reinvigoration of the death penalty, globalization, and the convergence of the two political parties in the U.S. around punishment as a corrective to unemployment and race problems, can prison abolitionism be heard? The answer is "yes," for the very starkness of this moment breathes new life into abolitionism as a counter to reforms that accept the terms of human destruction and devastation inherent in contemporary prisons. Throughout the U.S., and increasingly throughout the world, prison abolitionism is finding new life as local movements against prison construction, mandatory minimum sentences, and the criminalization of youth are created out of the very communities they decimate. This year, as Western European nations and corporations finally have been forced to accept their complicity in the use of slave labor under Nazism, perhaps the issue of reparations for slavery in the U.S. will at last gain legitimacy in a country that has institutionalized new forms of slavery rather than vanquish bondage completely.

NOTES

1. For the most recent statistics, see reports from the Justice Policy Institute released in 2000.

2. Though research on prison employment has shown that these jobs are opening up in far smaller numbers than those predicted by prison boosters, it remains the case that the new jobs produced by the prison-industrial complex and local police are often filled by poor and working-class people.

3. Though space does not permit an analysis of global movements for prison abolition, see the materials published by the International Committee on Prison Abolition. This year's May conference features perspectives on prison abolition from international scholars, including those from Nigeria, Costa Rica, Canada, and Finland. See also the connections made between South African apartheid and American prisons.

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This Is an Illogical Statement: Dangerous Trends in Anti-Prison Activism[1]

Camille E.S.A. Acey

RECENTLY, A MOVEMENT CALLED "SCHOOLS NOT JAILS" HAS DOMINATED MUCH OF the popular discourse surrounding the alarming rise of incarcerated peoples in America. I would like to discuss, in general terms, some of the problems that this movement poses to radical anti-prison work. I am speaking generally in the hope that my critique can find some currency with others who are dealing with the problematic of the embedded liberal ideological apparatus, which holds that the very violence that constitutes social institutions is merely a curable excess.

Introduction

Institutions are created and maintained by hegemony
Hegemony is created and maintained by violence
Hegemony is violence
Institutions are violence

School is an institution
Institutions are created and maintained by hegemony
Hegemony is created and maintained by violence
Hegemony is violence
School is violence

Time is an institution
Institutions are created and maintained by hegemony
Hegemony is created and maintained by violence
Hegemony is violence
Time is violence

Jail is an institution
Institutions are created and maintained by hegemony

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Hegemony is created and maintained by violence
Hegemony is violence
Jail is violence

School uses time
Jail uses time
Institutions use institutions
Institutions are created and maintained by hegemony
Hegemony is created and maintained by violence
Hegemony is violence
Violence uses violence

Schools not jails
Institutions not institutions
This is an illogical statement.

In the mid-1990s, "Schools Not Jails" (SNJ) (and other variations thereof, such as "Jobs Not Jails") was circulating in California as a popular rallying cry for anti-prison movements, but more recently it has grown into its own movement. As a bridge between emerging youth activism and anti-prison advocacy, this ideology seeks in part to draw crucial links between the underfunding of schools and the ever-burgeoning prison-industrial complex. It is not at this political location that I seek to critique this movement. As one of the students who was politicized in the era of Proposition 209,[2] I soon found that there was no space for my radical critique of government institutions when "Schools Not Jails" ballooned into a movement. Meetings were closed and businesslike, and the focus shifted from progressive political education to effective campaign management. This movement did not explicitly tie itself to a history of social justice movements in the United States; rather, it seemed for this movement that time began with Proposition 187 and would go on as long as there were propositions to oppose.[3] Most recently, the "Schools Not Jails" slogan was used in the failed campaign against California's Proposition 21. With stipulations such as the legalization of wiretapping on those the police deem "gang members" and increasing penalties for "gang-affiliated" crimes, Proposition 21 set into law the practices that the legal system (in conjunction with the FBI and other federal agencies) has used against activists for years. One would think that with seasoned activists at the head of the organizing, the level of political education around this issue would have been superb. However, this was not the case. Taking the lead from the "youth" organizers, a new naiveté permeated the organizing. SNJ grew in popularity because of its simplicity and straightforwardness — it is clear, catchy, and it fits neatly on a bumper sticker or a tee shirt. For this reason, SNJ is also dangerous. This and other such slogans indicate a revolt against what science fiction author and literary critic, Samuel Delany, has referred to as the "problem of 'complex rhetoric.'"[4] This revolt, in the name of popularizing a limited leftist agenda, is waged at the expense of the

margins. Thus, I wish to speak *from* the margins and discuss how attempts at "mainstreaming" a leftist political agenda problematize and often censure the project, precluding the development of a radical counter-hegemonic political language.[5]

The slogan "education not incarceration" grew out of the link between university student anti-Proposition 209 activism and grass-roots high school student activism.[6] In the mid– to late 1990s, a number of student walkouts and protests were led throughout the state of California. The main emphasis of university students was on increasing access to the university for poor, working-class communities of color and promoting more relevant curricula. High school students from those communities voiced concerns over insufficient educational resources, declining economic opportunity, and the growing criminalization of their generation. Often, many of the organizations came together to develop more comprehensive, radical critiques of these issues and strategies for political education. Though it is often believed that SNJ is a variation on "education not incarceration," I would argue that that it is a corruption. During workshops or meetings with high school students, they would often express their extremely valid belief that the purpose of high school was to "get you ready to go to prison." Under the SNJ regime, this staunchly anti-school critique, from those incarcerated in some of the country's most egregious junior highs and high schools, was censored. Soon college students and graduates were employed (and developed their own organizations) to effectively handpick and manage youth organizers. They gave them crisp, clean sound bites to deliver to the media and policed any nihilists who might feel the urge to yell "Fuck school!" during an SNJ rally. However, armed with inaccuracies and a slogan that won't quit, the "Schools Not Jails" movement embodied the oldest form of anti-intellectual nihilism — the willingness and determination to be intensely ignorant.

The liberal ideology behind SNJ may have been more fitting for a welfare state. With continual corporate downsizing and massive global economic restructuring, a sizable and ballooning population has emerged whose bodies capitalism has discarded, and who (because of their youth, race, gender, imprisonment, and unemployability) often fall outside the scope of even the broadest Marxist analysis. Further, in collaboration with massive policing efforts, corporations and supranational organizations have succeeded in closing down our streets and public spaces. While the anti-welfare warfare state shifts its resources to building global communication, our immediate communities have been ignored; in fact, the term "community" has nearly faded from daily discourse as a signifier for specific geographic locales. Urbanist Paul Virilio (1999: 41) describes the danger of this new sentiment toward personal social interaction:

> if tomorrow we love only our distant neighbor without being conscious
> of hating our neighbors because they're present, because they smell,

because they're noisy, they bother me and they summon me, unlike my distant neighbor who I can zap…so if tomorrow we start preferring our distant neighbor at the expense of our neighbor, then we would be destroying the city....

This idea has helped to change attitudes toward social responsibility and to facilitate a staunchly anti-"handout" mentality. Hope in quick-fix liberal-democratic programs is quickly decaying among the poor. As anti-prison activists, we must struggle to understand this period as a time of crisis, because only in a time of crisis do we begin to deconstruct our relationship with language and time.

Time and Crisis

In his appropriately named essay, "TIME," San Quentin inmate Eddy Zheng said: "After I was sent to prison to do a life sentence, it forced me to think about time...." I would even suggest that institutions *require* that you not only think about, but also *do* time. That is why if you go into almost any prison in the world and talk to any inmate, you will find that they were probably not where time dictated they should have been at the event of their crime. They were probably "supposed" to be at work or in school or in bed, catching some sleep before it was time to get up and go back to school or work or the unemployment office. Somehow, their "crime" indicated that they were resisting some clock or were being wholly ignorant of it. In "TIME," Eddy also says: "Time took on a whole new meaning when I was locked up at the age of sixteen. When I was on the street I didn't really care about time. I was free to do what I chose to do and go where I wanted to go. There weren't any set guidelines or routines. I didn't feel a sense of time." We need to think critically about the implications of this difference between institutional and street time for radical prison work beyond the walls.

Examining the relationship between popular anti-prison rhetoric and the expressed realities of prison life reveals a huge divergence in political locations. Activists often speak about the "state" without specifically defining what they mean by it. Similarly, they think about the "state" — and by extension "state power" — in terms of locality (often even pointing to specific buildings). At every moment that power is wielded, it is established, exercised, and reasserted through the invocation of ideological institutions. These institutions *subsequently* help to violently enclose space — whether through the act of land grabbing or ghettoization. Therefore, when formulating a radical understanding *of*, and opposition *to*, state power, it is necessary for us to locate and deconstruct the iterative space from which power flows, recognizing and continually addressing the fact that space (and, by extension, spatial metaphor) is in constant flux.

A metaphor for the liberal-democratic ideal is the idea of a working body — a healthy body with all the organs functioning properly. Some popular anti-prison discourse is similar to the complaint of a sick patient: particular institutions are

saying, "this institution (or this organ) is in the way of society (or my body) being fully functional. I need another one." In particular, education is proposed as an organ that can be transplanted into the "sick" society so as to somehow make it well again. This is unproven; more often we find that new institutions installed alongside the old ones do damage more quickly and efficiently. However, this method of activism continues to be employed because of the myth of time — the time that "heals all wounds" and the time that "will tell." Time is the skin that holds all these faulty organs in. Hope relies on time; however, the trick of time is that while you are waiting for your hope, the current social order is reproducing itself. In developing our critique, what we need to reveal is not only the faults of the body, but also that the body is itself the fault; modern society cannot be saved. As radical anti-prison activists, our aim therefore should be to make people realize this — that (sticking with the metaphor) we must induce a sustained attack in the body, where the only time is emergency time, where the only time is now.

> *Sometimes we are blessed with being able to*
> *choose the time*
> *and the arena and the manner of our revolution, but*
> *more usually we*
> *must do battle wherever we are standing.*
>
> — Audre Lourde

NOTES

1. A version of this essay was presented at ICOPA IX (Ninth Meeting of the International Conference on Penal Abolition): New Questions, New Answers, on May 12, 2000, in Toronto, Canada.

2. Proposition 209 was the California proposition that effectively ended the application of affirmative action policy in university admissions and state hiring practices.

3. Proposition 187 was an "anti-immigrant" proposition that, among other things, banned certain government agency spending on "illegal immigrants" and their children.

4. In an interview with Kenneth James, Delany (1994) goes on to say: "Our country values 'common' sense and 'simple' language. It's part of our whole democratic notion — part of a necessary vision of democratic workings. What this means, however, is that to speak or write a complex rhetoric is to speak *against* the American grain, as it were — to speak outside the American tradition. This is one reason difficult discourse initially raises our suspicions and distrust."

5. For an excellent discussion of "mainstreaming" a leftist political agenda, see Joy James' (1999) discussion of radicalizing feminism in Chapter 4, "Radicalizing Feminisms from 'The Movement' Era."

6. In the mid– and late 1990s, a number of student walkouts and protests were led throughout the state of California.

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The Challenge of Prison Abolition:
A Conversation

Angela Y. Davis and Dylan Rodriguez

Dylan: Your emergence as a radical prison activist was deeply influenced by your experience as a prisoner. Could you talk a bit about how imprisonment affected your political formation, and the impact that it had on your eventual identification as prison abolitionists?

Angela: The time I spent in jail was both an outcome of my work on prison issues and a profound influence on my subsequent trajectory as a prison activist. When I was arrested in the summer of 1970 in connection with my involvement in the campaign to free George Jackson and the Soledad Brothers, I was one of many activists who had been previously active in defense movements. In editing the anthology, *If They Come in the Morning* (1971) while I was in jail, Bettina Aptheker and I attempted to draw upon the organizing and legal experiences associated with a vast number of contemporary campaigns to free political prisoners. The most important lessons emanating from those campaigns, we thought, demonstrated the need to examine the overall role of the prison system, especially its class and racial character. There was a relationship, as George Jackson had insisted, between the rising numbers of political prisoners and the imprisonment of increasing numbers of poor people of color. If prison was the state-sanctioned destination for activists such as myself, it was also used as a surrogate solution to social problems associated with poverty and racism. Although imprisonment was equated with rehabilitation in the dominant discourse at that time, it was obvious to us that its primary purpose was repression. Along with other radical activists of that era, we thus began to explore what it might mean to combine our call for the freedom of political prisoners with an embryonic call for the abolition of prisons. Of course we had not yet thought through all of the implications of such a position, but today it seems that what was viewed at that time as political naiveté, the untheorized and utopian impulses of young people trying to be revolutionary, foreshadowed what was to become, at the turn of the century,

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the important project of critically examining the political economy of a prison system, whose unrestrained growth urgently needs to be reversed.

Dylan: What interests me is the manner in which your trial — and the rather widespread social movement that enveloped it, along with other political trials — enabled a wide variety of activists to articulate a radical critique of U.S. jurisprudence and imprisonment. The strategic framing of yours and others' individual political biographies within a broader set of social and historical forces — state violence, racism, white supremacy, patriarchy, the growth and transformation of U.S. capitalism — disrupted the logic of the criminal justice apparatus in a fundamental way. Turning attention away from conventional notions of "crime" as isolated, individual instances of misbehavior necessitated a basic questioning of the conditions that cast "criminality" as a convenient political rationale for the warehousing of large numbers of poor, disenfranchised, and displaced black people and other people of color. Many activists are now referring to imprisonment as a new form of slavery, refocusing attention on the historical function of the 13th Amendment in reconstructing enslavement as a punishment reserved for those "duly convicted." Yet, when we look more closely at the emergence of the prison-industrial complex, the language of enslavement fails to the extent that it relies on the category of forced labor as its basic premise. People frequently forget that the majority of imprisoned people are not workers, and that work is itself made available only as a "privilege" for the most favored prisoners. The logic of the prison-industrial complex is closer to what you, George Jackson, and others were forecasting back then as mass containment, the effective elimination of large numbers of (poor, black) people from the realm of civil society. Yet, the current social impact of the prison-industrial complex must have been virtually unfathomable 30 years ago. One could make the argument that the growth of this massive structure has met or exceeded the most ominous forecasts of people who, at that time, could barely have imagined that at the turn of the century two million people would be encased in a prison regime that is far more sophisticated and repressive than it was at the onset of Nixon's presidency, when about 150,000 people were imprisoned nationally in decrepit, overcrowded buildings. So in a sense, your response to the first question echoes the essential truth of what was being dismissed, in your words, as the paranoid "political naiveté" of young radical activists in the early 1970s. I think we might even consider the formation of prison abolitionism as a logical response to this new human warehousing strategy. In this vein, could you give a basic summary of the fundamental principles underlying the contemporary prison abolitionist movement?

Angela: First of all, I must say that I would hesitate to characterize the contemporary prison abolition movement as a homogeneous and united international effort to displace the institution of the prison. For example, the International Conference on Penal Abolition (ICOPA), which periodically brings scholars and activists together from Europe, South America, Australia, Africa, and North

America, reveals the varied nature of this movement. Dorsey Nunn, former prisoner and longtime activist, has a longer history of involvement with ICOPA than I do since he attended the conference in New Zealand three years ago. My first direct contact with ICOPA was this past May, when I attended the Toronto gathering.

Dylan: Was there anything about ICOPA that particularly impressed you?

Angela: The ICOPA conference in Toronto revealed some of the major strengths and weaknesses of the abolitionist movement. First of all, despite the rather homogenous character of their circle, they have managed to keep the notion of abolitionism alive precisely at a time when developing radical alternatives to the prison-industrial complex is becoming a necessity. That is to say, abolitionism should not now be considered an unrealizable utopian dream, but rather the only possible way to halt the further transnational development of prison industries. That ICOPA claims supporters in Europe and Latin America is an indication of what is possible. However, the racial homogeneity of ICOPA, and the related failure to incorporate an analysis of race into the theoretical framework of their version of abolitionism, is a major weakness. The conference demonstrated that while faith-based approaches to the abolition of penal systems can be quite powerful, organizing strategies must go much further. We need to develop and popularize the kinds of analyses that explain why people of color predominate in prison populations throughout the world and how this structural racism is linked to the globalization of capital.

Dylan: Yes, I found that the political vision of ICOPA was extraordinarily limited, especially considering its professed commitment to a more radical abolitionist analysis and program. This undoubtedly had a lot to do with the underlying racism of the organization itself, which was reflected in the language of some of the conference resolutions: "We support all transformative measures which enable *us* to live better in community with those *we as a society find most difficult*, and most consistently marginalize or exclude" (emphasis added). A major figure in ICOPA even accused a small group of people of color in attendance of being "racist" when they attempted to constructively criticize the overwhelming white homogeneity of the conference and the need for creative strategies to engage communities of color in such an important political discussion. Several black student-activists I met at ICOPA told me how alienated they felt at the conference, especially when they realized that the ICOPA organizers had never attempted to contact the Toronto-based organizations with which these student-activists were working: a major black anti-police-brutality coalition, a black prisoner support organization, etc. So I certainly share your frustrations with ICOPA. At the same time, I find myself wondering how a new political formation of prison abolitionism can form in such a reactionary national and global climate. You have been involved with a variety of prison movements for

the last 30 years, so maybe you can help me out. How do you think about this new political challenge within a broader historical perspective?

Angela: There are multiple histories of prison abolition. The Scandinavian scholar/activist Thomas Mathieson first published his germinal text, *The Politics of Abolition*, in 1974, when activist movements were calling for the disestablishment of prisons — in the aftermath of the Attica Rebellion and prison uprisings throughout Europe. He was concerned with transforming prison reform movements into more radical movements to abolish prisons as the major institutions of punishment. There was a pattern of decarceration in the Netherlands until the mid-1980s, which seemed to establish the Dutch system as a model prison system, and the later rise in prison construction and the expansion of the incarcerated population has served to stimulate abolitionist ideas. Criminologist Willem de Haan published a book in 1990 entitled *The Politics of Redress: Crime, Punishment, and Penal Abolition.* One of the most interesting texts, from the point of view of U.S. activist history is Fay Honey Knopp's volume *Instead of Prison: A Handbook for Prison Abolitionists,* which was published in 1976, with funding from the American Friends. This handbook points out the contradictory relationship between imprisonment and an "enlightened, free society." Prison abolition, like the abolition of slavery, is a long-range goal and the handbook argues that an abolitionist approach requires an analysis of "crime" that links it with social structures, as opposed to individual pathology, as well as "anticrime" strategies that focus on the provision of social resources. Of course, there are many versions of prison abolitionism — including those that propose to abolish punishment altogether and replace it with reconciliatory responses to criminal acts. In my opinion, the most powerful relevance of abolitionist theory and practice today resides in the fact that without a radical position *vis-à-vis* the rapidly expanding prison system, prison architecture, prison surveillance, and prison system corporatization, prison culture, with all its racist and totalitarian implications, will continue not only to claim ever increasing numbers of people of color, but also to shape social relations more generally in our society. Prison needs to be abolished as the dominant mode of addressing social problems that are better solved by other institutions and other means. The call for prison abolition urges us to imagine and strive for a very different social landscape.

Dylan: I think you make a subtle but important point here: prison and penal abolition imply an analysis of society that illuminates the repressive logic, as well as the fascistic historical trajectory, of the prison's growth as a social and industrial institution. Theoretically and politically, this "radical position," as you call it, introduces a new set of questions that does not necessarily advocate a pragmatic "alternative" or a concrete and immediate "solution" to what currently exists. In fact, I think this is an entirely appropriate position to assume when dealing with a policing and jurisprudence system that inherently disallows the asking of such fundamental questions as: Why are some lives considered more disposable than

others under the weight of police policy and criminal law? How have we arrived at a place where killing is valorized and defended when it is organized by the state — I'm thinking about the street lynchings of Diallo and Dorismond in New York City, the bombing of the MOVE organization in Philadelphia in 1985, the ongoing bombing of Iraqi civilians by the United States — yet viciously avenged (by the state) when committed by isolated individuals? Why have we come to associate community safety and personal security with the degree to which the state exercises violence through policing and criminal justice? You've written elsewhere that the primary challenge for penal abolitionists in the United States is to construct a political language and theoretical discourse that disarticulates crime from punishment. In a sense, this implies a principled refusal to pander to the typically pragmatist impulse to demand absolute answers and solutions *right now* to a problem that has deep roots in the social formation of the United States since the 1960s. I think your open-ended conception of prison abolition also allows for a more comprehensive understanding of the prison-industrial complex as a set of institutional and political relationships that extend well beyond the walls of the prison proper. So in a sense, prison abolition is itself a broader critique of society. This brings me to the next question: What are the most crucial distinctions between the political commitments and agendas of prison reformists and those of prison abolitionists?

Angela: The seemingly unbreakable link between prison reform and prison development — referred to by Foucault in his analysis of prison history — has created a situation in which progress in prison reform has tended to render the prison more impermeable to change and has resulted in bigger, and what are considered "better," prisons. The most difficult question for advocates of prison abolition is how to establish a balance between reforms that are clearly necessary to safeguard the lives of prisoners and those strategies designed to promote the eventual abolition of prisons as the dominant mode of punishment. In other words, I do not think that there is a strict dividing line between reform and abolition. For example, it would be utterly absurd for a radical prison activist to refuse to support the demand for better health care inside Valley State, California's largest women's prison, under the pretext that such reforms would make the prison a more viable institution. Demands for improved health care, including protection from sexual abuse and challenges to the myriad ways in which prisons violate prisoners' human rights, can be integrated into an abolitionist context that elaborates specific decarceration strategies and helps to develop a popular discourse on the need to shift resources from punishment to education, housing, health care, and other public resources and services.

Dylan: Speaking of developing a popular discourse, the Critical Resistance gathering in September 1998 seemed to pull together an incredibly wide array of prison activists — cultural workers, prisoner support and legal advocates, former prisoners, radical teachers, all kinds of researchers, progressive policy scholars

and criminologists, and many others. Although you were quite clear in the conference's opening plenary session that the purpose of Critical Resistance was to encourage people to imagine radical strategies for a sustained prison abolition campaign, it was clear to me that only a few people took this dimension of the conference seriously. That is, it seemed convenient for people to rejoice at the unprecedented level of participation in this presumably "radical" prison activist gathering, but the level of analysis and political discussion generally failed to embrace the creative challenge of formulating new ways to link existing activism to a larger abolitionist agenda. People were generally more interested in developing an analysis of the prison-industrial complex that incorporated the local work that they were involved in, which I think is an important practical connection to make. At the same time, I think there is an inherent danger in conflating militant reform and human rights strategies with the underlying logic of anti-prison radicalism, which conceives of the ultimate eradication of the prison as a site of state violence and social repression. What is required, at least in part, is a new vernacular that enables this kind of political dream. How does prison abolition necessitate new political language, teachings, and organizing strategies? How could these strategies help to educate and organize people inside and outside the prison for abolition?

Angela: In order to imagine a world without prisons — or at least a social landscape no longer dominated by the prison — a new popular vocabulary will have to replace the current language, which articulates crime and punishment in such a way that we cannot think about a society without crime except as a society in which all the criminals are imprisoned. Thus, one of the first challenges is to be able to talk about the many ways in which punishment is linked to poverty, racism, sexism, homophobia, and other modes of dominance. In the university, the emergence of the interdisciplinary field of prison studies can help to trouble the prevailing criminology discourses that shape public policy as well as popular ideas about the permanence of prisons. At the high school level, new curricula can also be developed that encourage critical thinking about the role of punishment. Community organizations can also play a role in urging people to link their demands for better schools, for example, to a reduction of prison spending.

Dylan: Your last comment suggests that we need to rupture the ideological structures embodied by the rise of the prison-industrial complex. How does prison abolition force us to rethink common assumptions about jurisprudence, in particular "criminal justice?"

Angela: Since the invention of the prison as punishment in Western society during the late 1700s, criminal justice systems have so thoroughly depended on imprisonment that we have lost the ability to imagine other ways to solve the problem of "crime." One of the interesting contributions of prison abolitionists has been to propose other paradigms of punishment or to suggest that we need to extricate

ourselves from the assumption that punishment must be a necessary response to all violations of the law. Reconciliatory or restorative justice, for example, is presented by some abolitionists as an approach that has proved successful in non-Western societies — Native American societies, for example — and that can be tailored for use in urban contexts in cases that involve property and other offenses. The underlying idea is that in many cases, the reconciliation of offender and victim (including monetary compensation to the victim) is a much more progressive vision of justice than the social exile of the offender. This is only one example — the point is that we will not be free to imagine other ways of addressing crime as long as we see the prison as a permanent fixture for dealing with all or most violations of the law.

Selected Documentaries

The Critical Resistance Documentary, Public Media Network (1999)

This video contains two documentaries drawn from the historic Critical Resistance conference. *USA, INCarcerated*, outlines the growth of the prison-industrial complex, the social trade-offs made to support it, and the place of the prison-industrial complex in the global economy. *Visions of Freedom* features highlights from the CR conference, weaving together music, poetry, and speakers. This video is available for purchase from CR.

The Beat Within, Richard Saiz (1998)

Showcasing the voices of young writers who have discovered the power of the pen, this video describes The Beat Within writing program offered in 13 Bay Area juvenile detention facilities. This program produces a weekly magazine that features writing from the inside.

Blind Eye to Justice, Women's Positive Legal Action Network (1998)

This video documents the experiences of HIV-positive women incarcerated in California. Narrated by Angela Y. Davis, art by Isu Rodriguez, and soundtrack by Gina Love. This video is available through CR.

Bui Doi, Urban Nomad Productions (1994)

Bui Doi, which means "life like dust," examines a critical moment in the life of Ricky Phan, a Vietnamese refugee and gang member who is now serving an 11-year sentence for armed robbery. Shot over a three-year period prior to Ricky's arrest, the film subtly illustrates Ricky's state of mind as he sits in prison trying to make sense of his difficult life.

The Double Life of Ernesto Gomez Gomez, Luna Productions (1999)

A documentary portrait of a 16-year-old boy during the year he gets to know his mother, Dylcia Pagan, a Puerto Rican political prisoner serving a 68-year sentence for her involvement in the struggle for Puerto Rican independence — a story of colonialism, repression, and love.

Eyes of the Rainbow, Imagines del Caribe (1997)

Infused with the sounds and colors of the African Diaspora in Cuba, this portrait by Cuban filmmaker Gloria Rolando explores Assata Shakur's political and spiritual journey into exile in Cuba.

The Farm, Gabriel Films (1998)

A portrayal of racism, religion, aging, and death at the Louisiana State Penitentiary at Angola, the largest prison in the U.S., from which 85% of inmates will never leave. The film makes explicit the journey from plantation to prison economy.

Incident at Oglala, Michael Apted (1992)

The controversial story of Native American activist Leonard Peltier, who was convicted of murder and sentenced to life in prison in 1975 after armed FBI agents illegally entered the Pine Ridge Indian reservation, leaving one Native American and two FBI agents dead.

The Killing State, Deep Dish TV and The People's Video Network

A hard-hitting documentary that examines the incarceration of Mumia Abu Jamal, his struggle for justice, and the campaign to bring life on death row to the public eye.

The Last Graduation, Zahm Productions and Deep Dish TV

Along with rare footage of the Attica revolt, this award-winning documentary examines higher education programs in prisons. Because prisoners can no longer use Pell Grants, most of these programs have been eliminated, despite the undeniable evidence that education is one of the most important tools for turning a prisoner's life around. This video is available through CR.

The Legacy, Michael Moore (1999)

A detailed case study of how California's *Three Strikes Law* was passed. The film clearly demonstrates the duplicity of some leaders of the victims' rights movement and their relationships with opportunistic politicians, as well as illustrates the power of the media and big money to create near consensus on a bad law by exploiting poster-child crime victims — in this case, Polly Klass.

Lock Down U.S.A., Deep Dish TV

In three vignettes, *Lock Down U.S.A.* makes the connection between punishment and big business and reveals the role of the media in sensationalizing crime and promoting an atmosphere of fear that affects public policy decisions and spending. This video is available through CR.

Maximum Security University, California Prison Focus (1997)

This is a documentary of death and cover-up. Using prison security camera footage, *MSU* reveals the gladiator fights that led to the killing of five prisoners at

California's infamous Corcoran State Prison between 1988 and 1996. This video is available through CR.

Out: The Making of a Revolutionary, Sonja de Vries and Rhonda Collins (2000)

Out is the story of Laura Whitehorn, convicted of the 1983 U.S. Capitol bombing and of "conspiring to influence, change, and protest policies and practices of the United States government, through violent and illegal means." *Out* is the story of her life and our times. This video is available through CR.

The Resistance Conspiracy, Anarchist Black Cross

This video documents the story of the six defendants charged with what became known as the "Resistance Conspiracy" case. The video is available through CR.

Unidos Cruzaremos Las Fronteras/Unity Crosses Borders, Video Visions (1996)
New World Border, (Rollin' Rock Productions, 1997)

These two short films focus on the violence, death, and resistance that take place along the U.S./Mexico border.

With Liberty and Justice for All, Cabin Creek Films (1997)

This short film tells the story of two men who were criminalized and detained under the 1996 immigration law.

Yes, in My Backyard, Tracy Huling, Galloping Girls Productions (1999)

Poor rural towns now compete to host new prisons. This film includes interviews with the mayor, a warden, and a wide variety of townspeople on the positive and negative effects two prisons have had on one farming community turned prison town. *Yes, in my Backyard* explores the increasing and multi-layered dependence of rural America on the prison industry and subtly probes the profound implications of this dependence on both the keepers and the kept, as well as its effect on our society's understanding of, and response to, crime.

Yesterday Is Not Too Soon, Dorsey Nunn and Legal Services for Prisoners and Children/Infrared Communications (1997)

This film presents an interview with Assata Shakur in Cuba. This video is available through CR.

Recommended Web Sites

ACLU National Prison Project: www.aclu.org/issues/prisons/hmprisons.html

California Board of Prison Terms: www.bpt.ca.gov

California Coalition for Women Prisoners: www.prisonactivist.org/ccwp

California Prison Focus: www.prisons.org

Center on Juvenile and Criminal Justice: www.cjcj.org

Citizens United for Alternatives to the Death Penalty: www.cuadp.org

Committee to End the Marion Lockdown: www-unix.oit.umass.edu/~kastor/ceml.html

Corporate Watch: "The Prison Industry: Capitalist Punishment": www.corpwatch.org/feature/prisons/

Criminal Justice Consortium: www.idiom.com/~cjc

Critical Resistance: www.criticalresistance.org

Critical Resistance East: www.criticalresistance.org/creast

Death Penalty Information Center: www.essential.org/dpic/dpic.html

Eddie Hatcher Defense Committee: www.eddiehatcher.org

Families against Mandatory Minimums (FAMM): www.famm.org

Families to Amend California's Three Strikes (FACTS): www.facts1.com

Families with a Future: www.fwaf.net

Free Leonard Peltier: www.freepeltier.org

Freedom Archives: www.freedomarchives.org

Human Rights Watch Prison Project: www.hrw.org/hrw/advocacy/prisons

Institute for Southern Studies: www.i4south.org

International Concerned Friends and Family of Mumia Abu Jamal: www.mumia.org

Irish Political Prisoners of War Committee: http://www.geocities.com/CapitolHill/4025/prisoners.html

Journal of Prisoners on Prisons: www.jpp.org/

Justice for Silvia Baraldini!: www.justice-for-silvia.org/

Justice Information Center: www.ncjrs.org/

Justice Policy Institute: www.cjcj.org

Le Monde Diplomatique: **"From Welfare State to Prison State: Imprisoning the American Poor"**: www.monde-diplomatique.fr/en/1998/07/14prison

Letters from Exile: Raymond Luc Levasseur: www.home.earthlink.net/~neoludd/

*Mother Jones***: "Trial by Torture"**: www.motherjones.com/news_wire/chicops.html

Mumia Web Sites: www.freemumia.org; www.mumia.org

Murder Victims Families for Reconciliation: www.mvfr.org

National Center on Institutions and Alternatives: www.igc.org/ncia

National Coalition against the Death Penalty: www.ncadp.org

New South Wales (Australia) Council for Civil Liberties, "Prison and Political Prisoners": www.people.enternet.com.au/~cclnsw/prsnlink.htm

No More Prisons: www.nomoreprisons.org

Out of Control Lesbian Committee to Support Women Political Prisoners: www.prisonactivist.org/ooc/

Prison Activist Resource Center: www.prisonactivist.org

Prison Connections: www.prisonactivists.org/pc/

Prison Legal News: www.prisonlegalnews.org/

Prison Moratorium Project — California: www.prisonactivist.org/pmp

Prison Moratorium Project — New York: www.dsausa.org/youth/PMP.html

Prison News Service: www.prisonactivist.org/pubs/pns/

Prison Zone: www.prisonzone.com/

Public Safety and Justice Campaign: www.stopprivateprisons.org

Sentencing Project: www.sentencingproject.org

Standing Deer Defense Committee: www.standingdeer.homepage.org

Stop Prisoner Rape: www.spr.org

Sundiata Acoli Freedom Campaign: www.webcom.com/nattyreb/sundiata

*The Atlantic Monthly***: "The Prison Industrial Complex"**: www.theatlantic.com/issues/98dec/prisons.htm

The Beat Within: www.pacificnews.org/yo/beat

The Freedom Archives: www.freedomarchives.org

The Jericho Movement for U.S. Political Prisoners: www.TheJerichoMovement.com/

The Other Side of the Wall: www.prisonwall.org/

U.S. Department of Justice: Bureau of Justice Statistics Publications: www.ojp.usdoj.gov/bjs/pubalp2.htm

U.S. Department of Justice: Federal Bureau of Prisons: www.bop.gov