

WHAT IS ABOLITION?

Critical Resistance's mission is to end the prison industrial complex (PIC). The PIC is a system that uses policing, courts, and imprisonment to "solve" problems. We don't agree that we need the PIC to keep us safe. Instead, we work to build safe and healthy communities that do not depend on prisons and punishment.

WHO WERE THE FIRST ABOLITIONISTS?

We take the name "abolitionist" purposefully from those who called for the abolition of slavery in the 1800's. Abolitionists believed that slavery could not be fixed or reformed. It needed to be abolished. As PIC abolitionists today, we also do not believe that reforms can make the PIC just or effective. Our goal is not to improve the system; it is to shrink the system into non-existence.

WHAT ABOUT PUBLIC SAFETY?

We all want safe communities. The question is how do we build safe communities? Is it by locking up and policing more and more people? Or is it by dealing with the causes of the harm that is called "crime" in our communities?

Even the worst kinds of harm do not happen without a reason. Putting people in cages does not solve any of the problems that lead to harm, like harmful drug use, poverty, violence, or mental illness. By separating people from their home communities, and isolating them in abusive and violent environments, these problems can even get worse. We take seriously the harms that happen between people. We believe that in order to reduce harm we must change the social and economic conditions in which those harms take place.

For example, providing drug users with health care and harm reduction strategies instead of locking them in cages helps reduce the harm that drug use might cause. When public funding is directed into policing and prisons, budget cuts for social programs, including women's shelters, welfare and public housing are the side effect. These cutbacks leave women less able to escape violent relationships. Focusing more energy on creating safe and stable conditions instead of policing and imprisonment reduces harm.

Studies have shown that states with more prisons and prisoners do not have lower crime rates than other states. The PIC claims to be about safety and order. In reality, the PIC makes the lives of most people – especially the poor and people of color – less safe and more disordered. For example, poor people and people of color are often targeted by the cops based on the way they look. And even in instances where people call the cops to solve problems, the cops are often more disruptive than the original problem. We cannot build strong communities when people are constantly being taken out of them.

WHAT ARE THE ALTERNATIVES?

We do not have all the answers. But, we do know that people in other parts of the world rely on prisons and police far less than the U.S. does, and suffer from far less harm. We also know that communities where people have housing, food, education and jobs have the lowest crime rates. The best way to reduce harm is by building safe, healthy communities where people have their basic needs met.

WHAT CAN I DO TODAY?

Today, there are small steps that will move us toward abolition, such as:

- Instead of supporting construction of a new prison to make the horrible conditions that most prisoners live in a little better, we can push for alternatives that reduce the number of people locked in cages.
- Instead of calling the police everytime there is a conflict in our neighborhoods, we can establish community forums and mediation practices to deal with harm and conflict.
- We can build safer and healthy communities by working to eliminate barriers to housing and jobs faced by people coming home from prison to help them stay out of the system.

ABOLITION IS A REALISTIC VISION

The PIC did not always exist. The modern day prison is only about 200 years old. Even today there are places where people rely on each other instead of police, courts, and cages.

It has taken over 200 years to build up the PIC. We can't expect to take apart such a complicated system in a short time. The first slavery abolitionists began working decades before they won the abolition of slavery. Our struggle is a long one. Believing we can abolish the PIC is the first step.

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changework . by Tema Okun

- This piece on white supremacy culture builds on the work of many people, including (but not limited to) Andrea Ayvazian, Bree Carlson, Beverly Daniel Tatum, Dueker, Nancy Emond, Jonn Lunsford, Sharon Martinas, Joan Olsson, David Rogers, James Williams, Sally Yee, as well as the work of Grassroots Leadership, Equity Institute Inc, the People's Institute for Survival and Beyond, the Challenging White Supremacy workshop, the Lillie Allen Institute, the Western States Center, and the contributions of hundreds of participants in the DR process.
- * These sections are based on the work of Daniel Buford, who has done extensive research on white supremacy culture and other trainers at the People's Institute for Survival and Beyond.

This is a list of characteristics of white supremacy culture which show up in our organizations. Culture is powerful precisely because it is so present and at the same time so very difficult to name or identify. The characteristics listed below are damaging because they are used as norms and standards without being proactively named or chosen by the group. They are damaging because they promote white supremacy thinking. They are damaging to both people of color and to white people. Organizations that are people of color led or a majority people of color can also demonstrate many damaging characteristics of white supremacy culture.

perfectionism*

- little appreciation expressed among people for the work that others are doing; appreciation that is expressed usually directed to those who get most of the credit anyway
- more common is to point out either how the person or work is inadequate
- or even more common, to talk to others about the inadequacies of a person or their work without ever talking directly to them
- mistakes are seen as personal, i.e. they reflect badly on the person making them as opposed to being seen for what they are – mistakes
- making a mistake is confused with being a mistake, doing wrong with being wrong
- little time, energy, or money put into reflection or identifying lessons learned that can improve practice, in other words little or no learning from mistakes
- tendency to identify what's wrong; little ability to identify, name, and appreciate what's right
- often internally felt, in other words the perfectionist fails to appreciate her own good work, more often pointing out his faults or 'failures,' focusing on inadequacies and mistakes rather than learning from them; the person works with a harsh and constant inner critic

antidotes: develop a culture of appreciation, where the organization takes time to make sure that people's work and efforts are appreciated; develop a learning organization, where it is expected that everyone will make mistakes and those mistakes offer opportunities for learning; create an environment where people can recognize that mistakes sometimes lead to positive results; separate the person from the mistake; when offering feedback, always speak to the things that went well before offering criticism; ask people to offer specific suggestions for how to do things differently when offering criticism; realize

that being your own worst critic does not actually improve the work, often contributes to low morale among the group, and does not help you or the group to realize the benefit of learning from mistakes

sense of urgency

- continued sense of urgency that makes it difficult to take time to be inclusive, encourage democratic and/or thoughtful decision-making, to think long-term, to consider consequences
- frequently results in sacrificing potential allies for quick or highly visible results, for example sacrificing interests of communities of color in order to win victories for white people (seen as default or norm community)
- reinforced by funding proposals which promise too much work for too little money and by funders who expect too much for too little

antidotes: realistic workplans; leadership which understands that things take longer than anyone expects; discuss and plan for what it means to set goals of inclusivity and diversity, particularly in terms of time; learn from past experience how long things take; write realistic funding proposals with realistic time frames; be clear about how you will make good decisions in an atmosphere of urgency; realize that rushing decisions takes more time in the long run because inevitably people who didn't get a chance to voice their thoughts and feelings will at best resent and at worst undermine the decision because they were left unheard

defensiveness

- the organizational structure is set up and much energy spent trying to prevent abuse and protect power as it exists rather than to facilitate the best out of each person or to clarify who has power and how they are expected to use it
- because of either/or thinking (see below), criticism of those with power is viewed as threatening and inappropriate (or rude)
- people respond to new or challenging ideas with defensiveness, making it very difficult to raise these ideas
- a lot of energy in the organization is spent trying to make sure that people's feelings aren't getting hurt or working around defensive people
- white people spend energy defending against charges of racism instead of examining how racism might actually be happening
- the defensiveness of people in power creates an oppressive culture

antidotes: understand that structure cannot in and of itself facilitate or prevent abuse; understand the link between defensiveness and fear (of losing power, losing face, losing comfort, losing privilege); work on your own defensiveness; name defensiveness as a problem when it is one; give people credit for being able to handle more than you think; discuss the ways in which defensiveness or resistance to new ideas gets in the way of the mission

quantity over quality*

- all resources of organization are directed toward producing measurable goals
- things that can be measured are more highly valued than things that cannot, for example numbers of people attending a meeting, newsletter circulation, money spent are valued more than quality of relationships, democratic decision-making, ability to constructively deal with conflict
- little or no value attached to process; if it can't be measured, it has no value

- discomfort with emotion and feelings
- no understanding that when there is a conflict between content (the agenda of the meeting) and process (people's need to be heard or engaged), process will prevail (for example, you may get through the agenda, but if you haven't paid attention to people's need to be heard, the decisions made at the meeting are undermined and/or disregarded)

antidotes: include process or quality goals in your planning; make sure your organization has a values statement which expresses the ways in which you want to do your work; make sure this is a living document and that people are using it in their day to day work; look for ways to measure process goals (for example if you have a goal of inclusivity, think about ways you can measure whether or not you have achieved that goal); learn to recognize those times when you need to get off the agenda in order to address people's underlying concerns

worship of the written word

- if it's not in a memo, it doesn't exist
- the organization does not take into account or value other ways in which information gets shared
- those with strong documentation and writing skills are more highly valued, even in organizations where ability to relate to others is key to the mission

antidotes: take the time to analyze how people inside and outside the organization get and share information; figure out which things need to be written down and come up with alternative ways to document what is happening; work to recognize the contributions and skills that every person brings to the organization (for example, the ability to build relationships with those who are important to the organization's mission); make sure anything written can be clearly understood (avoid academic language, 'buzz' words, etc.)

only one right way

- the belief there is one right way to do things and once people are introduced to the right way, they will see the light and adopt it
- when they do not adapt or change, then something is wrong with them (the other, those not changing), not with us (those who 'know' the right way)
- similar to the missionary who does not see value in the culture of other communities, sees only value in their beliefs about what is good

antidotes: accept that there are many ways to get to the same goal; once the group has made a decision about which way will be taken, honor that decision and see what you and the organization will learn from taking that way, even and especially if it is not the way you would have chosen; work on developing the ability to notice when people do things differently and how those different ways might improve your approach; look for the tendency for a group or a person to keep pushing the same point over and over out of a belief that there is only one right way and then name it; when working with communities from a different culture than yours or your organization's, be clear that you have some learning to do about the communities' ways of doing; never assume that you or your organization know what's best for the community in isolation from meaningful relationships with that community

paternalism

- decision-making is clear to those with power and unclear to those without it
- those with power think they are capable of making decisions for and in the interests of those without power
- those with power often don't think it is important or necessary to understand the viewpoint or experience of those for whom they are making decisions
- those without power understand they do not have it and understand who does
- those without power do not really know how decisions get made and who makes what decisions, and yet they are completely familiar with the impact of those decisions on them

antidotes: make sure that everyone knows and understands who makes what decisions in the organization; make sure everyone knows and understands their level of responsibility and authority in the organization; include people who are affected by decisions in the decision-making

either/or thinking*

- things are either/or — good/bad, right/wrong, with us/against us
- closely linked to perfectionism in making it difficult to learn from mistakes or accommodate conflict
- no sense that things can be both/and
- results in trying to simplify complex things, for example believing that poverty is simply a result of lack of education
- creates conflict and increases sense of urgency, as people feel they have to make decisions to do either this or that, with no time or encouragement to consider alternatives, particularly those which may require more time or resources
- often used by those with a clear agenda or goal to push those who are still thinking or reflecting to make a choice between 'a' or 'b' without acknowledging a need for time and creativity to come up with more options

antidotes: notice when people use 'either/or' language and push to come up with more than two alternatives; notice when people are simplifying complex issues, particularly when the stakes seem high or an urgent decision needs to be made; slow it down and encourage people to do a deeper analysis; when people are faced with an urgent decision, take a break and give people some breathing room to think creatively; avoid making decisions under extreme pressure

power hoarding

- little, if any, value around sharing power
- power seen as limited, only so much to go around
- those with power feel threatened when anyone suggests changes in how things should be done in the organization, feel suggestions for change are a reflection on their leadership
- those with power don't see themselves as hoarding power or as feeling threatened
- those with power assume they have the best interests of the organization at heart and assume those wanting change are ill-informed (stupid), emotional, inexperienced

antidotes: include power sharing in your organization's values statement; discuss what good leadership looks like and make sure people understand that a good leader develops the power and skills of others; understand that change is inevitable and challenges to your leadership can be healthy and productive; make sure the organization is focused on the mission

fear of open conflict

- people in power are scared of expressed conflict and try to ignore it or run from it
- *when someone raises an issue that causes discomfort, the response is to blame the person for raising the issue rather than to look at the issue which is actually causing the problem*
- emphasis on being polite
- equating the raising of difficult issues with being impolite, rude, or out of line

antidotes: role play ways to handle conflict before conflict happens; distinguish between being polite and raising hard issues; don't require those who raise hard issues to raise them in 'acceptable' ways, especially if you are using the ways in which issues are raised as an excuse not to address those issues; once a conflict is resolved, take the opportunity to revisit it and see how it might have been handled differently

individualism*

- little experience or comfort working as part of a team
- people in organization believe they are responsible for solving problems alone
- accountability, if any, goes up and down, not sideways to peers or to those the organization is set up to serve
- desire for individual recognition and credit
- leads to isolation
- competition more highly valued than cooperation and where cooperation is valued, little time or resources devoted to developing skills in how to cooperate
- creates a lack of accountability, as the organization values those who can get things done on their own without needing supervision or guidance

antidotes: include teamwork as an important value in your values statement; make sure the organization is working towards shared goals and people understand how working together will improve performance; evaluate people's ability to work in a team as well as their ability to get the job done; make sure that credit is given to all those who participate in an effort, not just the leaders or most public person; make people accountable as a group rather than as individuals; create a culture where people bring problems to the group; use staff meetings as a place to solve problems, not just a place to report activities

i'm the only one

- connected to individualism, the belief that if something is going to get done right, 'I' have to do it
- little or no ability to delegate work to others

antidotes: evaluate people based on their ability to delegate to others; evaluate people based on their ability to work as part of a team to accomplish shared goals

progress is bigger, more*

- observed in how we define success (success is always bigger, more)
- progress is an organization which expands (adds staff, adds projects) or develops the ability to serve more people (regardless of how well they are serving them)
- gives no value, not even negative value, to its cost, for example, increased accountability to funders as the budget grows, ways in which those we serve may be exploited, excluded, or underserved as we focus on how many we are serving instead of quality of service or values created by the ways in which we serve

antidotes: create Seventh Generation thinking by asking how the actions of the group now will affect people seven generations from now; make sure that any cost/benefit analysis includes all the costs, not just the financial ones, for example the cost in morale, the cost in credibility, the cost in the use of resources; include process goals in your planning, for example make sure that your goals speak to how you want to do your work, not just what you want to do; ask those you work with and for to evaluate your performance

objectivity*

- the belief that there is such a thing as being objective or 'neutral'
- the belief that emotions are inherently destructive, irrational, and should not play a role in decision-making or group process
- invalidating people who show emotion
- requiring people to think in a linear (logical) fashion and ignoring or invalidating those who think in other ways
- impatience with any thinking that does not appear 'logical'

antidotes: realize that everybody has a world view and that everybody's world view affects the way they understand things; realize this means you too; push yourself to sit with discomfort when people are expressing themselves in ways which are not familiar to you; assume that everybody has a valid point and your job is to understand what that point is

right to comfort

- the belief that those with power have a right to emotional and psychological comfort (another aspect of valuing 'logic' over emotion)
- scapegoating those who cause discomfort
- equating individual acts of unfairness against white people with systemic racism which daily targets people of color

antidotes: understand that discomfort is at the root of all growth and learning; welcome it as much as you can; deepen your political analysis of racism and oppression so you have a strong understanding of how your personal experience and feelings fit into a larger picture; don't take everything personally

One of the purposes of listing characteristics of white supremacy culture is to point out how organizations which unconsciously use these characteristics as their norms and standards make it difficult, if not impossible, to open the door to other cultural norms and standards. As a result, many of our organizations, while saying we want to be multi-cultural, really only allow other people and cultures to come in if they adapt or conform to already existing cultural norms. Being able to identify and name the cultural norms and standards you want is a first step to making room for a truly multi-cultural organization.

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RUTH WILSON GILMORE

Globalisation and US prison growth: from military Keynesianism to post-Keynesian militarism

Ever since Richard M. Nixon's 1968 campaign for president on a 'law and order' platform, the US has been home to a pulsing moral panic over crime and criminality. The 'law and order' putsch has produced an increase of 1.4 million people in the prison and jail population since 1982: by the time this essay goes to press, there will be nearly 2,000,000 women and men living in cages. But are the key issues underlying carceral expansion 'moral' ones – or are they racial, economic, political? And if some combination of the latter, why did 'the law' enmesh so many people so quickly, but delay casting its dragnet until almost fifteen years after Nixon's successful bid for the presidency?

California is a case in point. In mid-1996 the State's attorney general, who is responsible for prosecuting all serious and violent crimes, circulated a report showing that the crime rate peaked in 1980 and declined, unevenly but decisively, thereafter. However, since 1982, when the State¹ embarked on the biggest prison construction programme in the history of the world, the number in the California Department of Corrections (CDC) prisons rose 400 per cent – to 156,000. African Americans and Latinos (primarily Mexican Americans) comprise two-thirds of the prison population; seven per cent are women of all races. Almost half the prisoners had steady employment, that is, they were working for the same employer for at least one year before arrest, while

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upwards of 80 per cent were, at some time in their case, represented by state-appointed lawyers for the indigent; in short, as a class, convicts are the working or workless poor. At a cost of 280-350 million dollars each, California has completed twenty-two new prisons since 1984. The new prisons, plus the state's twelve previously existing facilities, plus four new prisons being planned, plus internal expansions, plus space contracted with public or private providers, will give the system a lockdown capacity of more than 200,000 by 2001, according to data from the California Legislative Analyst's Office and the CDC.

But California's prison expansion has to be situated in the political-economic geography of globalisation if its full significance is to be understood. A new kind of state is being built on prison foundations in the world's seventh or eighth largest economy. The importance of California is not that it represents the average case of current conditions throughout the US but, rather, that the State stands in as a plausible future for politics within and outside national borders: California has long served as an activist exemplar that others keenly emulate.

Why prisons: dominant and counter explanations

The media, government officials and policy advisers endlessly refer to the moral panic over crime and connect prison growth to public desire for social order. In this explanation, what is pivotal is not the state's definition of crime, *per se*, but rather society's condemnation of rampant deviant behaviour – thus a moral not (necessarily) legal panic. The catapulting of crime to US public anxiety number one, even when unemployment and inflation might have garnered greater worry in the recessions of the early 1980s and the early 1990s, suggests that concerns about social deviance overshadowed other, possibly more immediate issues.

However, by the time the great prison round-ups began, crime had started to go down. Mainstream media reported the results of statistics annually gathered and published by the Federal Bureau of Investigation (FBI) and the Bureau of Justice Statistics (BJS). In other words, if the public had indeed demanded crime reduction, the public was already getting what it wanted. State officials could have taken credit for decreasing crime rates without producing more than a million new prison beds. But the beds are there.

Another explanation for the burgeoning prison population is the drug epidemic and the threat to public safety posed by the unrestrained use and trade of illegal substances. Information about the controlling (or most serious) offence² of prisoners supports the drug explanation: drug commitments to federal and state prison systems surged 975 per cent between 1982 and 1996. Therefore, it is reasonable to conclude that widening use of drugs in the US in the late 1970s and early 1980s

provoked prison expansion. According to this scenario – as news stories, sensational television programmes, popular music and movies and politicians' anecdotes made abundantly clear – communities, especially poor communities of colour, would be more deeply decimated by addiction, drug dealing and gang violence were it not for the restraining force of prisons. The explanation rests on two assumptions: first, that drug use exploded in the 1980s and, second, that the sometimes violent organisation of city neighbourhoods into gang enclaves was accomplished in order to secure drug markets.

In fact, according to the BJS, illegal drug use among all kinds of people throughout the United States declined precipitously, starting in the mid-1970s. Second, although large-scale traffic in legal or illegal goods requires highly organised distribution systems – be they corporations or gangs – not all gangs are in drug trafficking; for example, according to Mike Davis, in Los Angeles, an area of heavy gang and drug concentration, prosecutors in the late 1980s charged only one in four dealers with gang membership.³

A third explanation blames structural changes in employment opportunities; these changes have left large numbers of people challenged to find new income sources, and many have turned to what one pundit called 'illegal entitlements'. In this view, those who commit property crimes – along with those who trade in illegal substances – reasonably account for a substantial portion of the vast increase in prison populations. Controlling offence data for new prisoners support the income-supplementing explanation: the percentage of people in prison for property offences more than doubled since 1982. But, at the same time, incidents of property crime peaked in 1980; indeed, the decline in property crime pushed down the overall crime rate.

More recently, as both print and electronic media have started again to headline annual federal reports about long-term drops in crime (still falling since 1980) and as elected and appointed officials have started to take credit for the trends, the explanation for bulging prisons centres on the remarkable array of longer and stiffer sentences now doled out for a wide range of behaviour that used to be punished differently, if at all. This explanation, tied to but different from the 'moral panic' explanation, proposes that while social deviance might not have exploded after all, active intolerance pays handsome political dividends. The explanation that new kinds of sentences (which is to say the concerted action of lawmakers) rather than crises in the streets, produced the growth in prison, is a *post facto* explanation that begs the question. Where did the punitive passion come from in the first place? While all the dominant accounts carry some explanatory power, there is a huge hole at their centre. Who is being punished, for what, and to what end? If crime rates peaked before the proliferation of new laws and new cages, what work does prison do?

There are two major counter explanations for prison expansion. The first charges racism, especially anti-Black racism. The second focuses on the economic development and profit-generating potential that prisons promise, suggesting that *military* Keynesianism is giving way to, or complemented by, *carceral* Keynesianism. As with the dominant explanations, there is a great deal of truth in these claims. The statistical inversion, by race, of those arrested (70 per cent white) to those put in cages (70 per cent persons of colour) quantitatively indicates that the system punishes different kinds of people differently; qualitatively, the stories of individuals and families caught up in the system graphically illustrate this uneven development. It is also true that communities and industrial sectors are increasingly dependent on prisons for governmental, household and corporate income. But these explanations do not show us how prison – and the industrialised punishment system that is the heart of the prison industrial complex – achieved such a central place in structuring the state and shaping the landscape, nor do they show us whether the state is a variation on the Keynesian theme or something new to globalisation.

In my view, the expansion of prison constitutes a geographical solution to socio-economic problems, politically organised by the state which is itself in the process of radical restructuring. This view brings the complexities and contradictions of globalisation home, by showing how already existing social, political and economic relations constitute the conditions of possibility (but not inevitability) for ways to solve major problems. In the present analysis 'major problems' appear, materially and ideologically, as surpluses of finance capital, land, labour and state capacity that have accumulated from a series of overlapping and interlocking crises stretching across three decades.

The accumulation of surpluses is symptomatic of 'globalisation.' Changes in the forces, relations and geography of capitalist production during the past thirty years have produced more densely integrated 'sovereign' (nation state) political economies, exemplified by supra-national trade regions such as NAFTA and supra-national currencies such as the Euro. However, interdependence is not a precursor to universal equality. Quite the contrary, as Neil Smith argues, the trend towards equalisation rests on a deep foundation of differentiation: if the whole world is available as site or resource for capitalist production, intensive investment in some places to the detriment of others is caused by and produces 'uneven development'. The disorderly effects of 'globalisation' are part and parcel of uneven development, and the expansion of prison in the US is a logical, although by no means necessary, outcome of dynamic unevenness. But if economics lies at the base of the prison system, its growth is a function of politics not mechanics.

Why 1968? Historicising crime, Keynesianism, and crises

I have said that the 'moral panic' underlying prison growth achieved formal US-wide recognition in Nixon's 1968 'law and order' campaign. Mid-sixties radical activism, both spontaneous and organised, successfully produced widespread disorder throughout society. The ascendant Right's effort to gain the presidency used the fact of disorder in persuading voters that the incumbents failed to govern. The claim was true insofar as it described objective conditions. But in order to exploit the evidence for political gain, the Right had to interpret the turmoil as something it could contain, if elected, using already existing, unexceptionable capacities: the power to defend the nation against enemies foreign and domestic. And so the contemporary US crime problem was born. The disorder that became 'crime' had particular urban and racial qualities and the collective characteristics of activists (whose relative visibility as enemies was an inverse function of their structural lack of power) defined the face of the individual criminal.

A broad-brush review of some major turning points in political radicalism highlights who became the focus of moral panic. Given that criminalisation is most intensely applied to African Americans, it makes sense to start with the Black Power movement. Black Power became a popularly embraced alternative to assimilationist civil rights struggle in 1964, after the Democratic Party publicly refused to seat the Black Mississippi Freedom Democratic Party (MFDP) at the national convention. The delegation represented women and men who had engaged in deadly struggles with white power southern elites in order to gain the vote. While antisystemic bullets did not replace reformist ballots with the emergence of Black Power, the MFDP experience convinced many activists who had worked within legal and narrowly (electoral) political systems that tinkering with the racial structure and organisational practices of the US state would not make it something new. In response to the plausible impossibility that Black or other subordinated people could ever sue for equality within the framework of constitutional rights, below-surface militancy popped up all over the landscape.

Until the 1960s, virtually all riots in the US were battles instigated by white people against people of colour, or by public or private police (including militias and vigilantes, also normally white) against organising workers of all races. But, from the 1965 Los Angeles Watts Riots forward, urban uprising became a means by which Black and other people held court in the streets to condemn police brutality, economic exploitation and social injustice. Radical Black, Brown, Yellow and Red Power movements fought the many ways the state organised poor peoples' perpetual dispossession in service to capital. Radical white activists – students, wage workers, welfare rights agitators

added to domestic disorders by aligning with people of colour; they also launched autonomous attacks against symbols and strongholds of US capitalism and Euro-American racism and imperialism.

Indeed, growing opposition to the US war in Vietnam and Southeast Asia helped forge one international community of resistance, while an overlapping community, dedicated to anti-colonialism and anti-apartheid on a world scale, found in Black Power a compelling renewal of historical linkages between 'First' and 'Third World' Pan African and other liberation struggles. At the same time, students and workers built and defended barricades from Mexico City to Paris; no sooner had the smoke cleared in one place than fires of revolt flared up in another. The more that militant anti-capitalism and international solidarity became everyday features of US anti-racist activism, the more vehemently the state and its avatars responded by, as Allen Feldman puts it, 'individualizing disorder' into singular instances of criminality, that could then be solved via arrest or state-sanctioned killings rather than fundamental social change. With the state's domestic war-making in mind, I will briefly examine another key aspect of the legendary year.

Something else about 1968

If 1967-68 marks the domestic militarist state's contemporary rise, it also marks the end of a long run-up in the rate of profit, signalling the close of the golden age of US capitalism. The golden age started thirty years earlier, when Washington began the massive build-up for the second world war. Ironically, as Gregory Hlooks has demonstrated, the organisational structures and fiscal powers that had been designed and authorised for New Deal social welfare agencies provided the template for the Pentagon's painstaking transformation from a periodically expanded and contracted Department of War to the largest and most costly bureaucracy of the federal government. The US has since committed enormous expenditure for the first *permanent* warfare apparatus in the country's pugnacious history.

The wealth produced from warfare spending underwrote the motley welfare agencies that took form during the Great Depression but did not become fully operational until the end of the second world war. Indeed, the US welfare state bore the popular tag military Keynesianism to denote the centrality of war-making to socio-economic security. On the domestic front, while labour achieved moderate protections and entitlements, worker militancy was crushed and fundamental US hierarchies remained intact. The hierarchies map both the structure of labour markets and the socio-spatial control of wealth. Thus, white people fared well compared with people of colour, most of whom were deliberately excluded from original legislation; men received automatically what women had to apply for individually, and,

normatively, urban, industrial workers secured limited wage and bargaining rights denied household and agricultural field workers.

The military Keynesian or 'warfare-welfare' state (to use James O'Connor's term) was first and foremost, then, a safety net for the capital class as a whole in all major areas: collective investment, labour division and control, comparative regional and sectoral advantage, national consumer market integration and global reach. And, up until 1967-68, the capital class paid handsome protection premiums for such extensive insurance. However, at the same time that Black people were fighting to dismantle US apartheid, large corporations and other capitals, with anxious eyes fixed on the flattening profit-rate curve, began to agitate forcefully and successfully to reduce their contribution to the 'social wage'. Capital's successful tax revolts, fought out in federal and state legislatures, provoked the decline of military Keynesianism.

Put broadly, the economic project of Keynesianism consisted of investments against the tide, designed to avoid the cumulative effects of downward business cycles by guaranteeing effective demand (via incomes programmes, public borrowing strategies and so forth) during bad times. The social project of Keynesianism, following from the central logic that full employment of resources enhances rather than impedes the production of new wealth, was to extend to workers – unequally, as we have seen – protections against calamity and opportunities for advancement. In sum, Keynesianism was a capitalist project that produced an array of social goods that had not existed under the preceding liberal (or laissez-faire) capitalist state form.

Keynesianism's economic project, severely weakened by capital's tax revolt, encountered its first round of dismantling in the early 1970s, but the social project took the rap for all the anxiety and upheaval that ensued. Part of the post-war civil rights struggle had been to extend eligibility for social welfare rights and programmes to those who had been deliberately excluded. The individualisation of *this* disorder (from the 1965 Moynihan report on the pathological Black family, through the 1980 Reagan presidential campaign) increasingly started an unruly African American woman whose putative dependency on the state, rather than a husband, translated into criminality.

Crisis and surplus

To sum up: there is a moral panic over 'crime' – civil disorder, idle youth on the streets, people of colour out of control, women and children without husbands and fathers, students who believe it is their job to change the world (not merely to understand it) and political alliances among organisations trying to merge into full-scale movements. In other words, there is a social crisis. And there is also an economic panic

- capital disorder, or the profits crisis. These crises collide and combine into the crisis that prison 'fixes'.

The new state emerging from the crises, and materialised as the integument of the prison industrial complex, is neither unexpected nor without roots. Rather, the US state (from the local to the national) can claim permanent ideological surplus in the realm of 'defence'. Indeed, from the genocidal wars against Native Americans to the totalitarian chattel slavery perpetrated on Africans, to colonial expansion, to the obliteration of radical anti-racist and anti-capitalist movements, the annals of US history document a normatively aggressive, crisis-driven state. Its *modus operandi* for solving crises has been the relentless identification, coercive control, and violent elimination of foreign and domestic enemies.⁵

Crisis and surplus are two sides of the same coin. Within any system of production, the idling, or surplusing, of productive capacities means that the society dependent on that production cannot reproduce itself as it had in the past, to use Stuart Hall's neat summary of Marx. Such inability is the hallmark of crisis, since reproduction, broadly conceived, is the human imperative. Objectively, crises are neither bad nor good, but crises do indicate inevitable change, the outcome of which is determined through struggle. Struggle, like crisis, is a politically neutral word: in this scenario, everyone struggles because they have no alternative.

The economic panic deepened in the early 1970s, at the same time that radical political activists were assassinated, went to prison, disappeared underground, or fled into exile. In 1973, the federal government finished its five-year plan to decouple the dollar from gold and immediately thereafter devalued the dollar, shoving the US into the 1973-7 global recession. The 1973 wage freeze was prelude to a twenty-five year decline in ordinary people's real purchasing power, made instantly harsh as workers tried to buy necessities at inflated prices with devalued greenbacks. During the same period, of course, money began its spectacular rise as *the* contemporary commodity (to echo Paget Henry's inflection), and interest brokering displaced productive investment as the means to make money make more of itself.

The mid-1970s recession produced many other kinds of displacements, related to the movement of dollars away from gold and capital away from production. Steep unemployment deepened the effects of high inflation for workers and their families. Big corporations eliminated jobs and factories in high-wage heavy industries (e.g., auto, steel, rubber), decimating entire regions of the country and emptying cities of wealth and people. Even higher unemployment plagued farmworkers and others who laboured in rural extractive industries such as timber, fishing and mining. Landowners' revenues did not keep up with the cost of money for a variety of reasons related to changing

production processes and product markets, as well as seemingly 'natural' disasters. Defaults displaced both agribusinesses and smaller growers and other kinds of rural producers from their devalued lands, with the effect that land and rural industry ownership sped up the century-long tendency to concentrate.

Urban dwellers left cities, looking for new jobs, for cheaper housing (given the inflated cost of houses and money), or for whiter communities, and suburban residential and industrial districts developed at the same time that city centres crumbled. Those left behind were stuck in space, lacking the social or financial mobility to follow capital, while at the same time international migrants arrived in the US, pushed and pulled across territory and state by the same forces of equalisation and differentiation that were producing the US cataclysm.

The sum of these displacements was socialised, in a negative way, by the state's displacement from its Keynesian job to produce equilibrium from profound imbalances. No central, strategic plan emerged to employ the state's capacities and absorb the national surpluses of finance capital, land or labour. And why would there be, since the scale at which military Keynesianism operated - that of the nation state - was approaching political-economic obsolescence in the late twentieth century round of globalisation. Make no mistake: I do not mean 'the state' was withering. Quite the contrary, the nation was being 'prepped' for global developments by operators firmly ensconced in state institutions, such as the Federal Reserve Bank governors who, as Edwin Dickens argues, powerfully insisted that the state's capacity to discipline labour was politically and economically more important than the state's capacity to guarantee labour a decent share of surplus value. The unabsorbed accumulations from the 1973-7 recession laid the groundwork for additional surpluses idled in the 1981-4 recession and again in 1990-4, as the furious integration of some worlds produced the terrifying disintegration of others.

Dateline California

California passed the trillion (million million) dollar Gross State Product (GSP) mark in 1997, a level nominally equal to the GDP of the entire United States in 1970. However, the wealthy and productive State's family poverty rate more than doubled between 1969 and 1995, rising from 8.4 per cent to 17.9 per cent of the growing population. Indeed, in 1995, California's national poverty ranking was eighth from the top, in company with historically poor states such as Louisiana, New Mexico, Mississippi, West Virginia and Kentucky; with rich New York and Texas, where prisons have also expanded significantly, and with the classically bifurcated District of Columbia, that has both the highest per capita income and second highest poverty in the country.

Throughout the golden age of capitalism, California functioned as what Dick Walker calls a 'principal engine of US economic growth', and used resources from defence-dependent prosperity to provide state residents with broadening opportunities. An indicator of change to come was the 25 per cent increase in children's poverty between 1969 and 1979. This abandonment of the least powerful members of society presaged the State's future broadening abdication of responsibility to remedy adversity and inequality. And, in fact, the child poverty rate jumped again, rising 67 per cent between 1979 and 1995, to shape the future chances of one in four of the State's kids.

California's phenomenal rise in family and child poverty is a dynamic symptom of the displacements characterising the 1970s, 1980s and 1990s recessions – dynamic because the negative effects have compounded even in boom years. The surplusings of California's children goes hand in hand with the accumulation of other surpluses.

• *Finance capital* California experienced a dual shift in income. First, property income increased as a share of total income, the other principal components of which are wages and salaries. Second, interest income increased as a share of property income, the other components of which are dividends, rent and profits. Productive capitals in the State started paying for equipment or factory expansion out of retained earnings (profits not paid out to shareholders as dividends). In these circumstances, finance capitals had to scramble for new profit-making opportunities, and increasingly looked to money itself, rather than steel, cars or aircraft, to do the job.

As a category of capital, finance capital is the most mobile, but the actual firms that specialise in matching borrowers with funds operate in particular political economic geographies.⁶ Spatial constraint is abundantly clear in the US realm of public debt: all borrowing done at the State or municipal level is, by federal law, State-regulated. For California firms specialising in public sector finance, the challenge to find governmental borrowers was further complicated because traditional infrastructural investment (school buildings, highways and roads) had been deferred during the long 1970s recession, while thereafter both State and local officials depleted reserves rather than ask short-tempered, wage-frozen taxpayers to approve new debt obligations. In sum, public sector financiers had a crisis – growing pools of investable cash but shrinking outlets – that could only be resolved in the political arena, where decisions about the legitimate uses of public debt are made by voters, legislators and clever interpreters of existing statute.

• *Land* California's patterns of land use have changed significantly during the past thirty years. Most notably, since 1978 about 100,000 acres per year of irrigated farmland have been taken out of production. The fate of these idled farmlands stands as proxy for rural restructuring

in general. The recession of the 1970s overlapped with a drought, huge increases in farm debt (taken on in part to irrigate land) and suburbanisation brought on by the combination of white flight and the inability of wage earners of all kinds to afford houses in desirable urban areas.

Agribusinesses of varying sizes were forced out by debt – whether because their commodities were destroyed by early 1980s floods, or priced out of global commodity markets due to the then-surging dollar – or quit in anticipation of adversity or an advantageous sale. Indeed, for some owners the surplusings of lands converted into cash because developers bought the farm: portions of inland counties once used almost exclusively for irrigated agriculture were developed into vast residential and commercial areas. However, there was not an acre-for-acre trade-off between farm disinvestment and suburban development. For other owners, whose lands lay outside the path of development, the surplus constituted crisis, in the form of both 'fictitious' costs⁷ and real costs (taxes, insurance, maintenance) necessary to maintain an under-producing asset. And finally, for rural monopolies or oligopolies, the crisis consisted of how to maintain unequal relations of power and control in places where increased productivity due to mechanisation surplusd both marginal land and many many workers, with the rural proletariat, rather than the long-disappeared small farmer, bearing the principal brunt of displacements. Indeed, surplus land and high unemployment can be guides for locating each other because in tandem they indicate that capital has reorganised in, or withdrawn from, an area. Such is the case with large areas of urban California.

• *Surplus labour* California's restructuring since the early 1970s included the reorganisation, or the termination, of many capital-labour relationships that had been hammered out through struggle during the golden age. All kinds of workers experienced profound insecurity, as millions were displaced from jobs and industries by capital flight, by outsourcing and by mechanisation. Racist and nationalist confrontations heightened, driven by the common-sense perception that the state's public and private resources were too scarce to support the growing population and that therefore some people had to go. But actually people came, as immigrants reconfigured the state's demographic composition. These twin movements of capital and labour produced a growing relative surplus population; workers at the extreme edges or completely outside restructured labour markets.

During most of the 1970s, California's increase in the labour force was roughly commensurate with the increase in available jobs, even though unemployment hit extremely high levels in the recession. But from 1980 onward, employments stopped keeping pace with the labour force – shortly before the number of prisoners started to shoot off the chart. The overall trend is for labour force growth to exceed employment growth by about 4 per cent. The sum of the state's average annual

number of unemployed persons, plus the average annual number of prisoners, is about one million. These million constitute the empirical minimum of California's relative surplus population, or surplus labour.

The reorganisation of labour markets has expelled from the workforce modestly educated people in the prime of life who once might have gained their wages making and moving things. African American men are first among the dispossessed in this regard, although many kinds of workers are experiencing something close to permanent redundancy. Underemployment and worklessness are higher among men than women of similar demographic profile. The lower a person's income, the more likely she or he is to have been unemployed. In urban space, high unemployment rates correspond to areas with the greatest school dropouts, which in turn map onto areas that industries have abandoned, taking along their own jobs and local jobs dependent on the dollars circulated by the bigger firms. Of course, these dynamics are not simply the residual outcomes of 'market forces' but, rather, the predictable results of capital abandonment facilitated by what Michael Tonry calls the State's 'malign neglect'.

• *State capacity*: As stated earlier, the Keynesian state came under sustained attack from powerful economic and political critics. Marx observed that tax struggle is the oldest form of class struggle. The tax revolt staged by California capitals in the late 1960s was answered by the legendary homeowners' (i.e., labour's) tax revolt of 1978. And finally, starting in the early 1980s, the federal government reduced its participation in State and local government funding of social programmes, thereby passing along to lower-scale jurisdictions the task of making up for federal tax cuts that had been granted to capitals and rich individuals. California was left with the *technical* ability to do all kinds of things: raise money and spend it, pass laws and enforce them; But it lacked the legitimacy to renovate the old military Keynesian projects by, for example, putting inner-city and rural youth to work, or expanding and improving educational opportunity, or buying firms that threatened to leave and making them community-owned co-operatives.

In this historical context, old markets for certain fractions of finance capital, land and labour were dying, while new ones had not yet been born that might absorb the surpluses. For California, the outcomes of tax struggles translated into delegitimation of programmes the state might have used to put surpluses back to work, while at the same time the state retained bureaucratic, fiscal and legal apparatuses from the golden age. In other words, the massive restructuring of the state's tax base in effect surplused the Keynesian state's capacities. However the state did not disappear, just as surplus workers or land or other idled factors of production do not disappear. Rather, what withered was the state's legitimacy to act as the Keynesian state. The state's crisis, then, was also a crisis for persons whose rights and entitlements would be

surplused from the state: how absolutely would they be abandoned, and would their regulation take new forms?

The post-war pragmatic care once unevenly bestowed on labour was transferred, with an icing of solicitude, to capital. The state at all levels focused on capital's needs, particularly on how to minimise impediments and maximise opportunities for capital recruitment and retention. However, having abandoned the Keynesian full employment/aggregate guarantee approach to downturns, the power bloc that emerged from the 1980s onward faced the political problem of how to carry out its agenda – how, in other words, to go about its post-Keynesian state-building project in order to retain and reproduce victories. Capital might be the object of desire, but voters mattered. The new bloc, having achieved power under crisis conditions, consolidated around a popular anti-crime campaign that revived Richard Nixon's successful law and order pitch. Thus the state rebuilt itself by building prisons fashioned from surpluses that the emergent post-golden-age political economy was not absorbing in other ways.

The prison fix

A final blow to 'golden-age' activism was the end of prisoners' rights movements. In concert with their counterparts elsewhere, California's radical prisoners framed their activism in terms of their economic, political and racial lack of power, and challenged the class nature of the state's cage-based social control. But, at the same time, many prisoners fought in federal courts for reform; they used constitutional law to compel the State to improve prison conditions and to stop giving people indeterminate (i.e., one-year-to-life) sentences. Federal court-ordered successes formed the basis on which California began to revise the purpose and design of the system. However, by changing its sentencing structure and pledging to remedy overcrowded and decrepit facilities, the State paved the way for expanding, rather than surplusung, its capacity to put people in cages.

The limit to any reform, as Angela Y. Davis and others consistently argue, is the system itself: reform tends to strengthen institutions, especially those geared to social control. At first, California planned simply to replace decrepit facilities with small (500 person) new ones. However, that plan never materialised. Instead, new power blocs (which took office in 1982 using a strategy similar to Nixon's 1968 'law and order' campaign) used the improvement plans as a template for the 'megaprison' that have since been built.

Once the State embarked on the prison construction project, the problem of funding surfaced immediately. In the flush of victory, the newly ensconced post-Keynesian power bloc persuaded voters that if crime was the problem (as electioneers had promised) prison was the

solution and therefore voter approval of public debt was the means to the end. Voters did approve debt to start the building programme, and several rounds thereafter. However, the problem remained that those very voters had given themselves an enormous tax break in recent electoral memory, and had since secured their residential perimeters by rejecting broad obligations and voting for taxes and debt that would improve their exclusive locality. Therefore, State officials (both of the New Right and of the lapsed New Deal sort), guided by entrepreneurial California-based finance capitalists, figured out how to go behind taxpayers' backs. The California Public Works Board, an eminently Keynesian institution, was used to borrow money to build prisons. Previously, the Board's borrowing capacities were used only to raise money for housing, schools, hospitals and other goods that would pay for themselves from homeowners' mortgage payments, local tax revenues, or fees. Prisons produce no income... yet. And then they hired a technocrat from the State's welfare agency to run the expanding prison apparatus.

California's new prisons are sited on devalued rural land, most, in fact, on formerly irrigated agricultural acres. The State intended to put all the new prisons in the southern counties (the Southland) that produce nearly 70 per cent of prisoners. However, political opposition, led by mothers of actual and potential prisoners, kept the State from putting a prison in Mexico in American East Los Angeles. Landowners from the agricultural valleys spied an opportunity to unload sinking assets, and politicians from the area (which serves as the great tie-breaking region between the more 'progressive' San Francisco-Oakland area and the conservative Southland) saw advancement if they could deliver the dollars to the agribusiness power brokers. The State bought land sold by big landowners. And the State assured the small, depressed towns now shadowed by prisons that the new, recession-proof, non-polluting industry would jump start local redevelopment, but in fact prisons have not produced the jobs or related improvements projected by prison boosters.

The Southland is an enormous area comprising eight of the State's fifty-eight counties. The greatest number of prisoners come from Los Angeles County, where they have been convicted in nearly two out of three cases of property or drug possession offences. David Grant and his colleagues note that between 1985 and 1990, fully 25 per cent of African American men who moved out of Los Angeles County were involuntary migrants in the prison system, as were 10 per cent of the Black men who moved into the county. While the percentage of women in prison is relatively small, the rate of increase in the number is actually higher than that for men, with again, drugs as the principal 'controlling' offence. The ongoing destruction of post-war labour markets pushes people into new relations of competition, while the dismantling of the welfare state

adds new stresses to the everyday life of the working and workless poor. And once in the industrialised punishment system, it is hard to stay out; administrative parole violations are now used so frequently that annually more than half the state's 110,000 parolees go back into cages without being convicted of new crimes.

The State has used its enormous capacity to raise money, buy land and build and staff prisons. It also makes new laws that guarantee incarceration for more and more kinds of offences, old and new. In fact, the flurry of law-making caused the California legislature to establish permanent committees (the Committees on Public Safety, or 'COPS') whose entire charge is to review and recommend new criminal statutes. Nearly two thousand pieces of criminal law have been enacted in the past decade, and legislators from the dwindling Left to the firmly ensconced Right have all taken the lead on some piece of the new social product. Legislated justice micro-manages the courtroom, and speeds up convictions and incarcerations (and the death penalty) by deskilling judges who otherwise might render different decisions than those mandated. Thus the state produces, and is produced by, the industrialised punishment system which is the core of the prison industrial complex.

In the long run, we're all dead

As I have already noted, California's State budget has grown since the 1970s, while voters have reduced their participation. An enormous, and growing, portion of revenue flows into the prison system, at a level nearly equal to general fund appropriations for the State's two university systems. One explanation for California's budget expansion is that the underlying conditions leading to the waves of tax revolts on the part of capital, labour, and the federal state have continued to be in flux, and therefore the state's definitive task – maintaining a general balance of power – has required big spending at the State level. This would suggest that the new power bloc's intervention, in the name of a small state apparatus, has not achieved hegemony and therefore, if and when relatively uncontested consent is secured, the State's apparatus might shrink. But an equally plausible explanation is that the new power bloc cannot rejig power in the form of the state with any greater cost-efficiency than it has already exhibited. The 'big stick' approach used by US capital to discipline labour requires an enormous, expensive industrial bureaucracy, as David Gordon has shown; the same appears to be true for the capitalist state in crisis.

How can the big state pay its way? Perhaps by selling off assets, such as public utilities and prisons. Many rightly worry that the privatisation of prisons will further the civil deaths of those in custody and present grave dangers that might result in greater numbers of physical deaths

and injuries as well. Capitals are, of course, trying to get a foothold in this lucrative market, where 95 per cent of US prisons and jails are now publicly owned and operated. Alternatively, all prisoners might well be required to work in the public sector, both to pay their own costs and to make profit for the state, as was the case in prisons of the US South starting at the turn of the twentieth century. In such an eventuality, wide-scale slavery, under the provisions of the Thirteenth Amendment to the US constitution, could be the big state's answer to tax struggle. We might think of public sector slavery as the 'crime tax', part of the 'surplus labour tax', whose freeworld (non-prison) variation is workfare, or the 'poverty tax'. Thus we return analytically to the class struggle inherent in tax struggle. But this return takes us to a new place, if we understand from the 'surplus labour tax' that prisoners and other dispossessed persons are at the centre (rather than under or marginal to) the contradictions by which the system moves.

In sum, military Keynesianism emerged from the profound crises of the Great Depression, when dislocations and reconfigurations of capital, land, labour and state capacity restructured capital-labour relations and remapped the world, with California, in some key ways, first among first. Military Keynesianism came out of the same objective conditions that had produced Nazism and Fascism. In the current period of globalisation, we see the demise of military Keynesianism, and its successor militarist state rising on a firm foundation of prisons, peopled by the 2,000,000 and more who represent both the demise of golden-age capitalism and the defeat of alternative societies militantly pursued, throughout the golden age, by those who sought to make impossible the future we live today. But, before we're all dead, alternative global activism, matured by thirty years of mortal lessons, might rise to tear down the sturdy curtain of racism behind which the prison industrial complex devours working men and women of all kinds.

Notes

My special thanks to Craig Gilmore.

- 1 'State' with an upper-case 'S' designates a specific political geography or government (such as the State of California); 'state' with a lower-case 's' designates the general political-territorial form (the rising prison state) that ranges, in scale, from municipality to nation state.
- 2 Prisoners are classified according to their 'controlling' or most serious conviction. Thus, the more than 6,500 people in CDC custody for 'petty theft with prior' did not commit other, more serious crimes, such as robbery.
- 3 The low ratio is critical: gang membership designation allows prosecutors to demand longer, fixed sentences for dealers, and local law enforcement throughout California has conducted a census of gang membership so zealously that, in at least one city, according to Mike Davis, the police enumerated more gangsters between the ages of 18 and 25 than were actually resident in their jurisdiction.

- 4 The colours refer, respectively, to African, Latino (especially Chicano) and Puerto Rican, Asian American and Native American groupings.
- 5 Outside the scope of this essay is a discussion of two key themes. One concerns how the US also built into the legal landscape a notably high tolerance for homicide, by defining 'self-defence' so broadly that today the 'average American' believes it is human nature to kill over property or insult as well as to remedy greater perceived wrongs; not surprisingly, the case law establishing aggressively violent standards consists exclusively of incidents in which white men killed white men. The law therefore establishes norms that fix particular relationships among gender, race, citizenship, and power (see Brown, 1991). The second key theme concerns violence differentials between nation states, and the role of victorious war-making in modelling civilian behaviour in the US (Archer and Gartner, 1984).
- 6 Of course there are multi-State and multinational finance capital firms; but, deal by deal, they do their business in places, not in undifferentiated space. No matter how quickly value can be transferred between currencies and politics, each accounting moment occurs in, and by virtue of, a jurisdiction. Thus, when Leeson brought down Barings Bank (that accumulated much lucre in the nineteenth century lending money to US cotton plantations worked by slaves), he fled Singapore, not Barings, to evade punishment.
- 7 The decline in the price at which the land might sell, especially compared to the rising price of suburbanisable plots.

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From The Angela Y. Davis Reader,
edited by Joy James

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Racialized Punishment and Prison Abolition

Michel Foucault's *Discipline and Punish* is arguably the most influential text in contemporary studies of the prison system. Although its subtitle is *The Birth of the Prison System*, Foucault was not so much interested in the prison *per se* as in the disciplinary technologies perfected within this institution. He attempts to explain the production of manipulable bodies within the context of a panoptic carceral network that reaches far beyond the prison. While the category of class plays a pivotal role in his analysis – though his reconceptualization of power leads to critical revisions of class as a Marxist category – gender and race are virtually absent. Feminist critiques of Foucault have led to a proliferating body of Foucauldian literature on gender discipline, including an extended study on women in prison by Dobash, Dobash and Gutteridge.¹ However, few scholars have seriously examined the racial implications of Foucault's theory of power and his history of the prison. Joy James's assertion that "Foucault's elision of racial bias in historical lynching and contemporary policing predicts his silence on the racialization of prisons"² points to the need to move beyond a strictly Foucauldian genealogy in examining histories of punishment.

Foucault revises the penal historiography that privileges the development of the penitentiary in the United States, arguing that the oldest model of imprisonment as punishment rather than detention is the Rasphuis of Amsterdam, which opened in 1596 and originally "was intended for beggars or young malefactors."³ The eighteenth-century *maison de force* in Ghent, in which idlers were imprisoned and subjected to "a universal pedagogy of work,"⁴ and the penitentiary built in Gloucester to implement Blackstone and Howard's principles of imprisonment, served as the models for the Walnut Street Jail in Philadelphia, which opened its doors in 1790.⁵

As interesting as it may be, however, to examine the influences of the earlier European models on the emergent US prison system, what may help us to understand the way in which this system would eventually

incorporate, sustain and transform structures and ideologies of racism is an examination of the impact of the institution of slavery on US systems of punishment. Beyond slavery, which is the focus of this paper, a more expansive analysis of US historical specificities might serve as the basis for a genealogy of imprisonment that would differ significantly from Foucault's. Such a genealogy would accentuate the links between confinement, punishment and race. At least four great systems of incarceration could be identified: the reservation system, slavery, the mission system, and the internment camps of World War II. Within the US, incarceration has thus played a pivotal role in the histories of Native Americans and people of African, Mexican, and Asian descent. In all of these cases, people were involuntarily confined and punished for no reason other than their race or ethnicity.

As Foucault points out, soon after the establishment of imprisonment as the dominant mode of punishment, prison acquired a "self-evident character." "[O]ne cannot 'see' how to replace it. It is the detestable solution, which one seems unable to do without."

This "self-evident" character of the prison, which we find so difficult to abandon, is based first of all on the simple form of "deprivation of liberty." How could prison not be the penalty *par excellence* in a society in which liberty is a good that belongs to all in the same way and to which each individually is attached, as Duport put it, by a "universal and constant" feeling? Its loss has therefore the same value for all; unlike the fine, it is an "egalitarian" punishment. The prison is the clearest, simplest, most equitable of penalties. Moreover, it makes possible to quantify the penalty exactly according to the variable of time. There is a wages-form of imprisonment that constitutes, in industrial societies, its economic "self-evidence" – and enables it to appear as a reparation.⁶

The modes of punishment associated with the two dominant models of imprisonment developed at the beginning of the nineteenth century in the US – the Philadelphia and Auburn models – were based on a construction of the individual that did not apply to people excluded from citizenship by virtue of their race and thus from a recognition of their communities as composed of individuals possessing rights and liberties. These prisons were thus largely designed to punish and reform white wage-earning individuals, who violated the social contract of the new industrial capitalist order by allegedly committing crimes. The gendering of these institutions as male reflected the marginalization of women within a domestic, rather than public, economy. In fact the history and specific architecture of women's prisons reveal a quite different penal function: that of restoring white women to their place as wives and mothers, rather than as rights-bearing public individuals.

Within the US – and increasingly in postcolonial Europe – the disproportionate presence of people of color among incarcerated populations has also acquired a “self-evident” character. But this reification is not based on the reasoning proposed by Foucault in *Discipline and Punish*. In an analysis that predates the publication of *Discipline and Punish*, Foucault allows for the possibility that the prison’s purpose is not so much to transform, but to concentrate and eliminate politically dissident and racialized populations. After an April 1972 visit to Attica – the very first visit Foucault made to a prison, which occurred just eight months after the Attica uprising and massacre – he commented in an interview:

At the time of the creation of Auburn and the Philadelphia prison, which served as models (with very little change until now) for the great machines of incarceration, it was believed that something indeed was produced: “virtuous” men. Now we know, and the administration is perfectly aware, that no such thing is produced. That nothing at all is produced. That it is a question simply of a great sleight of hand, a curious mechanism of circular elimination: society eliminates by sending to prison people whom prison breaks up, crushes, physically eliminates; the prison eliminates them by “freeing” them and sending them back to society; . . . the state in which they come out insures that society will eliminate them once again, sending them to prison. . . . Attica is a machine for elimination, a form of prodigious stomach, a kidney that consumes, destroys, breaks up and then rejects, and that consumes in order to eliminate what it has already eliminated.⁷

Foucault was especially struck by the disproportionately large population of black men and commented that “in the United States, there must be one out of 30 or 40 black men in prison: it is here that one can see the function of massive elimination in the American prison.”⁸ One wonders how Foucault might have responded in the 1990s to the fact that one out of three young black men is presently incarcerated or under the direct control of the criminal justice system.⁹

Historically, people of African descent consigned to slavery in the US were certainly not treated as rights-bearing individuals and therefore were not considered worthy of the moral re-education that was the announced philosophical goal of the penitentiary. Indeed, the slave system had its own forms of punishment, which remained primarily corporal and of the sort that predated the emergence of incarceration as punishment. In her slave narrative, Harriet Jacobs described a neighboring planter whose plantation included six hundred slaves, a jail and a whipping post. The jail, however, did not serve as a means of depriving the slave of his/her time and rights, but rather as a means of torture, for “[i]f a slave stole from him even a pound of meat or a peck of corn, if detection followed, he was put in chains

and imprisoned, and so kept till his form was attenuated by hunger and suffering.” One of the planter’s favorite punishments “was to tie a rope round a man’s body, and suspend him from the ground. A fire was kindled over him, from which was suspended a piece of fat pork. As this cooked, the scalding drops of fat continually fell on the bare flesh.”¹⁰

If, as Foucault insists, the locus of the new European mode of punishment shifted from the body to the soul, black slaves in the US were largely perceived as lacking the soul that might be shaped and transformed by punishment. Within the institution of slavery, itself a form of incarceration, racialized forms of punishment developed alongside the emergence of the prison system within and as a negative affirmation of the “free world,” from which slavery was twice removed. Thus the deprivation of white freedom tended to affirm the whiteness of democratic rights and liberties. As white men acquired the privilege to be punished in ways that acknowledged their equality and the racialized universality of liberty, the punishment of black slaves was corporal, concrete and particular.

It is also instructive to consider the role labor played in these different systems of incarceration. In the philosophical conception of the penitentiary, labor was a reforming activity. It was supposed to assist the imprisoned individual in his (and on occasion her) putative quest for religious penitence and moral re-education. Labor was a means toward a moral end. In the case of slavery, labor was the only thing that mattered: the individual slaves were constructed essentially as labor units. Thus punishment was designed to maximize labor. And in a larger sense, labor was punishment attached not to crime, but to race.

Even if the forms of punishment inherent in and associated with slavery had been entirely revoked with the abolition of slavery, the persistent second-class citizenship status to which former slaves were relegated would have had an implicit impact on punishment practices. However, an explicit linkage between slavery and punishment was written into the constitution precisely at the moment of the abolition of slavery. In fact, there was no reference to imprisonment in the US Constitution until the passage of the Thirteenth Amendment declared chattel slavery unconstitutional: “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”

The abolition of slavery thus corresponded to the authorization of slavery as punishment. In actual practice, both Emancipation and the authorization of penal servitude combined to create an immense black presence within southern prisons and to transform the character of punishment into a means of managing former slaves as opposed to addressing problems of serious crime.

The incarceration of former slaves served not so much to affirm the rights and liberties of the freedmen and women (i.e. as rights and liberties of which they could be deprived), nor to discipline a potential labor force; rather it symbolically emphasized that black people's social status continued to be that of slaves, even though the institution of slavery had been disestablished. In constructing prisoners as human beings who deserved subjection to slavery, the Constitution allowed for a further, more elusive linkage of prison and slavery, namely the criminalization of former slaves. This criminalization process became evident in the rapid transformation of prison populations in the southern states, where the majority of black Americans resided. Prior to Emancipation, prisoners were primarily white, but "[d]uring the post-Civil War period, the percentages of black convicts in relation to white was often higher than 90%. In Alabama, the prison population tripled between 1874 and 1877 – and the increase consisted almost entirely of blacks."¹¹ According to Matthew Mancini,

for a half-century after the Civil War, the southern states had no prisons to speak of and those they did have played a peripheral role in those states' criminal justice systems. Instead, persons convicted of criminal offenses were sent to sugar and cotton plantations, as well as to coal mines, turpentine farms, phosphate beds, brickyards [and] sawmills.¹²

The swift racial transformation of imprisoned southern populations was largely due to the passage of Black Codes, which criminalized such behavior as vagrancy, breach of job contracts, absence from work, the possession of firearms, insulting gestures or acts.¹³ The Mississippi Black Codes, for example, defined a vagrant "as anyone/who was guilty of theft, had run away [from a job, apparently], was drunk, was wanton in conduct or speech, had neglected job or family, handled money carelessly, and . . . all other idle and disorderly persons."¹⁴ In other words, white behavior that was commended and thus went unnoticed by the criminal justice system could lead to the conviction of black individuals and to the ideological criminalization of black communities. "Arguing or even questioning a white man could result in a criminal charge."¹⁵ Moreover, as many slave narratives confirm, many of these acts – for example theft and escape – had been considered effective forms of resistance to slavery. Now they were defined as crimes and what during slavery had been the particular repressive power of the master, became the far more devastating universal power of the state.

"Free" black people entered into a relationship with the state unmediated by a master, they were divested of their status as slaves in order to be accorded a new status as criminals. "Throughout the South, thousands of ex-slaves were being arrested, and convicted for acts that in the past had been dealt with by the master alone. . . . An offense against [the master] had

become an offense against the state."¹⁶ Thus, the criminal justice system played a significant role in constructing the new social status of former slaves as human beings whose citizenship status was acknowledged precisely in order to be denied.

Southern prison populations not only became predominantly black in the aftermath of slavery, penitentiaries were either replaced by convict leasing or they were restricted to white convicts. This racialization of punishment practices determined that black people were to be socially defined in large part by re-created conditions of slavery. In fact, as historian David Oshinsky has documented, convict leasing in institutions like Mississippi's Parchman Farm created conditions "worse than slavery."¹⁷ When Arkansas governor George Donaghey called for the abolition of convict leasing in 1912, he argued that leasing was "a form of legalized murder that sentenced thousands of faceless victims to a 'death by oppression' for often trivial acts. Under no other system, he believed, did the punishment so poorly fit the crime."¹⁸ His list of abuses included:

Instance No. 1. In Phillips County . . . two negroes jointly forged nine orders for one quart of whiskey each. For this offense one of them was convicted for eighteen years and the other for thirty-six years. . . .

Instance No. 10. In Miller County a negro convicted in a justice of the peace court was . . . sentenced [to] over three years for stealing a few articles of clothing off a clothes-line.¹⁹

During the last three decades of the nineteenth century, southern criminal justice systems were profoundly transformed by their role as a totalitarian means of controlling black labor in the post-Emancipation era. Because so many of the particular crimes with which black people were charged served more as pretexts than as causal factors for arrest, these punishment strategies were explicitly directed at black communities, rather than at black individuals, and they eventually informed the history of imprisonment outside the South as well. In the process, white prisoners, along with the black people this system specifically targeted, were affected by its cruelty as well.

The widespread use of torture in connection with convict leasing consolidated forms of punishment that Foucault periodizes as pre-capitalist and thus pre-dating incarceration, inextricably linking them with incarceration itself. As Mancini has pointed out, Foucault's assumption that torture had become historically obsolete in the industrial capitalist countries "misses a fundamental aspect of convict leasing – namely the license it gave for the display not of a sovereign's but of a petty camp boss's power. Leasing allowed the accumulated reservoirs of human cruelty to overflow in the isolated camps and stockades."²⁰ As flogging was the primary mode of

punishment during slavery, "the lash, along with the chain, became the very emblem of servitude for slaves and prisoners."²¹ Mancini points out that as late as 1941, the state of Texas still relied principally on the whip.

I have devoted a considerable portion of this article to an exploration of some of the ways slavery's underlying philosophy of punishment insinuated itself into the history of imprisonment. In this concluding section, I want to argue that the tendency to treat racism as a contingent element of the criminal justice system in research, advocacy, and activism associated with the prison abolition movement results in part from its marginalization in histories and theories of punishment. If the category of race rarely appears in Foucault's analyses, so it is also generally absent in the leading contemporary abolitionist texts. Although racism has often been evoked in activist campaigns, the absence of race as an analytical category in the diverse literature associated with prison abolitionism points to problems of the same order as those Joy James detects in Foucault.

Like Foucault, the major theorists of prison abolition have worked within European contexts, and in a large measure in those European countries that can claim historically less repressive penal systems – the Scandinavian countries and the Netherlands. Academics in Norway and the Netherlands began to produce abolitionist theories during the 1960s.²² Thomas Mathieson, author of *The Politics of Abolition*,²³ grounded his analysis in the work of the Norwegian prisoners' movement, KROM, in which he actively participated during the sixties and seventies. Mathieson's formal approach calls for abolitionist activism that attempts strategically to avoid demands for reform that might further strengthen the prison system, as prison reform has historically tended to do. The local and tactical emphasis of his analysis, first published in 1974, militates against a substantive engagement with issues of race. While Dutch criminologist Willem de Haan, author of a recent work entitled *The Politics of Redress: Crime, Punishment and Penal Abolition*, explores the implications of prison reform in North America and Cuba as well as in Western Europe, his interests do not include an analysis of the close links between punishment practices and structures of racism. It should be pointed out, however, that as postcolonial immigration has radically transformed the racial composition of European populations in general, the prison population in the Netherlands approaches the US in its disproportionate numbers of people of color.

Since an extensive review of the literature on abolitionism is beyond the scope of this article, I will simply point out that while the works of other leading European criminologists and philosophers associated with the international movement for penal abolition – such as René van Swaaningen, Herman Bianchi, Nils Christie, Stanley Cohen, Louk Hulsman, and Rolf

de Holter – contain many important insights, there is no sustained analysis of the part antiracism might play in the theory and practice of abolitionism.

In the US, abolitionists can discover a historical relationship of prison activism and antiracism. During the late eighteenth and early nineteenth centuries, Quaker reformers played a pivotal role in developing the US penitentiary. Indeed, the penitentiary system emerged from an abolitionist movement of sorts – a campaign to abolish medieval corporal punishment. The campaign to replace corporal punishment with the penitentiary and the abolitionist movement against slavery invoked similar philosophical arguments based on the Enlightenment belief in a universal humanity and in the moral perfectibility of every human being. If the inherent humanity of African slaves required their release from bondage, then the humanity of "criminals" demanded that they be given the opportunity to repent and perfect their characters.

It is therefore understandable that in North America, the dominant abolitionist trend in scholarship and activism is peacemaking. Harold Pepinsky has observed that as he organized the Fifth International Conference on Penal Abolition,

I discovered that by far the strongest contingent among the hundreds of correspondents are workers and activists with religious affiliations, notably the peace churches and ecumenical peace groups. Religiously self-identified people cross all eight intellectual traditions which have emerged: academicians and theorists, activists and reformers; feminists, lawmakers, mediators, native traditionalists, peoples of color, and prisoners.²⁴

Nevertheless, it seems that no sustained contemporary analysis has emerged of the role antiracism might play in effective abolitionist theories and practices.

One of the major critiques proposed by abolitionists in Europe and North America is directed at social-scientific and popular discourses that assume a necessary conjunction between crime and punishment. Likewise, in the philosophical literature on imprisonment, the prevailing assumption is that individuals are punished because of the crimes they commit. The literature in the field of philosophy of punishment rarely goes further than exploring what Adrian Howe refers to as "relentless repetitions of the unholy trinity of retribution, deterrence and reform."²⁵ The problems these literatures address largely have to do with the justification and function of punishment. Thus a major theoretical and practical challenge of penal abolitionism is to disarticulate crime and punishment. In fact, many abolitionists deploy statistics that demonstrate how relatively few people who have broken a law are actually called upon by criminal justice systems to

answer for their crimes. Sociologists Jim Thomas and Sharon Boehlefeld, for example, who are both critics and advocates of abolitionism, use US Bureau of Justice statistics to demonstrate that "only three persons are incarcerated (in prisons or jails) for every 100 crimes committed."²⁶

The Institute for Social Research published Rusche and Kirchheimer's ground-breaking study, *Punishment and Social Structure*, in 1939, which would later have a significant influence on the critical sociology of punishment. Kirchheimer wrote in the introduction that it was

necessary to strip from the social institution of punishment its ideological veils and juristic appearance and to describe it in its real relationships. The bond, transparent or not, that is supposed to exist between crime and punishment prevents any insight into the independent significance of the history of penal systems. It must be broken. Punishment is neither a simple consequence of crime, nor the reverse side of crime, nor a mere means which is determined by the end to be achieved. Punishment must be understood as a social phenomenon freed from both its juristic concept and its social ends. We do not deny that punishment has specific ends, but we do deny that it can be understood from its ends alone.²⁷

Rusche and Kirchheimer, as well as others influenced by their attempt to develop a political economy of punishment, examine the influence of the capitalist market and bourgeois ideology in shaping punishment practices. According to legal scholar Adrian Howe,

Ruschean-inspired studies... made a crucial break with the analytically restricting "legal syllogism" — the common-sense idea that punishment is simply the consequence of crime and that, if there is a need for sociological explanation, "social structure explains crime and crime explains punishment."²⁸

However, they, too, do not explore the extent to which the penitentiary system and its attendant forms of labor were heavily influenced by the prevailing ideologies and economic structures of racism, nor, as Howe points out, do they give serious consideration to gender. Nevertheless, their insistence on disarticulating punishment from crime can be seen as opening the way for a consideration of the relationship between race and punishment, a much-needed dimension in the scholarship and activism associated with the abolitionist movement today.

In the contemporary era, the tendency toward more prisons and harsher punishment leads to gross violations of prisoners' human rights and, within the US context, it summons up new perils of racism. The rising numbers of imprisoned black and Latino men and women tell a compelling story of an increasingly intimate link between race and criminalization. While academic and popular discourses assume a necessary conjunction between

crime and punishment, it is the conjunction of race, class, and punishment that is most consistent.

In 1926, the first year in which there was a national recording, 21 percent of prison admissions were black. By 1970, black people constituted 39 percent of admissions and in 1992, 54 percent.²⁹ In 1995, almost one-third of young black men were either in prison or directly under the control of a correctional system. If we consider that "[m]ost people have been involved in delinquent behavior at some point of their lives, and only a small fraction of overall criminal activities are touched by the criminal justice system,"³⁰ against the backdrop of the increasing proportion of black people entering the ranks of the imprisoned, we are faced with a startling implication. One has a greater chance of going to jail or prison if one is a young black man than if one is actually a law-breaker. While most imprisoned young black men may have broken a law, it is the fact that they are young black men rather than the fact that they are law-breakers which brings them into contact with the criminal justice system.

In this paper, I am specifically concerned with the way the prison system in the US took up and was bolstered by historical forms of racism and how it continues to play a critical role in the racialization of punishment. An effective abolitionist campaign will have to directly address the role of race in the criminalization process. I emphasize the need to disarticulate notions of punishment from crime because I want to argue for a serious consideration of abolitionist strategies to dismantle the prison system in its present role as an institution which preserves existing structures of racism as well as creates more complicated modes of racism in US society. This strategy, I argue, is no more outlandish than is the fact that race and economic status play more prominent roles in shaping the practices of social punishment than does crime, which is always assumed to be the basis for punishment in this society.

NOTES

- 1 Russel P. Dobash, R. Emerson Dobash, and Sue Gutteridge, *The Imprisonment of Women* (London: Basil Blackwell, 1986).
- 2 Joy James, *Resisting State Violence: Radicalism, Gender and Race in US Culture* (Minneapolis: University of Minnesota Press, 1996).
- 3 Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage, 1979), 120–1.
- 4 Ibid., 121.
- 5 Ibid., 122.
- 6 Ibid., 232.
- 7 John K. Simon, "Michel Foucault on Attica: An Interview," *Social Justice*, 18 (3) (Fall 1991), 27.

- 8 Ibid., 29.
- 9 Marc Mauer and Tracy Huling, *Young Black Americans and the Criminal Justice System: Five Years Later* (Washington, DC: The Sentencing Project, 1995).
- 10 Harriet A. Jacobs, *Incidents in the Life of a Slave Girl* (Cambridge: Harvard University Press, 1987), 46.
- 11 Milfred C. Pierce, *Slavery Revisited: Blacks and the Southern Convict Lease System, 1865-1933* (New York: Africana Studies Research Center, Brooklyn College, CUNY, 1994), 88.
- 12 Matthew Mancini, *One Dies, Get Another: Convict Leasing in the American South, 1866-1928* (Columbia, South Carolina: University of South Carolina Press, 1996), 1.
- 13 E. Franklin Frazier, *From Slavery to Freedom* (New York: Random House), 303.
- 14 Pierce, *Slavery Revisited*, 85-6.
- 15 Mancini, *One Dies, Get Another*, 41-2.
- 16 David Oshinsky, "Worse than Slavery": *Parchman Farm and the Ordeal of Jim Crow Justice* (New York: The Free Press, 1996), 28.
- 17 As indicated in the above note, Oshinsky chose to entitle his study of Parchman Prison *Worse than Slavery*. According to Matthew Mancini, "[o]f all the factors that distinguish convict leasing from slavery, however, none was more economically important than the fact that the lessee had only a minimal capital investment in any individual convict. This reality combined with a relative - to be sure, also variable - abundance of supply to produce a level of oppression that, taking convict leasing as a whole, can be said to have been 'worse' than slavery during the period of the convict's sentence" (37).
- 18 Ibid., 67.
- 19 Ibid., 69.
- 20 Mancini, *One Dies, Get Another*, 75.
- 21 Ibid.
- 22 Criminologist René van Swaaningen refers to Nils Christie and Thomas Mathiesen in Norway and Herman Bianchi and Louk Hulsman in the Netherlands. "What is Abolitionism: An Introduction," in *Abolitionism: Toward a Non-Repressive Approach to Crime*. Proceedings of the Second International Conference on Prison Abolition, Amsterdam, 1985. Edited by Herman Bianchi and René van Swaaningen (Amsterdam: Free University Press, 1986), 9.
- 23 Thomas Mathiesen, *The Politics of Abolition* (published under the auspices of the Scandinavian Research Council for Criminology, *Scandinavian Studies in Criminology Law in Society Series*) (New York: John Wiley and Sons, 1974).
- 24 Harold Pepinsky and Richard Quinney (eds), *Criminology as Peacemaking* (Bloomington and Indianapolis: Indiana University Press, 1991), 300.
- 25 Adrian Howe, *Punish and Critique: Toward a Feminist Analysis of Penality* (New York: Routledge, 1994), 3.
- 26 Jim Thomas and Sharon Boehlefeld, "Rethinking Abolitionism: 'What Do We Do With Henry?'" *Social Justice*, 18 (Fall 1991), quoted from <http://www.soci.nie.edu/~citerim/dp/dppapers/henry>, p. 7. "Less than 40 percent of victimization offenses are reported to police (*Bureau of Justice Statistics Bulletin*,

- 1988: 2), and only about 20 percent of known crimes are cleared by arrest (*CJS Sourcebook*, 1989: 449). The *CJS Sourcebook* shows that of those arrested, about 80 percent are prosecuted, three-quarters of those prosecuted are convicted, and about 70 percent of all felony convictions result in a prison or jail sentence."
- 27 George Rusche and Otto Kirchheimer, *Punishment and Social Structure* (New York: Morningside Heights, Columbia University Press, 1939), 5.
- 28 Adrian Howe, *Punish and Critique*, 37. She quotes Dario Melossi, the biographer and leading interpreter of Rusche's work. "An Introduction: Fifty Years Later, Punishment and Social Structure in Comparative Analysis," *Contemporary Crises*, 13 (4), 311.
- 29 John Irwin and James Austin, *It's About Time: America's Imprisonment Binge* (Belmont, California: Wadsworth, 1997), 7.
- 30 Edgardo Rotman, *Beyond Punishment: A New View on the Rehabilitation of Criminal Offenders* (New York: Greenwood Press, 1990), 115.

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Reform and Abolition: Points of Tension and Connection

By Cassandra Shaylor and Cynthia Chandler

Most activists in prison and their allies outside want to reduce the suffering of people in prison and people in communities that are targeted for imprisonment. Many also work to challenge prisons more broadly. Increasingly activists and academics are talking about the points of tension and connection between reform efforts that seek to improve conditions in prison and those that take a more radical abolitionist approach to the problem and call for the eventual elimination of the prison altogether.

While the goals of the prison reform and prison abolition movements are both grounded in a concern for alleviating the suffering of people in prison and communities targeted by the prison industrial complex, there is a growing awareness that the political Right has manipulated and re-appropriated the rhetoric and strategies of reform efforts to expand the prison system. There is a resulting need to challenge the Right by identifying those efforts at reform that contribute to an expansion and entrenchment of the system and those efforts that are necessary steps toward a world that no longer relies on imprisonment.

Since the birth of the penitentiary system almost two hundred years ago, the majority of advocates for people in prison have focused on reform as a strategy for reducing the suffering of people in prison. In fact, reform efforts to eliminate public displays of corporal punishment gave birth to the modern penitentiary.¹ Once prisons were adopted as the norm, reformers almost immediately began to voice concern about the impact of imprisonment, in particular the effects of isolation on the mental health of people in prison. Moreover, the rise of the prison system occurred in reaction to the abolition of slavery and from very early in its inception the institution was deeply rooted in racism. Immediately following Reconstruction, the Black prison population exploded through the implementation of Black Codes and the development of the convict lease system.² The legacy of that racism is present today in racial profiling, the tracking of young people of color into state systems, and the disproportionate number of Black and Brown people who continue to populate the prison system.

Reformers historically focused on conditions in prisons. Proponents of women's rights who were alarmed by sexual violence against women in co-ed prisons argued for separate institutions for women for instance.³ Absent a radical critique of prisons themselves, concerns about conditions for women were used as a justification for the birth and mass expansion of the women's prison system⁴ where rampant abuse of women continues.⁵ In fact, one of the legacies of prison reform (as opposed to radical critique and resistance) is the expansion of the prison industrial complex and the increasing use of the prison as a mechanism of social control and state violence.⁶

The history of prison reform efforts reveals that mere reform fails to address the inequalities, oppression, and state violence upon which the institution of the prison is built, leaving the violent foundation intact and rendering ineffective attempts to relieve the suffering of oppressed

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people confined within it.⁷ Moreover, all too often such reform efforts are re-appropriated by the Right and used to strengthen the prison industrial complex and to make it more impervious to critique, resulting in bigger, "better," and more numerous prisons housing increasing numbers of oppressed people.⁸ In the contemporary era of the prison, the Right has used a number of strategies to build the system on the backs of reform efforts.

Strategies of Prison Reform Used By the Right To Grow the System

1. USE OF COMPLAINTS ABOUT PRISON CONDITIONS TO JUSTIFY MORE PRISONS

Complaints of overcrowding or decrepit conditions are often taken up by the Right to justify building more prisons. Complaints about how far prisons are from urban centers are used to justify maintaining those prisons and also building new facilities. Complaints about private prisons and arguments that they are worse than public prisons because of abuses within them or the blatant profit motive behind them are seized on by the Right to erase both the egregious human rights abuses and profit-motive that also exist in State-run prisons. Complaints about inadequate healthcare are taken up to justify bigger prison budgets and increases in staffing that rarely materialize as better healthcare and instead build the prison system.

Rather than proposing reforms that are readily co-opted to grow the prison system, arguments can be made that critique prison conditions while also challenging the expansion of prisons. Activists can argue that decarceration should be the answer to prison overcrowding, organize urban/rural coalitions to close prisons in rural locations and stop new prisons from being constructed, work against privatization while simultaneously fighting against imprisonment in any facility, argue for improvements to healthcare that actually decrease prison spending by providing alternative sentencing and/or releasing sick people in prison.

2. COOPTATION OF OUR LANGUAGE AND APPROACHES TO EXPAND THE SYSTEM

In many instances, the Right attempts to co-opt reformist language to its own ends to justify and grow the system. Efforts in California to implement a strategy of decarceration for seriously and terminally ill prisoners through compassionate release have been co-opted by that state, for example. California anti-prison activists have argued that prisons are ill-equipped to deal with the needs of seriously and terminally ill prisoners and therefore they should be released to their families or to hospices in their communities. However, in an effort to keep people in prison and increase the number of beds within the system, the rhetoric deployed by anti-prison activists to persuade politicians and the general public that people in prison who are dying deserve to die with dignity is being used by the California Department of Corrections itself. The CDC is now arguing for the creation of hospices within prisons and corrections—controlled skilled nursing facilities in the community that could house prisoners in locked wings.⁹ This rhetorical reappropriation has had a secondary effect on the prison population by obstructing activist efforts to prevent people, whose seriously compromised health render them particularly vulnerable to the harms of imprisonment from going to prison in the first place—mainly because the State can argue that such people's health will no longer be compromised during imprisonment, so the argument goes, because there are places within the prison to accommodate them.¹⁰

Because the rhetoric of public safety has become so entrenched, the State can make the claim that the expansion of the system into skilled nursing care is necessary because a person in prison is a threat to society merely by virtue of her status as a prisoner, regardless of her physical or mental capacity. In fact, the strength of those arguments has increased to the point of absurdity:

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ostensibly out of security concerns, in 2004 California Governor Arnold Schwarzenegger vetoed a bill that would have saved California millions of dollars by allowing the early release of the 13 people in California's prisons determined to be permanently unable to tend to any of their daily needs or in a vegetative state.

To ensure that rhetoric aimed at reducing the suffering of people in prison is not used to justify prison expansion, we can work to ensure that decarceration strategies are intrinsically linked to the rhetoric we use. For example, "compassion" and "dignity" for people facing terminal or serious illness in prison should always be linked with "release" and policy aimed at expanding corrections should be resisted. Moreover, we must make and reaffirm the argument that "compassion" and "dignity," as well as "treatment" and "rehabilitation," are fundamentally at odds with the goals of punishment and prisons.

3. USING STRATEGIES THAT CREATE CLASSES OF "DESERVING" VS. "UNDESERVING" PEOPLE IN PRISON TO MAINTAIN THE SYSTEM

Because the existing framework for arguments for changes to the system has become so limited, in many instances reformers rely on arguments that have the potential to create short-term solutions for some people in prison at the expense of a longer-term vision to improve life for all people in prison. The Right then seizes on these efforts to consolidate existing notions about safety, justice, and the necessity of prisons.

For instance, when reformers argue that we should decriminalize petty offenses so that the police can go after the "real" criminals, the approach fits perfectly into the Right's strategy of fear-mongering by evoking the need for "public safety" that is used to justify maintaining the system or increasing its punitive response to all others.

In response, we can frame our arguments in ways that avoid pitting one category of prisoner against another. In a campaign to get rid of three-strikes policies for instance, we can argue that imprisoning people is not making communities safer and that instead we should invest the resources that go into incarceration into programs that would allow people to re-enter their communities and be safe and healthy. And we can argue that as a strategic decarceration approach, abolishing three strikes is a step toward eliminating the prison as a central feature of contemporary life.

4. ABOLISHING PART OF THE SYSTEM AT THE EXPENSE OF A LONG-TERM GOAL OF ENDING THE SYSTEM

In many instances, the Right seizes upon political strategies that focus on reforming small parts of the criminal justice system to ensure maintenance of the broader system as a whole. For example, in recent years efforts to abolish the death penalty have gained support in the general public. Unfortunately, the rhetoric of death penalty abolitionists in favor of life imprisonment has limited the terms of the debate around how to address violence and consolidated the idea that imprisonment is the only viable solution. This approach also obscures the fact that people who are targeted for the death penalty, who would then end up in prison for life, are disproportionately poor people of color and mentally ill people of all races. Similarly, the rhetoric of the increasingly popular Innocence Projects, which are geared at aiding only the factually innocent, is taken up to limit the terms of the debate around who in prison deserves legal assistance or public attention to just the innocent. This approach again obscures the abuses that occur against all imprisoned people and the fact that communities of color and poor people of all races are

ORGANIZING ADVICE

targeted for imprisonment.

In response to these failings, we can use work directed at a specific population or sub-issue to highlight the broader violence and failings of the prison system as a whole. We can work to abolish the death penalty because it is the ultimate expression of the power of the State to enact violence and because it is a way to eliminate people who are "undesirable" from the perspective of the State – poor people, people of color and people with mental illnesses. We can work to free the innocent as a means of highlighting the inequities that impact all people in prison and call in to question the integrity of prisons more broadly.

Strategies Abolitionists and Reformers Can Use To Move Toward a World Without Prisons

We can simultaneously address the needs of people who are suffering in the system currently and challenge the efforts by the Right to co-opt our attempts to change the system by carefully crafting reform strategies that are about diminishing the power of the system and building alternatives to it.

For instance, a focus on *strategic decarceration* is a significant step toward the ultimate abolition of the prison. Such campaigns focus on: implementing a moratorium on prison construction; closing existing prisons; changing laws and sentencing structures that imprison the greatest numbers of people (such as drug laws, three strikes schemes, property offenses, anti-sex work ordinances, etc); and creating community-based institutions that provide services that people need. When implementing such strategies, however, it is important to build them on rhetorical approaches that do not play into the hands of the Right. An example, which often occurs in relation to death penalty and immigrant rights work, is the pitting of non-violent prisoners (those who "deserve" to be released) against violent prisoners (those who do not) or "innocent" prisoners against "guilty" prisoners.

Though the number of people who are in prison for violent offenses is extremely small, the first question posed to prison abolitionists is the question of how to respond to harms that people inflict. In response, strategies for *creating systems of accountability instead of punishment* when someone is harmed can be developed without relying on policing and prison. While the anti-prison movement has historically challenged racist policing and imprisonment practices, few strategies have been developed for alternative mechanisms of safety and justice. As a result, the anti-violence movement has struggled to respond to interpersonal violence in an era when policing and prisons are often the only available response. Moreover, through a desire to have the State acknowledge the vulnerability of marginalized groups, anti-violence activists often push for increased criminalization, such as hate crimes legislation, as a response to discrimination. Through these practices, activists interested in protecting vulnerable groups can unintentionally bolster the same systems of oppression and State violence that most often target the groups they are seeking to protect. There is a need to break down barriers between and within the anti-prison and anti-violence movements, to expand the definition of violence to include State-sanctioned violence such as imprisonment, and to create tangible alternatives for establishing true safety and justice.

The perceived lack of creative responses to violence has been seized upon by the Right to increase the level of fear about violent crime and present prison as the only response. We know that the numbers of women who are survivors of domestic violence or rape, for instance, have not decreased despite the growing number of people in prison. Therefore, strategies for creating

accountability locally and in communities will go a long way to countering the notion that we have no choice but to lock people up. Many of these strategies are in place on a local level and can serve as models for organizers who are developing alternatives to policing and prisons. For instance, Communities Against Rape and Abuse in Seattle develops innovative responses to sexual assault that do not rely on the police; SisallSista in Brooklyn organizes young women to challenge police abuse through direct action, and Generation Five in San Francisco trains community members to implement responses to child sexual abuse that do not rely on child protective services or the prison system.¹¹

We also can implement *changes to language* that both ensure that we are not undermining a longer term goal of abolition and reclaim language that has been appropriated by the Right. For instance, we can avoid using language that pits categories of prisoners against each other (innocent vs. guilty, non-violent vs. violent) and we can also reclaim rhetoric that has been used by the Right to grow the system (prisons don't make communities safe but affordable housing, healthcare, food and education do).

Questions To Ask When Developing a New Campaign/Slogan/Rhetorical Approach:

- Are we responding to conditions by calling for more or "better" prisons?
- Are we calling for new modes of policing that expand surveillance and policing in our communities (for instance electronic monitoring, house arrest, etc.)?
- Are we calling for more money/staff to go into the system?
- Does this pit categories of people against each other?
- Does this approach ultimately undermine the long-term goal of abolition? How can we shift it without losing our goal of addressing current harms so that it doesn't?
- Can we build into our strategy ways to reframe rhetoric and reclaim language that has been co-opted by the Right, such as "public safety," "safe communities," "violence against women," "compassion," or "family values?"

Anti-prison activists inside and outside of prison have unmasked the many ways in which prisons are predicated on racism and violence and have clearly argued that there are better ways to deal with social problems and the harms that people inflict than to lock people in cages. Because historically efforts that relied exclusively on reform served to strengthen the system, it is imperative that we take seriously the call to abolish it.

The abolition of the prison is a protracted process, not an overnight transformation. Reforms are necessary on the way to abolition, but as anti-prison activists we need to move away from reform as an endpoint, and we need to consider carefully the impact of short-term goals on the longer-term vision of a world without prisons. Abolition as a goal and strategy allows us to break out of the frame that currently confines our ability to imagine alternatives and pushes us to work strategically toward a world free of the prison industrial complex.

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PI:
from: Global Lockdown, edited by
Julia Sweeney

CHAPTER 4 The Prison-Industrial Complex in Indigenous California

STORMY OGDEN

I write this chapter from the position of a California Indian woman, a tribal woman of Yokuts and Pomo ancestry. I also write as an ex-prisoner and a survivor of colonization. At the beginning of the colonization process two tools of genocide were forced upon Native people: the bottle and the bible. Along with these tools the traditional ways of behavior and conduct of Native people were criminalized. State and federal governments defined Native Americans as deviant and criminal through such procedures as the Dawes Act. With the enforcement of these new laws, Native people were locked up in a spectrum of "punishing institutions," including military forts, missions, reservations, boarding schools, and, more recently, state and federal prisons.¹ Historically, the most brutal methods of social control have been directed at a society's most oppressed groups. In North America, the groups that are most likely to be sent to jail and prison are the poor and people of color. A large proportion of people who end up behind bars are indigenous. On any given day, one in twenty-five Native Americans are under the jurisdiction of the criminal justice system, a rate that is 2.4 times that of whites.² Native American women are particularly targeted for punishment. For example, Native American women in South Dakota make up 34 percent of the prison population but only 8.3 percent of the general population.³

Angela Y. Davis describes the prison-industrial complex as a complex web of racism, social control, and profit.⁴ The experience of racial subordination, repression, and economic exploitation is not new to the Native people of these

lands. From the missions to the reservations, California Indians have struggled for survival in the face of an array of brutal mechanisms designed to control and eliminate the region's first peoples. The prison-industrial complex was built on the ancestral lands of the indigenous people of this continent and has contributed to the devastating process of colonization. It is essential for prison scholars and activists to understand the colonial roots of the prison-industrial complex and to make visible the stories of Native prisoners.

My People/Our Lands

Prior to the arrival of Europeans, the area that came to be known as California had the largest indigenous population with the most diverse groups of any area in North America, including Yokuts, Pomo, Hupa, Shumash, and Miwok. Of all the Native cultures, Native California was perhaps the most diverse in ecology, social structure, and history. According to Rupert and Jeanette Costo, California Indians were the most highly skilled explorers of North America and enjoyed a sophisticated knowledge of their environment that they had developed over a period of thousands of years.⁵

The Pomo people occupied approximately seven widely separated localities in the coast ranges north of San Francisco Bay. Our main territory included parts of Mendocino, Lake, and Sonoma counties. The hallmark of our tribal identity existed in the Pomo language, which connected these geographically divided communities. The Yokuts inhabited a three-hundred-mile-wide range that included the San Joaquin Valley and adjoining foothills.⁶ The Yokuts were agriculturalists and held the most fertile land in California. We were perhaps the most populous of the many diverse nationalities of indigenous California. Yokuts people who still retain the memory of our history maintain there were at least seventy tribal communities before contact with Europeans. Solidarity between the communities, villages, and tribal family groups was maintained through traditional ceremonies and economic exchange.⁷

Our elders tell us that the natives of California lived in well-ordered societies. Their governing bodies resided in their tribes and the people were guided by relationships that fixed the status and the position of every member. Every part of their tribal society was enriched and maintained through religious and traditional laws. There was no police force and no courts to enforce these laws and obligations because there was a strong belief and support for them from the people. Individuals accepted these laws, knowing that it ensured collective survival. When violations occurred, the rule was restitution instead of retribution. Exile from the tribe was an extreme penalty.

Contact with Europeans in California first occurred through the Spanish missions. Although today these buildings are seen as quaint historic landmarks, for Native people they symbolize terror and death. California Indians

were forced off their land, hunted down, and brought to the missions, where they were used as slave labor. Those who resisted were tortured or killed, and the rape of Native women was commonplace. After the founding of the missions, California Indians faced encroachment by Mexican rancheros, who were prepared to use any force necessary to take native land. Native people were hunted down in a genocidal effort to clear the land for Mexican settlement. The Treaty of Guadalupe Hidalgo in 1848, which brought an end to the Mexican-American war, ceded California along with a large swathe of Arizona, Texas, and Nevada to the United States. Although the right of Mexican residents to retain their language and religion was guaranteed in the treaty, no such guarantee was made to Native peoples. Finally, in the 1880s, the Gold Rush, heralded by whites as a lucrative bonanza, drew hundreds of thousands of ruthless settlers to California. These miners and settlers plundered Native lands and raped Native women.⁸ California Indians have spent generations fighting against these three waves of invaders. Our struggle has been threefold, for our ancestral land, religious rights, and, simply, the right to live. For Native women, the struggle has also been about the right to freedom from sexual assault. As Andrea Smith demonstrates, colonists depicted Native women as impure and therefore inherently rapeable. Colonization is therefore inextricable from the sexual violation of Native women: "As long as Native people continue to live on the lands rich in energy resources that government or corporate interests want, the sexual colonization of Native people will continue. Native bodies will continue to be depicted as expendable and inherently violable as long as they continue to stand in the way of the theft of Native lands."⁹

The Little Girl Who Grew Up to Be a Convict

The journey began for me at the age of five, when my mother put me into the back seat of our car and drove away from our home and my father. She was driving away from a marriage consumed by alcoholism and domestic violence. Mom thought she was taking us somewhere that would be safe. Little did she know that she was driving me toward a life of sexual abuse and violence at the hands of people who were supposed to love this little girl with the big dark Indian eyes.

The abuse started soon afterward, when the next-door neighbor's son started putting his hands down my panties. I remember telling my grandmother what was going on. She responded, "Now don't tell anyone about this or it will cause problems." But, I did tell and she was right; it did cause problems. It opened the door for my new stepfather and my grandmother's husband to start priming me for sexual abuse. From the ages of seven through ten the abuse began. Both of these men introduced me to adult comic books. What child doesn't like to read comics? My grandfather also started giving me alcohol. My stepfather would

bathe me and put me to bed; over time he began to fondle me and "dry hump" me. One night he was caught outside my bedroom window watching me undress for bed. I remember seeing him through the window and his face was all distorted. It was not until recently that I put a name to what he was doing, "jacking off." The abuse from this man did not stop with me. He and my mother were always fighting and the fighting was extremely violent.

At the age of ten, I was well on my way to becoming an alcoholic. This was also the time that another family member began to abuse me, my mother. Her words still ring in my head: "You are just a dirty Indian like your dad, you are a no good half-breed, and you will grow up to be a drunken Indian just like your dad."

Half Breed

a word that has made me
a stranger in my own land

She would frequently throw hot coffee in my face or take her long nails and dig them into my flesh, trying to draw blood.

From the ages of eleven through thirteen, the verbal and sexual abuse elevated. I was given to my grandmother off and on to live, which played into the hands of my grandfather. He told me one time that if I ever wanted to know about sex to just let him know because he would teach me and even take me to get birth control pills. I was never allowed to live with my Dad, even though I cried and begged my mother to allow me to go to him. I was allowed to spend summers with him sometimes, but never the entire summer, just a few weeks at a time. It was always hard on me when I had to return to my mother's house.

All my women's role-models were white
They did not know how to deal with this Indian child
Who grew so dark in the summer
During the school year they would cut and perm that Injun hair
Putting me in pretty dresses and
Then telling me in soft hushed voices,
Your Dad is just a dirty drunk Indian and you will be just like him.

I never told my Dad what was going on at home because things at my Dad's house were not all that great. He was still drinking and abusing his new wife.

It was during this time that I started to abuse drugs and alcohol on my own. My home life was pure hell and it ran over into my school days. I was raped for the first time by four boys who went to my school. My best girlfriend watched as these boys tore off my jeans and menstrual napkin and proceeded to rape me one by one. I remember sitting in the bathtub in the cold water crying. No one

was there for me, so I cleaned myself up and went to bed. After this happened I started running away from home and not going to school. I ended up in juvenile hall three times before I left home for good. I thought by running away that all the abuse would stop. But all I did was run to another life that was just as violent, if not more so.

From the ages of fourteen through nineteen I lived with a man who became my first husband. He was thirteen years older than I and was verbally, sexually, and physically abusive to me. I stayed with him because I had no place to go to; I could not return home. I finally did get the courage to run away from him but what I ran to was worse. My days and nights were consumed with alcohol, drugs, bars, and the back seats of cars, rapes, beatings, hospital visits for a broken arm, a gunshot wound, and to have an intrauterine device (IUD) surgically removed because I was raped with a cane. There were too many different men, too many empty bottles, and too many suicide attempts.

In my past I laid upon a strange bed in a hotel
Praying that I would not wake up in the morning.
At these times it was done as a ritual
Long hot showers, purifying my body,
Combing my long dark hair wrapping it into neat braids,
Singing my own death song.
Other times I would be sitting on the side of an empty bed,
Around me would be empty whisky bottles
And a shiny new razor blade in my hand.

At the age of twenty-two I was sentenced to five years in the California Rehabilitation Center at Norco. For me, imprisonment was just a new phase in the abuse.

The Prisonification of Indigenous Women

In the warmth of my fantasy
I awake to the cold gray walls
Of my reality.

"Ms. Ogden you are sentenced to five years which will be served at the California Rehabilitation Center in Norco." The words thundered in my mind as the judge read the sentence. This scenario is becoming more commonplace for women in the United States, especially for Native American women and women of color in general. Women are the fastest growing segment of the prison population.¹⁰ Between 1980 and 1999, the number of women in California's prisons grew by

jurisdiction over all cases by, for, or against Indians. Non-Indians could take any California Indian male under the age of eighteen or female under the age of fifteen before a justice of the peace, claim that the child had not been kidnapped, and acquire custody of the child and proprietorship over his or her earnings until he or she reached a certain age. A white man could give bond for the payment of the fine and costs of any California Indian convicted before a justice of the peace of an offense punishable by a fine and require the Indian to work for the white man until the fine was paid.

The law codifying Indian slavery was amended in 1860 to expand the scope of slavery to include adults. This new amendment stated that if a boy, already in servitude, was under the age of fourteen, he could be indentured until the age of twenty-five; and if he were between the ages of fourteen and twenty, he could be held until the age of thirty. This new amendment also included young women, who could be forced to remain in servitude until they were twenty-five years old. In the 1850s and the 1860s, there was such a constant demand for Indians as domestic servants that kidnappings and sales of Native women and children were commonplace.¹⁸ These provisions in the state law resulted in the institution of a slave mart in Los Angeles where captives were auctioned off to the highest bidder for "private service."¹⁹ Although the slave mart has since disappeared, UNICOR, the California prison industry authority, continues to sell captive labor to the highest bidder.

Conclusion

Just as alcoholism has touched the life of every Native person so has the U.S. criminal justice system, in particular the prison system. As Luana Ross points out, most Native people have either been incarcerated themselves or have a relative who is in prison.²⁰ The outcome of this high rate of imprisonment can only be described as genocidal. The Native world has been devastated by foreign laws that were forced upon us, and the number of jailed Natives is a chilling reminder of this fact. Native people are being locked up at alarming numbers in their own ancestral homeland. For the indigenous women of North America, sexual assault and imprisonment are two interlocking violent colonial mechanisms. The criminalization and imprisonment of Native women can be interpreted as yet another attempt to control indigenous lands and as part of the ongoing effort to deny Native sovereignty.

What was my crime, why 5 years in prison?

Less than \$2,000 of welfare fraud

What was my crime?

Being a survivor of molestation and rape

What was my crime?

Being addicted to alcohol and drugs

What was my crime?

Being a survivor of domestic violence

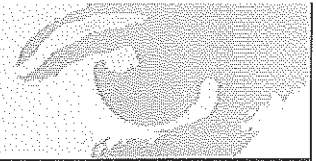
What was my crime?

Being an American Indian woman.

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What is the Prison Industrial Complex?

What is the Prison Industrial Complex?

The prison industrial complex (PIC) is a complicated system situated at the intersection of governmental and private interests that uses prisons as a solution to social, political, and economic problems. The PIC depends upon the oppressive systems of racism, classism, sexism, and homophobia. It includes human rights violations, the death penalty, industry and labor issues, policing, courts, media, community powerlessness, the imprisonment of political prisoners, and the elimination of dissent.

How the PIC Works

To fully describe the PIC, we have to look at the big picture of how it functions. For example, the prison construction boom can be linked to, among other factors, the huge increase in the number of people sentenced to prison terms with the onset of the war on drugs, the repression of radical movements by people of color for self-determination, and the anti-imperialist struggles of the 60s, 70s, and 80s. The "war on drugs" and the national and local efforts to destroy radical political movements led to increasing police presence in communities of color and poor communities, higher arrest rates, and longer prison sentences.

This boom is also fueled by dramatic and racist reporting about "crime," "delinquency," and "rebellion," creating a culture of fear in which it continues to be acceptable and desirable to many people to lock people (primarily people of color, youth, and poor people) in cages for longer and longer in the interest of "public safety." The way the many parts of the PIC interact is exactly what makes it so powerful and destructive. In order to fight this system, we have to see it for all that it is and recognize what drives and shapes it.

Fighting the PIC

Fighting the PIC means fighting the mainstream ideas of public safety and challenging the idea that police, prisons, and the court system make people who are not in power safer. At the same time, we must create alternative ideas of security based on the safety of the people most affected by the PIC.

The United States currently imprisons around 2 million people. About 6.5 million people are presently under some form of supervision within the criminal justice system. Women represent the fastest rising prison population. Since 1980, the number of women imprisoned in the U.S. has risen by almost 400 percent. Racism continues to be a major factor in the United States, illustrated by policies and programs that sustain white supremacy. Racism, as it is used through criminal laws that target people of color, is essential to the PIC, not accidental.

Prisons Are Not an Answer to Crime

The wrongdoings we call crime do not exist in the same ways everywhere and are not "human nature". What is considered a crime is determined by the societies we live in. Because we have seen over and over again that locking more people in cages does not reduce crime, we must understand the power relationships that lead society to lock up only certain people. Since prisons do not stop problems like poverty, racism, or drug addiction, we cannot expect them to stop crime. We need to understand that we have no option but to fight and continue to fight until all of the different parts of the PIC that continue to put our survival in danger are eliminated.

The Movement Against the PIC

The movement against the PIC runs the risk of being shaped by easy victories or simplified

struggles that do not recognize and fight the whole system. We must go beyond false separations, such as "non-violent" versus "violent" that place prisoners in opposition to each other. One important place to begin to fight the PIC is by pushing the movement to a more complete race, class, and gender analysis. We cannot allow ourselves to do short-term work that undermines our long-term vision and goals, or rely on the same systems of oppression and domination that sustain and drive the PIC to influence "mainstream" voters and decision makers. In order to do this work, we must continue to create spaces for people with different points of view to have honest discussions and disagreements about directions the movement against the PIC should take.

What We Are For

Since we are so frequently asked what we are "for" rather than "against," the struggle against prisons, police, repression, punishment, and the criminalization of entire communities must display a clear vision that a world without the PIC is possible. One way to define and shape what we are for is through creating a culture of resistance, or a culture and society that fill all the different parts of our lives with alternatives to the culture of imprisonment. A new culture must nurture and sustain our struggle and provide space for political education, conversation and debate about what we are doing and what we need to do in the future.

In order to figure out why people get locked up and under what circumstances, we need to look at what are sometimes called "root causes." This strategy requires looking at the competing priorities of the systems in which we live and understanding why they work well for some and horribly for others. The systems of race, class, gender, and sexuality, for instance, are commonly understood as privileging some people's needs and ideals over others. By exploring why and how those systems work for some and not for others, we can begin to develop a better understanding of how to include concrete steps in our work that deal with the negative effects of these systems on the people who are most often put in cages.

To oppose the PIC, activists must work on both theoretical and practical levels. We cannot only engage in single-issue struggles, because all the issues intersect. How can we best create social change in an era of globalization? The voices of today's radical activists, particularly activists of color, must be at the front of the fight against the PIC. Those who are most affected by the system must be the ones planning its end.

Organizing against the PIC is as much about building something as it is about fighting what is destroying our communities. Our organizing is also an ongoing effort to create alternatives, not only to imprisonment, but to the culture of punishment we've become so used to.

WHITE SUPREMACY

White supremacy is an historically based, institutionally perpetuated system of exploitation and oppression of continents, nations and peoples of color by white peoples and nations of the European continent, for the purpose of maintaining and defending a system of wealth, power and privilege.

CWS Workshop

WHAT

IS

WHITE

PRIVILEGE?

Please feel free to xerox these definitions
for your own use.

DEFINITIONS RELATED TO

'WHITE PRIVILEGE'

RACE

Race is 'a specious classification of human beings created by Europeans (whites) which assigns human worth and social status using 'white' as the model of humanity and the height of human achievement for the purpose of establishing and maintaining privilege and power.'

Definition by Ronald Chisom and Michael Harrington of The People's Institute for Survival and Beyond in Undoing Racism: A Philosophy of International Social Change. People's Institute Press. 2nd ed. 1997. pp.30-31. (The People's Institute, 7166 Crowder Blvd. Suite 100. New Orleans, La. 70127. Ph: 504-241-7472. www.thepeoplesinstitute.org. Email: PISAB@thepeoplesinstitute.org.)

WHITE PEOPLE

A legal concept established by colonial slave owners to separate poor Europeans from Africans, giving legal privileges to Europeans, while constructing a system of chattel slavery for Africans. (Definition by cws, inspired by the definition of 'Race' by The Peoples Institute for Survival and Beyond'.)

PRIVILEGE

A privilege is a right, advantage, favor or immunity specially granted to one; especially a right held by a certain individual, group or class, and withheld from certain others or all others. (Definition from Webster's Dictionary. *Italic emphases added.*)

WHITE PRIVILEGE

U.S. institutions and culture give *preferential treatment* to people whose ancestors came from Europe over peoples whose ancestors are from the Americas, Africa, Asia and the Arab world; and exempt European Americans -- white people -- from the forms of racial and national oppression inflicted upon peoples from the Americas, Africa, Asia and the Arab world.

This web of institutional and cultural preferential treatment is called "white privilege." *In a white supremacy system, white privilege and racial/national oppression are two sides of the same coin.*

Non-ruling class white people are *both* oppressed and privileged.

They are oppressed most significantly on the basis of class, gender and sexual orientation; and also on the basis of religion, culture, ethnicity, age, physical abilities and political expression.

At the same time, they are *all* privileged *in relation* to peoples of color.

CWS Workshop

NON-RULING CLASS WHITE PEOPLE IN THE U.S. ARE *both* OPPRESSED *and* PRIVILEGED.

*Non-Ruling Class Whites: a cws analysis