Reading Incarceration: Chicano Contributions to U.S. Prison Literature in the 1960s and 1970s

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Prison has long been a source of literary production. Across countries and cultures, incarceration produces diverse stories and histories; however, the 1960s and 1970s marked a significant shift in this literary tradition within the United States. Prison literature, which has long been the near exclusive work of those writers incarcerated for their political and religious beliefs– underwent a major transformation under the guidance of prison organizing and abolition movements. These largely Black-led movements instigated reflective prison writings that challenged the mainstream conceptions of guilt and crime. Moreover, they critiqued the conditions and legitimacy of incarceration. As prison organizing peaked in the late 1960s and early 1970s, so too did the Chicano Movement. It is irresponsible to speak of the transformations to United States prison literature without considering the influences of the Chicano movement. Pinto poetry, a subgenre of the Chicano literary tradition of the poetry of the incarcerated, responds to and builds upon the work of the prison literature that emerged from prison organizing and abolition movements. Mexican-American incarcerated poets echoed the themes of Black incarcerated authors in positioning prison as an intensified microcosm of a larger American society. They centered their analyses on immigration, border crossing, and collective identity. Jimmy Santiago Baca and Ricardo Sanchez are incarcerated poets of Mexican descent with prolific bodies of work that speak to these themes in Chicano prison writing.

As a body of work, prison literature spans continents and centuries as a body of work and includes every literary genre. In the United States, it has been long defined through individual political narratives. This is largely due to the privilege which skewed much of early Western prison writing. Literacy is necessary for literary production, and many incarcerated people could not read or write. To this day, educational inequalities are present in the carceral system.[1] In

[1] As recently as 1991, as many as 75% of incarcerated adults were illiterate. E. Herrick. “Prison Literacy Connection.” Corrections Compendium 16, no. 12 (December 1991): 1.

Writers in Prison (1990), Ioan Davies notes that "[his] book may appear to lean heavily towards those writers who were incarcerated for writing, or towards intellectuals whose incarceration came about for political or religious reasons."[2] It is a bias of availability; much prison literature consists of the work of what Davies calls the "intellectual prisoner," who "presented a continuous narrative of incarceration."[3] The intellectual prisoner is not the definitive voice of incarceration; in reality, they represent a minority voice. In the United States, the vast majority of incarcerated people are there on drug offenses.[4] The majority of American incarcerated people are not political prisoners.[5]

The prison organizing and prison abolition movements of the 1960s and 1970s marked a historic shift in the definition of prison literature in the United States. Since the 1960s, contemporary prison literature has been deeply influenced by the experiences of people of color, particularly African Americans.[6] According to H. Bruce Franklin, the "dominant voices in this literature are those of ordinary criminals who have become literary artists through their prison experience."[7] Prior to the 1960s, writers of prison literature were largely incarcerated due to religious and/or political beliefs. They were authors, poets, or playwrights before their incarceration; their identities as incarcerated people were secondary to their artistic identities. In the 1960s, this tradition changed. Producers of prison literature were incarcerated for a variety of crimes that were not identified as political. Their artistic and authorial work emerged from their

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[2] Ioan Davies. *Writers in Prison*.(Oxford: Basil Blackwell Ltd, 1990), 3.
[3] Davies, *Writers in Prison,* 3.
[4] "Offences," Federal Bureau of Prisons, last modified December 10, 2022, https://www.bop.gov/about/statistics/statistics_inmate_offenses.jsp
[5] That being said, the definition of political can be called into question. George Jackson, in *Soledad Brother* defined all prisoners in the United States as political prisoners, arguing that systems of oppression, poverty, and racism created conditions that necessitated crime. Any criminal activity was thus a political reaction to an oppressive state.
[6]H. Bruce Franklin. *Prison Literature in America: The Victim as Criminal and Artists*.(New York: Oxford University Press, 1989), 234
[7] Franklin, *Prison Literature in America: The Victim as Criminal and Artists,* 234

experiences of incarceration. Malcolm X[8] is often heralded as the first in this new generation of incarcerated authors. In *The Autobiography of Malcolm X*, he describes entering prison with no more than an eighth-grade education. Convicted on a burglary charge, he underwent an intellectual and spiritual conversion while incarcerated, ultimately producing a literary masterpiece in conjunction with Alex Haley that reflects deeply on his incarceration experience.[9] H. Bruce Franklin (1989) notes that the influence of African Americans in contemporary prison literature is so prominent for a number of reasons. African Americans have long been incarcerated at far higher rates than any other racial group in the United States. Additionally, Black Americans, as well as other people of color, experience racism, discrimination, and vitriol both within and outside of prison. Franklin also notes that "the national liberation movements of nonwhite peoples around the world have changed the perspective of Black people in general."[10] Although Franklin only references the Korean and Vietnam Wars, the 1950s and 1960s saw national liberation movements against European colonial rule and towards independence throughout Africa and Asia. These movements, their ideals, and their leaders resonated with American Civil Rights and Black Power organizers. The prison literature of the 1960s and 1970s was deeply characterized by the shift in its dominant voices toward "common criminals," those who were incarcerated for non-political reasons and made up a majority of incarcerated populations.

The authorial shift away from those incarcerated for political and religious reasons, coupled with the ideology of prison organizing and abolition groups, led to a redefinition of guilt

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[8] Although oft heralded as the originator of this movement, Malcolm X was incarcerated from 1946-1952. His autobiography was published in 1965.

[9] It is important to note that *The Autobiography of Malcolm X* was not written while he was incarcerated but much later in collaboration with Alex Haley. Thus, prison literature or the literature of incarceration can be defined more broadly than simply that which was written while an author was incarcerated. It is work that comes out of the experiences of incarceration, even if it is recorded outside the timeframe of incarceration.

[10] Franklin, *Prison Literature in America: The Victim as Criminal and Artists,* 234

and crime within prison literature. Michael Hames-Garcia argues that "'crime' is 'an inadequate social construction' that arbitrarily separates certain acts from others for the purposes of social control."[11] Prison organizers began to recognize crime and the actions and behaviors pathologized as criminal to be products of the social environment. The dominant state defines criminality. This is a state whose governing powers– in the 1960s and 1970s– included few people of color. Incarcerated activists of African and Caribbean descent such as Malcolm X, Piri Thomas, and Miguel Piñero[12] see "oppression as an explanation for 'crime,' while refusing to see 'crime' as a successfully resistant or acceptable response to oppression."[13] Prison literature of the 1960s and 1970s, and those authors composing it, read nuance into definitions of crime and criminality. It is not that they wrote blank checks to justify the actions that led to their own and others' incarcerations; rather, they questioned the social and political factors that contributed to these actions. Poverty, which in the United States is deeply exacerbated along racial lines, may force people into situations of desperation leading to crime. Incarcerated activists recognized that the majority of crimes could not be understood outside this context of poverty such that what the state defines as a crime is often the end result of equally problematic conditions of discrimination, violence, oppression, and poverty, conditions which are condoned as part of the social structure. In fact, a major "track of analysis regarding the 'crimes' of the prisoner holds that even the earlier actions that led to imprisonment were largely the result of conditions of abject poverty and racism."[14] This thinking gained significant traction in the 1960s and 1970s and continues today inspiring a critique not only of the criminal legal system but of American society.

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[11] Michael Hames-Garcia. *Fugitive Thought: Prison Movements, Race, and the Meaning of Justice.* (Minneapolis: University of Minnesota Press, 2004), 222
[12] Thomas and Piñero are both Latinx prison authors and activists.
[13] Hames-Garcia, *Fugitive Thought: Prison Movements, Race, and the Meaning of Justice,* 227
[14] Hames-Garcia, *Fugitive Thought: Prison Movements, Race, and the Meaning of Justice,* 225

Furthermore, this critique is deeply characteristic of contemporary American prison literature. The other approach to thinking about guilt and crime that Hames-Garcia brings forth accepts incarceration as punishment for a crime but launches a staunch critique of the carceral system. Under this line of thinking, "convicts were being justly punished for 'crimes' they had committed, but the inhumanity of the prison system denied them the human dignity to which they remained entitled. Since their treatment was unjust, their protest of that injustice does not constitute a crime."[15] This mode of thinking is heavily implicated in the thought and work of incarcerated activists working towards prison reform and abolition. Under this framework, liberating actions against injustice are necessarily just and justified. Nearly all works of contemporary prison literature call attention to and criticize, to varying degrees, violence and injustice within the carceral system.

There is no single definition of the prison organizing and prison abolition movements; rather, these movements consist of numerous diverse coalitions and organizers inside and outside of prison working across the United States. Incarcerated activists, responding to the inhumane conditions of incarceration, largely led the movement, undergirded by a consciousness of systemic racism within the United States.[16] The prison organizing movement of the 1960s and 1970s was heavily steeped in a push toward abolition. Liz Samuels notes that this push for prison abolition was a product of the "disappointing reality of reform and the rapid radicalization of people inside, facilitated by the steady influx of radicals entering prison on politically motivated charges."[17] Those incarcerated on politically motivated charges included members of the Black Panther Party, Civil Rights organizers, and members of Chicano, Puerto Rican, and Native

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[15]Hames-Garcia, *Fugitive Thought: Prison Movements, Race, and the Meaning of Justice,* 225
[16] "REVOLUTION: The prison rebellion years, 1968--1972," in *American social and political movements of the twentieth century: Rethinking the American prison movement*, eds. D. Berger, & T. Losier (2018).
[17] Liz Samuels. "Improvising on Reality: The Roots of Prison Abolition." In *The Hidden 1970s: Histories of Radicalism*, ed. Dan Berger (New Brunswick: Rutgers University Press, 2010), 24.

American liberation movements in addition to anti-Vietnam War protestors.[18] In recognition of the failure of reform, these radicals called for prison abolition and the development of "new structures that dealt holistically with the root causes of societal harms."[19] As previously mentioned, incarceration was not simply the result of crime, nor were rising rates of incarceration the result of rising crime or criminality. Instead, crime and incarceration were problems of exploitation, poverty, and white supremacy which must be addressed in order to achieve real change. It is worth considering how the Stateville Prison Organization defined the prison organizing movement:

> "Thus, in short, the 'prison movement' receives its distinct character from the fact that it began to reflect the rising significance of national liberation struggles within the present u.s. borders [...] It would no longer be held that prisons were simply instruments of 'class rule' [...] that prisons were simply places used by the state to intimidate, coerce, and control the 'working class' of capitalist society. None of these could remain in the basis of our theory or practice, because it was more clearly understood that [...] america is an *imperialist* society; it dominates and exploits oppressed nations [...] and these dominated nations exist not only externally, but within the u.s. border as well."[20]

There was a growing global consciousness within the prison organizing and abolition movement, inspired by political movements happening in the United States, Africa, and Asia. The recognition of the United States as an "*imperialist* society" points to a postcolonial attitude that was in line with decolonization and revolutionary movements in Africa and Asia. Partially due to the influence of Malcolm X, the rising prisoner consciousness of the 1960s and 1970s was

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[18] Franklin *Prison Literature in America: The Victim as Criminal and Artists*
[19] Samuels, "Improvising on Reality: The Roots of Prison Abolition," 27
[20] Hames-Garcia, *Fugitive Thought: Prison Movements, Race, and the Meaning of Justice, 194*

influenced by the Nation of Islam.[21] Although nominally apolitical, the Nation of Islam drew on pan-Africanist ideas and was critical of the American imperial project. Both the Black Panther Party and the Black Power Movement saw many of their activists incarcerated in this period, furthering the influence of Black Power and Pan-Africanist ideas within prison organizing movements. Under the Stateville Prison Organization's definition, the prison was not only an instrument of class but of racial oppression. People of color within the United States constituted members of an internally oppressed nation.

The impact of prison organizing and prison abolition movements on prison literature was reciprocal, with the new form of prison literature emerging and fueling the prison organizing and abolition movements. During the 1960s and 1970s, "many individuals who had gone to prison for what the Left termed 'social crimes'... were transformed by ideas introduced to them by literature sent in or given to them inside."[22] The prison organizing movement of the 1960s and 1970s was largely relational at a time in which support outside of prisons for those incarcerated was at its height. This greatly facilitated incarcerated people's access to literature, with books such as *The Autobiography of Malcolm X* and *Soledad Brother* forming an essential curriculum. Social crimes, as defined by the left, were street crimes or those crimes that were not overtly political. These are the crimes that many within the prison organizing movement regarded as consequences of larger social structures of exploitation rather than an individual moral failing. Literature that recognized the role of poverty and exploitation in criminality served to bring incarcerated people into the prison organizing and abolition movements.

Running parallel to the prison organizing and abolition movements was the Chicano Movement. The Chicano Movement has been understood in various different yet intersecting

[21] Samuels, "Improvising on Reality: The Roots of Prison Abolition," 23
[22] Samuels, "Improvising on Reality: The Roots of Prison Abolition," 24

ways, but it is largely recognized as beginning with the National Farm Workers Association's strike against grape growers in Delano, California in 1965.[23] The Chicano movement is a political, ideological, social, and cultural movement incorporating political action and artistic involvement.[24] The term Chicano itself is a resistant form of self-naming. "Young people rejected the label *Mexican American*, deeming it assimilationist and indicative of their second-class status as hyphenated Americans, and instead transformed the pejorative *Chicano* into a positive self-identifier that made clear their critique of prevailing institutions."[25] Not all Mexican Americans identify as Chicanos due to the term's political nature. To use the term as a self-identifier is to express a deliberate political identity that resists American assimilationist narratives. It is an identity that recognizes a person's dignity and ethnic heritage in the context of a dominant culture that seeks to erase that heritage and relegate Mexican Americans to subordinate positions toward a white middle-class ideal. Although the timeline of the Chicano Movement is up for debate and many people continue to identify as Chicano today, the height of the Chicano Movement is largely considered to have been the 1960s and 1970s.

At that time, the Chicano movement brought together struggles for civil rights, political participation, anti-Vietnam War activism, as well as economic and labor concerns.[26] An undercurrent of Mexican nationalism ran through the Chicano Movement, often expressed through the use of Spanish and English. Within the Chicano Movement, an "anti-American

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[23] J.R. Vivian. "Chicano liberation movement of the 1960s and 1970s," in *The new encyclopedia of the American West,* ed. H. R. Lamar (Yale University Press, 1998).
[24] S.M. Contreras. "Chicana, Chicano, Chican@, Chicanx," in *Keywords for latina/o studies,* eds. D. R. Vargas, L. La Fountain-Stokes, & N. R. Mirabal, (New York University Press, 2017)
[25] E. Chávez. "Chicanismo and the Chicano movement," In *Women of achievement: Elizabeth Taylor,* ed. S.P. Holland, (Johns Hopkins University Press, 2021)
[26] E. Chávez. (2013). "Chicano movement," In, *Encyclopedia of race and racism*, ed. P.L.Mason, (2013)

language of *Chicanismo*" emerged as an expression of this Mexican nationalism.[2728] Chicanismo included slang that blended Spanish and English, its usage serving as a common thread among the "great diversity of goals and strategies" in the Chicano Movement.[29] This use of Chicanismo was a powerful and overt assertion of Chicano identity, distinct from the rejected American identity. Throughout the 1960s and 1970s, the Chicano Movement emerged from a resistant desire to flourish in a hostile context. This resistance and flourishing took political, cultural, and artistic forms.

Interwoven with the political and social dimensions of the Chicano Movement is its cultural productions, including literature. Chicano literature spans a breadth of genres and notably includes poetry. Chicana/o poetry is, by definition, politically engaged poetry.[30] It is "committed to the communal struggle of its minority culture" and a "channeling of solidarity into political action."[31] The creative work of a marginalized community comprises Chicano literature. Bruce-Novoa et al. (2012) identify several core themes in Chicano literature, including the centrality of family, solidarity, political action, the celebration of the communal cohesion of the barrio, and identification with Mexican Revolutionary and pre-Colombian indigenous past. Within Chicano literature is the subgenre of pinto poetry which is born out of incarceration. Its authors are incarcerated and formerly incarcerated people of Mexican descent. Ricardo Sanchez and Jimmy Santiago Baca are two fundamental pinto poets who made important contributions to

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[27] Chávez, "Chicanismo and the Chicano movement"
[28] It is important to note that not all Chicanos speak Spanish, and this dislocation from Spanish is often the result of social pressures to speak English, rather than Spanish (need to find a better way to phrase this. Pressures in schools in particular)
[29] Chávez, "Chicanismo and the Chicano movement"
[30] J. Bruce-Novoa "Chicana/O Poetry," In *The Princeton encyclopedia of poetry and poetics (4th ed.)* eds. R. Green, S. Cushman, & C. Cavanagh (Princeton University Press 2012)
[31] Bruce-Novoa. "Chicana/O Poetry"

the Chicano literary tradition and to prison literature in the United States. They are not; however, an exhaustive definition of all there is to Chicano pinto poetry.[32]

Ricardo Sanchez was born March 29th, 1941, in El Paso, Texas, the youngest of thirteen children and the first of the family born outside of New Mexico or Colorado. He began writing poetry as a child, navigating his marginalization within a border city. Growing up, he was heavily influenced by the pachuco identity and culture which his eldest brothers participated in. His work bears the mark of this culture in its content, style, and language. Sanchez dropped out of high school in the late 1950s and joined the army, where he began publishing poems. While in the army, he was arrested and served five years in Soledad State Prison on felony charges relating to kidnapping, robbery, and assault. Sanchez wrote prolificsally while incarceratwed and published in prison newspapers. After his release, he struggled to find work to support his family while on parole and was ultimately arrested and convicted for armed robbery. He was incarcerated in Huntsville, Texas at the height of the Chicano Movement. He furthered his education while incarcerated and developed a friendship with Chicano author and activist Abelardo Delgado who would help him secure employment after his release. His *Canto y grito mi liberacion* (1971) solidified his prominence as a pinto poet and Chicano activist. After his release, Sanchez became increasingly vocal within the Chicano movement, earned a Ph.D. in American Studies, and worked for many years as a professor of Chicano Studies prior to his death on September 3rd, 1995.[33]

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[32]Sanchez and Baca are merely an introduction to the genre. The work of both men was relatively accessible for this project and each of their oeuvres demonstrates the central themes of pinto poetry drawn forth in this paper. That being said, this paper crucially does not include the work of any Chicana poets. A full investigation of this topic would certainly need to draw on the work of Chicana poets as well, for although there are similarities in men and women's experiences of incarceration, there are also significant differences to contend with and women's voices can fill the gaps left by these differences.

[33] Miguel Lopez, *Chicano Timespace: The Poetry and Politics of Ricardo Sanchez* (College Station: Texas A&M University Press, 2001).

Jimmy Santiago Baca was born in Santa Fe in 1952 and grew up in rural Estancia, New Mexico. His mother's family was of Spanish descent and his father of mixed indigenous and Mexican heritage, which lead to contention between his parents and their families. After Baca's parents marriage collapsed, his father died of alcoholism. His mother abandoned Baca and his siblings, marrying a white man who would later murder her. Baca and his siblings, who were raised by their grandparents, entered an orphanage in Albuquerque upon their paternal grandfather's death.[34] There is disagreement among scholars as to how old Baca was, some say five, others seven.[3536]. Baca would eventually run away and spend his youth traveling the Southwestern United States before being arrested at age 21 for drug possession. He served five years in a maximum security institution, Florence Penitentiary in Arizona.[37] While incarcerated, Baca underwent brutal torture, including multiple stints in solitary confinement and shock treatments for his refusal to participate in forced labor.[38] Baca would also learn to read and developed his poetry while incarcerated, an experience his references in his poetic works.[39] After his release in 1978, he published *Immigrants in Our Own Land*, a collection of poems written while he was incarcerated, in 1979. Baca has since published dozens of works of poetry and prose.

Code-switching is a vital aspect of Chicano literature, although it is not universally present. In this context, code-switching is the mélange of English and Spanish used in various forms throughout a work. Chicano speech is not simply bilingual; however, it is multilingual.

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[34] B.V. Olguin, *La Pinta: Chicana/o Prisoner Literature, Culture, and Politics* (Austin: University of Texas Press, 2010), 66-67
[35]Rafael Perez-Torres*, Movements in Chicano Poetry: Against Myths, Against Margins.* (Cambridge: Cambridge University Press, 1995),118
[36] Olguin, *La Pinta: Chicana/o Prisoner Literature, Culture, and Politics,* 67
[37] Olguin, *La Pinta: Chicana/o Prisoner Literature, Culture, and Politics,* 67
[38] Perez-Torres, *Movements in Chicano Poetry: Against Myths, Against Margins*, 115, 118
[39] Olguin, *La Pinta: Chicana/o Prisoner Literature, Culture, and Politics,* 67

> "Cordelia Candelaria… identifies six different language systems within Chicano speech:
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> 1) Standard edited American English
> 2) English slang (regional vernaculars including Black English)
> 3) Standard Spanish
> 4) Dialectal Spanish (regional vernaculars including caló)
> 5) English/Spanish or Spanish/English bilingualism
> 6) An amalgam of pre-American indigenous languages, mostly noun forms in Nahua and Mayan."[40]

This multilingualism reflects the complexity of the Chicano identity. Many people who identify as Chicano have indigenous ancestry and are influenced by Mexican, American, and indigenous cultural traditions to varying degrees. Chicano literature often utilizes this multilingualism in "attempts to reproduce the everyday linguistic interactions of Chicanos and Chicanas, thus dramatizing the emergence of a literary/vernacular expression that exists beyond standard English and Spanish."[41] Drawing on this rich linguistic tradition brings Chicano literature into the broader political movement. It structures the literature as a product produced by and for Chicano people. The work of Ricardo Sanchez, in particular, embodies this effort. According to Miguel Lopez, Sanchez "placed Spanish and English in close aesthetic proximity, with 'espanol and English merging to create another apex of human expression."[42] For Sanchez, code-switching produced authenticity within his poetry. Spanish is integral to his Chicano identity. His code-switching reflected his experiences as a Chicano man. It allowed him to

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[40]Lopez, *Chicano Timespace: The Poetry and Politics of Ricardo Sanchez,* 30
[41] Lopez, *Chicano Timespace: The Poetry and Politics of Ricardo Sanchez*, 29
[42] Lopez, *Chicano Timespace: The Poetry and Politics of Ricardo Sanchez*, 29

express himself more fully through his poetry. He critiques Mexican Americans who do not speak Spanish in a reflection on the Chicano community in Denver.

> "He chastises the Chicanos of Denver for losing part of their linguistic heritage… 'it hurts when I hear my people rapping in English or ask for Chicano poetry in the gringo's tongue… and there are certain things I can't translate, because I feel my soul creating songs of the Chicano spirit."[43]

Sanchez struggles to reconcile the idea of a Chicano identity separated from the Spanish language. To him, Spanish is a necessary component of self-expression. It is a part of his soul. Consequently, his work excludes Chicanos divorced from their linguistic heritage, whether by personal choice or by a lack of access to Spanish language learning resources. Additionally, because Sanchez engages in a sort of multilingualism that does not provide contextual support, he sees certain sentiments as untranslateable and thus conveys important information in English and Spanish, and he puts the onus of understanding on the audience. It is up to his readers, not him, to provide a translation. Naturally, this privileges those in the Chicano community or those immersed in this community linguistically. Sanchez writes with a specific Chicano audience in mind.

Jimmy Santiago Baca, on the other hand, writes almost exclusively in English. When he does use Spanish, he provides literal or contextual translations. This decision makes Baca's work arguably more accessible than Sanchez's to audiences who do not speak Spanish. While this includes Mexicans Americans who do not speak Spanish, it notably includes white audiences. Sanchez himself has criticized Baca, saying that he "writes for whites."[44] In choosing to write in English, despite his bilingualism, Baca seems to orient his poetry towards a white audience

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[43] Lopez, *Chicano Timespace: The Poetry and Politics of Ricardo Sanchez*, 31-32
[44] Olguin, *La Pinta: Chicana/o Prisoner Literature, Culture, and Politics,* 75

rather than a Chicano audience that might be more comfortable encountering code-switching within his texts. Furthering the critique that Baca "writes for whites" is the content of his work. "Baca's writing involves less overt vitriol against Whites than that of other Chicana/o prisoner authors."[45] It is more palatable to white audiences in a way that deviates not only from Chicana/o prison writing but also from Black prison writing of the 1960s and 1970s. His work certainly contains critiques of society from a racial perspective, but the lack of vitriol softens these critiques. Not only that, but critics have also accused Baca of pandering to white stereotypes of Chicanos, particularly incarcerated Chicanos. He frequently plays up the image of the "Latin lover" within his work, connecting criminality to seduction in a way that suggests the violence of Latino sexuality.[46] These aspects of Baca's work certainly increase his appeal to white audiences and raise the crucial question of whether Baca is a sellout.

In asking whether Baca is a sellout, we must also ask whether Baca is not trying to bring a vital and often marginalized message to a broader audience. Is it possible that both these statements are true? Since the publication of his first poetry collection, Baca has risen to significant fame within the United States. He has published a prolific body of work, draws large crowds, and receives substantial sums for his readings. Many of the works that have earned him this stardom have been recollections and dramatizations of his prison experience. All these works have centered around his Chicano identity, yet, as B.V. Olguin notes, he is writing in a way that is "recognizable to a mainstream, primarily White audience whose expectations are shaped by at least two hundred years of bias."[47] The case is there to argue that Baca has "sold out." He himself expressed frustration in writing for a profit, saying that the money is "diluting the books, it's

[45] Olguin, *La Pinta: Chicana/o Prisoner Literature, Culture, and Politics,* 75
[46] Olguin, *La Pinta: Chicana/o Prisoner Literature, Culture, and Politics*, 75
[47] Olguin, *La Pinta: Chicana/o Prisoner Literature, Culture, and Politics*, 77

diluting the poetry, it's diluting our souls."[48] A degree of authenticity is lost to work written for profit.[49] There will always be the sense of selling out– of oneself and one's culture when writing about this culture, particularly the struggles associated with it, and presenting that writing to an audience of the dominant culture.

Baca's work cannot, however, be written off as irrelevant. His decision to write in English and provide translations of Spanish creates an accessibility that Sanchez's work lacks, not just for a white audience but for Chicano audiences who do not speak Spanish. He writes for linguistically isolated audiences, within and outside his culture. Part of this accessibility means that Baca's writing becomes more welcoming to those intimidated by code-switching. It offers an entrance into the Chicano experience, particularly the Chicano experience of incarceration, where one might otherwise be unavailable.

The use of multiple languages is not the only way Chicano multilingualism and code-switching appear in Chicano pinto poetry. Within Chicano work and the work of many other Latino authors, there is significant experimentation with the relationship between English and Spanish when placed proximally. "Gary Keller proposes that many Latino poets remove capitalization from some English terms to 'undermine the oppressive status of English, to put it on par with Spanish, which rarely uses capitals'."[50] Chicano poets reject the cultural superiority of English by bringing the two languagestogether and applying Spanish grammatical conventions to English phrases. Rather than conforming to English grammatical rules, these writers called the authority of these rules into question. Where capitalization often denotes importance, they removed this importance from English, emphasizing a multilingual way of thinking and writing.

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[48] Olguin, *La Pinta: Chicana/o Prisoner Literature, Culture, and Politics*, 76

[49] Living in a capitalist society, profit motives are inevitable. Although an idealized work of pinto poetry might have no regard or no need for a regard for marketability and profit, we do not live in an idealized world. Baca must earn a living to support himself and his family, therefore, he must write books that sell.

[50] Patricia Sanchez-Flavian, "Language and Politicized Spaces in U.S. Latino Prison Poetry: 1970-1990." *The Bilingual Review* 27, no. 2 (May-Aug 2003): 114-124.

For Chicanos, the use of Spanish grammar in English phrases served a dual purpose beyond rejecting white American and English superiority: it asserted a unique Chicano identity. Due to their ethnic (and in some, but not all, cases immigration status), people of Mexican descent are often regarded by white Americans as not fully or completely American. Chicanos themselves reject an American identity insofar as it purports assimilation into a white cultural norm and the erasure of their heritage. At the same time, Chicanos, by living in the United States, are separated from their Mexican heritage to differing degrees. The mixing of English and Spanish language and grammar seems to affirm the Chicano identity, which is neither Mexican nor American in its entirety, but a unique Mexican American identity born out of identity conflict itself.

The sense of collective politics and identity that permeate much of Chicano literature further contribute to expanding notions of prison literature in the 1960s and 1970s. During the 1960s and 1970s, incarcerated and formerly incarcerated writers and activists of color began to recognize their incarceration as a product of not only their individual actions but their collective marginalized identities as well. "The 'minorities' who constitute the majority of America's prison population share an experience different from that of the white convicts. Most of the nonwhites recognize that they are in prison not for what they have done as individuals but for what they are collectively, and therefore perceive the dominant white society as the enemy."[51] Incarcerated people of color recognized that their actions and decisions are always filtered through the lens of race and ethnicity; every step of their encounter with the criminal legal system is an opportunity for bias. Thus the consciousness among prison literature in the 1960s and 1970s was one of communal experience and incarceration that is based, at least partially, on racial and ethnic identity. Chicano literature has always been marked by this recognition of communal identity. This emphasis on the communal was particularly poignant in pinto poetry

[51] Franklin, *Prison Literature in America: The Victim as Criminal and Artists,* xv

and strengthened the sense of this communal identity in prison literature. Ricardo Sanchez, in his poem "In Exile" employs the use of the lowercase "i" to draw attention to communal identity. Sanchez writes:

> "and
> i write of my people–LA RAZA!–
> with pride, love, and out of need… for
> i am indelibly CHICANO.
> to justice, freedom, and humanism …
> ¡Viva la causa!"[52]

Sanchez Flavian presents an analysis of this poem, writing:

> "The line 'i am indelibly CHICANO' emphasizes the poet's singular role within the group. His aforementioned technique of capitalization unites him with his people, as the lowercase 'i' countered with the capitalization of LA RAZA and CHICANO contribute to the inversion of the individual 'i' and the collective 'we'."[53]

Sanchez draws the attention away from himself as an individual and recenters it on his identification with Chicano people. He is writing as more than an individual but as a member of a cultural group. The use of capitalization for the terms CHICANO and LA RAZA visually forces the eye to contend with them. Furthermore, the association of capitalization with importance affords these terms particular value within the text. By that same logic, ignoring the grammatical convention to capitalize "i" causes the letter to be visually subsumed and more easily skipped. Its defiance of an expected norm, however, seems to draw attention to it.

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[52] Ricardo Sanchez. *Canto y grito mi liberacion*. (New York: Anchor Press/Doublesay, 1973), 55 quoted in Sanchez-Flavian, "Language and Politicized Spaces in U.S. Latino Prison Poetry: 1970-1990," 117
[53] Sanchez-Flavian, "Language and Politicized Spaces in U.S. Latino Prison Poetry: 1970-1990," 117

Removing the capitalization from the “i” further underscores the de-emphasizing of the individual within the poem.

Jimmy Santiago Baca also contends with the individual and the communal in his poem “It’s Going To Be A Cold Winter.” In the poem, Baca recounts the violent and humiliating experience of a cell search. Guards not only tear apart the narrator’s cell and belongings but also conduct an invasive search of the incarcerated narrator’s body. Throughout the poem, Baca’s language transitions from the singular to the plural. It opens,

> “A new batch of guards, trained to sniff out
> brittle top-ends of straw brooms, packed into my cell
> this morning,” he goes on “I am placed aside.”[54]

Midway through the poem, there is a shift.

> “They ravish up my poems in folders, their eyes
> scan the blood and misery I write about that is here, the
> disrespect for our human bodies and emotions.”[55]

It is only the narrator’s cell and the narrator himself searched in this poem, he is isolated in his experience. However, it is expressed as a sort of communal experience. The - “blood and misery” the narrator references belong to the collective incarcerated population. He speaks of the “disrespect for our bodies."[56] It is worth noting that this line comes after the physical search, which Baca describesin detail.

> “one pats my legs, the pads of my
> hard feet, runs his hands beneath my balls, over my penis,

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[54] Baca, Jimmy Santiago. *Immigrants in Our Own Land & Selected Early Poems* (New York: New Directions, 1990), 6.
[55] Baca, *Immigrants in Our Own Land & Selected Early Poems,* 6.
[56] Baca, *Immigrants in Our Own Land & Selected Early Poems,* 6.

up along my ribs, under my armpits, in my ear fingers dig,
through my hair they crawl, and then, like cargo tied and
wound up with suspicious eyes, I am placed aside."[57]

It is a violating and humiliating experience that ultimately ends with the dehumanization of the narrator, who feels he has been placed aside like an object rather than a person. He extends this sense of dehumanization and humiliation to those with whom he shares the experience of incarceration. He references an attitude of disrespect and violence that permeates the interactions between guards and incarcerated people. Not only that, but the narrator, who we can assume to be Baca himself, indicates that he is recording this disrespect and humiliation in his poems and writings. The poet serves as a witness to this collective experience. Pinto poetry is hyperfocused not on the individual but on the community.

The prison literature of the 1960s and 1970s reflected an emerging consciousness of the fact that prison serves as a representation of American society. It amplifies the atrocities and inequalities of America with Chicano poets highlighting the Latinx perspective on this inequality. "The situation of Afro-Americans within U.S. society as a whole is generally reproduced in microcosm within the prisons; that is, they are on the very bottom along with other nonwhite peoples."[58]The prison organizing and abolition movements of the 1960s and 1970s ran parallel with the Black and Chicano civil rights movements and the Black Power movement. During this time, activists brought systemic racism, violence, and oppression to the fore of American consciousness. Prison organizers and abolitionists echoed these cries, drawing attention not only to the fact that these systems of oppression produced the poverty that fuels incarceration but the ways prison amplified the inequalities of the outside world. Despite Black

[57]Baca, *Immigrants in Our Own Land & Selected Early Poems,* 6.
[58]Franklin, *Prison Literature in America: The Victim as Criminal and Artists,* 234

and Brown people being overrepresented in incarceration, they experienced intense racism while incarcerated. Pinto poets echoed the statements of Black incarcerated authors and activists but grounded their critiques and analyses within the Chicano experience. In "Immigrants in Our Own Land," Baca points out that patterns of racial segregation and oppression exist within incarceration.

"So we go about our business, blacks with blacks,
poor whites with poor whites,
chicanos and indians by themselves.
The administration says that this is right,
no mixing of cultures, let them stay apart,
like in the old neighborhoods we came from"[59].

Baca studied the way prisons emphasize the reproduction of a social order that resembles what people experience outside prison. It is a social order of isolation and racial segregation, one that encourages distance and distrust. Baca emphasizes the isolation of Chicanos and indigenous people who find themselves outside the black-and-white nature of American race relations, a situation that becomes particularly precarious and isolating in incarceration.

Throughout this poem, Baca also ponders the labor which occurs in incarceration, labor he himself often refused to participate in.

"Our expectations are high: in the old world,
they talked about rehabilitation,
about being able to finish school,
and learning an extra good trade.
But right away, we are sent to work as dishwashers,

[59]Baca, *Immigrants in Our Own Land & Selected Early Poems*, 12

to work in fields for three cents an hour."[60]

These lines are richly informative on the experience of incarceration. They speak to a judicial system that advertises itself as rehabilitative but, serves and intends to serve no such purpose. But they also speak to the exclusion and relegation of people of color to menial labor. In reflecting on the poem, Patricia Sanchez-Flavian says,

> "for Baca and poets like him, poetry becomes a tool through which they contemplate and then convey disparities hidden beneath the surface of American society. Given the most menial of jobs, minorities are exploited even in the prison workforce, and the separateness of the different ethnic groups is indeed no different from that of mainstream society."[61]

Poetry becomes a means to address inegalitarian social conditions. Pinto poets illustrate the American reality of discrimination and exploitation for Mexican Americans. Baca's poem, "Immigrants in Our Own Land," plays on the idea of the American dream, which is so often sold to immigrants and Americans natives alike. But the image presented in the poem calls to mind Malcolm X's reference to an American nightmare. Baca seems to offer a Chicano perspective, emphasizing how prison intensifies existing conditions of discrimination and oppression.

In his poem "It Started," Baca draws further attention to American inequalities by referencing many incarcerated peoples' experiences of academic inequality.

> "For some,
>
> the first time in their life writing,
>
> for others the first time saying openly what they felt."[62].

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[60] Baca, *Immigrants in Our Own Land & Selected Early Poems*, 12
[61] Sanchez-Flavian, "Language and Politicized Spaces in U.S. Latino Prison Poetry: 1970-1990," 116.
[62] Baca, *Immigrants in Our Own Land & Selected Early Poems,* 38.

Baca is describing a poetry workshop within the prison. He draws on his own experience of becoming literate while incarcerated. He makes a similar point in "Immigrants in Our Own Land" when he notes that "most of us didn't finish high school."[63] In his poems, Baca draws attention to the fact that incarcerated people are more likely to come from disadvantaged backgrounds where they did not have access to or investment in their education. "U.S. Latinos have indeed historically fallen through the cracks of a conventional American education that has commonly been directed at white middle-class students."[64] Incarceration reveals the consequences of falling through these cracks. As a first encounter with poetry, and perhaps literature entirely, incarceration offers an opportunity to fill in the gaps in many incarcerated people's educations[65]. The very need to fill these gaps highlights the inequalities of American society and the ways in which people of color, particularly Chicanos, are limited in their access to and movement within institutional spaces such as education.

Ricardo Sanchez launches an equally poignant critique of the American social order in his poem "Out/Parole." Sanchez, who was incarcerated on two separate occasions, wrote this poem following his first release from incarceration. While working in factories, he compared his experiences of incarceration with the abject poverty and suffering he witnessed. He writes:

"tasting freedom,
a freedom
that even now hides;
people here
in this hideous factory,

[63] Baca, *Immigrants in Our Own Land & Selected Early Poems,* 12.
[64] Sanchez-Flavian, "Language and Politicized Spaces in U.S. Latino Prison Poetry: 1970-1990," 115
[65] The adequacy of this process is certainly dependent on the programs available within prisons which in turn depends on decisions made by state and federal governments about what incarceration should look like. Overwhelmingly, these programs are underfunded and lacking as a consequence of negative attitudes towards and perceptions of incarcerated people.

This Farah nightmare,

hate themselves

just as much as pintos do;

. . . . . .

even soledad

was understandable,

after all convicts commit crimes,

but what crimes do the poor commit

to be sentenced by fate

to toil out empty lives

in cavernous factories

that demean

what should have meaning?"[66]

Rafael Perez-Torres points out that, for Sanchez,

> "What does not make sense are the lives of these workers, worn down by poverty and drudgery who commit no crime yet haunt this 'nightmare' where the poor are 'sentenced by fate/to toil out empty lives/in cavernous factories." [67]

Sanchez adopts the dominant social perspective that incarceration is a just punishment for a crime. He argues that "even soledad/was understandable" referring to Soledad State Prison, notorious for its reputation of violence against incarcerated people. The violence of Soledad becomes justifiable when it is levied against people identified as criminals. It is an

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[66] *Hechizospells* 80 quoted in Lopez, *Chicano Timespace: The Poetry and Politics of Ricardo Sanchez* 118

[67] Perez-Torres, *Movements in Chicano Poetry: Against Myths, Against Margins*, 116-117.

understandable, if unacceptable, societal reaction.[68] Yet, he finds that the inhumanity of incarceration extends into the lives of Chicano people living in poverty. The factory workers he describes are not being punished for any crime, yet the abysmal conditions that they face suggest a punishment. Within Sanchez's poem, one finds the question: What are poor Mexican-American factory workers being punished for? The crime of being poor? Of being Mexican-American? Sanchez points to how the United States' economic and social systems level unjust punishments against marginalized people. The conditions of the factory, and the conditions of freedom come to reflect the conditions of prison. Sanchez, through his poetry, points to the way that poverty and incarceration are linked within the United States, and the conditions of poverty and incarceration are not so different.

> "The prison within Chicano poetic expression comes to represent the embodiment of industrialization, control, and technological vacuity. It stands as a quintessential product of contemporary American society, with its dehumanizing processes, its violence, its rigidity, its sterile and murderous environment. As such, pinto poetry scrutinizes the underside of American power."[69]

Sanchez further launches his identification of incarceration and the Mexican American experience in his comparison of prison to the barrio in *I Am Joaquin*. He writes:

> "I have endured in the rugged mountains
>
> of our country
>
> I have survived the toils of slavery
>
> of the fields.

[68] Here, Sanchez deviates from the consciousness of many prison organizers and abolitionists, who argued that the very violence levied against incarcerated people in Soledad, and other such prisons, dissolved the legitimacy of these institutions.

[69] Perez-Torres, *Movements in Chicano Poetry: Against Myths, Against Margins,* 115

I have existed

in the barrios of the city,

. . . . . .

in the prisons of dejection,

in the muck of exploitation

and

in the fierce heat of racial hatred" [70]

The proximate position of the barrios of the city and the prisons of dejection, and the choice of a comma rather than a period or semi-colon between the two, suggest a linking of the two locations. While Sanchez may be speaking about the barrios and the prisons as two separate sites of oppression, the poem can be taken to mean that the barrios themselves are prisons of dejection. The disinvestment in and poverty throughout predominantly Mexican-American neighborhoods creates a sort of prison, in which peoeple are trapped within structures and circumstances of oppression. Sanchez goes on to highlight exploitation and racial hatred, both of which Black prison organizers and abolitionists identified as conditions of incarceration. According to Sanchez, these are also conditions of the Mexican American barrio. Where Baca sees prison as reflecting the worst of American society, Sanchez sees American society as reflecting the worst of prison. The two authors clearly demonstrate how pinto poetry treats the prison as the ultimate American symbol. Perez-Torres notes that

> "the prisoner is the individual who has been caught twice: once in a network of criminal activity that comes from the outlaw position which dominant society configures as his or

[70] *I Am Joaquin*,19 quoted in Lopez, *Chicano Timespace: The Poetry and Politics of Ricardo Sanchez* 74

her identity, and once in a system that perpetuates processes of punishment and dehumanization."[71]

Chicano pinto poetry highlights that the incarceration process serves as the extreme of this dehumanization process. Chicanos in the United States face numerous forms of oppression and disenfranchisement. This is further continuous with the way that Chicano poets emphasize Spanish in response to the linguistic disenfranchisement of being made to speak English in educational and professional settings. The Chicano Movement also fought against economic inequalities and political disenfranchisement. These interlocking oppressions are the product of American industrialization which values productivity over human life, and American society which sanctifies whiteness and others those who do not fit into the standard of whiteness, placing less value on their lives. For Chicano poets, this violence and othering are ubiquitous, but the prison serves as a definitive and physical symbol of it. Pinto poetry, then, is constantly in and of the larger social context, launching critiques of America through the language and images of incarceration.

Pinto poetry further contributes to U.S. prison literature through its connections to immigration and emphasis on border crossing. Border-crossing is typically understood as immigration, the process in which a person physically crosses the barrier from one country into another. Many Chicano people and their families have undergone the physical crossing of the U.S.-Mexican border to enter the United States. However, the U.S.-Mexican border has itself crossed many families of Mexican descent. The Treaty of Guadalupe Hidalgo, signed in 1848, redrew U.S. and Mexican national boundaries, with Mexico ceding territory in what is now California, Nevada, Utah, New Mexico, Texas, and parts of Arizona, Colorado, Oklahoma,

[71]Perez-Torres*, Movements in Chicano Poetry: Against Myths, Against Margins,* 115

Kansas, and Wyoming [72]. People living within these states did not cross the border; the border crossed them, thus bringing them into the United States against their will. The realities of these border crossings are ever-present in Chicano literature and intersect with experiences of incarceration (as well as identities as incarcerated and formerly incarcerated people) in pinto poetry. "The violence that haunts the border finds its institutional twin in the prison system that houses migrants and Chicanos."[73] This connection between incarceration and immigration is abundantly clear in Baca's "Immigrants in Our Own Land." The poem is rife with references to and imagery of the American immigration process. He opens the poem,

> "We are born with dreams in our hearts
> looking for better days ahead.
> At the gates we are given new papers."[74]

On the surface, these lines could easily be in a poem about immigration. The language of dreams calls to mind the rhetoric of the American dream often promised to immigrants. The idea of new papers calls to mind visas and immigration papers. The poem opens with the sense of voluntary movement in search of a better life. Later in the poem, Baca comments that "some of us were craftsmen in the old world," further referencing the language of immigration.[75] The idea of America as a new world juxtaposed against an old world is especially common in conversations around Ellis Island and European immigration. Nineteenth century Europe is often envisioned as an old world and America as its modern counterpart, offering unimaginable possibilities and opportunities to immigrants; however the dichotomoy of an old and new world is applicable to any nation from which people emigrate to the United States. Baca goes on to say that

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[72]Treaty of Guadalupe Hidalgo [Exchange copy]; 2/2/1848; Perfected Treaties, 1778 - 1945; General Records of the United States Government, Record Group 11; National Archives Building, Washington, DC
[73]Perez-Torres*, Movements in Chicano Poetry: Against Myths, Against Margins,* 115
[74] Baca, *Immigrants in Our Own Land & Selected Early Poems,* 12.
[75] Baca,*Immigrants in Our Own Land & Selected Early Poems,* 12

"we came here to get away from false promises,

from dictators[76] in our neighborhoods."[77]

Baca suggests incarceration as a sort of escape, an alternative to neighborhood violence and the economic suffering of false promises. Just as Black incarcerated activists in the prison organizing and abolition movements saw crime and incarceration as the consequences of poverty and racism, Baca seems to see incarceration as a consequence of this poverty. It is the ultimate emigration from a fraught situation. Although incarceration is not voluntary immigration, it is a migration that often emerges from desperate social and economic situations. The official American rhetoric of prison as a place of rehabilitation further supports this notion of connecting immigration and incarceration. Baca references dreams and notes that:

"Our expectations are high; in the old world,

they talked about rehabilitation,

about being able to finish school,

about learning an extra good trade."[78]

At least externally, prison offers some sort of hope and alternative to poverty. If incarceration has the goal of rehabilitation, it adopts a desirable facade. It becomes a potential site of upward mobility because it provides distance from a dangerous situation and the possibility of learning an employable trade. In reality, as Baca illuminates throughout his poem, this is not the case. Incarceration becomes a forced and failed migration, one which leads only to further marginalization, stigmatization, and suffering.

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[76] The term dictator calls to mind global politics, yet Baca essentializes it to the level of the neighborhood. It is worth noting that the term dictator also calls to mind Latina/o immigrant experiences in the American subconscious. Although Latina/o immigrants are certainly not the only immigrants whose immigration is the consequence of a dictatorship or political instability, nor do all Latina/o immigrants immigrate due to the presence of a dictator, there is a significant perception, in the United States popular culture, of political instability fueled by American interventionist policies in Central and South America.

[77] Baca, *Immigrants in Our Own Land & Selected Early Poems,* 12.

[78] Baca, *Immigrants in Our Own Land & Selected Early Poems,* 12

Baca finishes the poem in despair.

"But in the end, some will just sit around

talking about how good the old world was…so very few make it out of here as human

as they came in, they leave wondering what good they are now

as they look at their hands so long away from their tools,

as they look at themselves, so long gone from their families,

so long gone from life itself, so many things have changed."[79]

Ultimately, incarceration constitutes a forced migration and alienation. Incarcerated people are forcibly relocated away from their families, their communities, and their work. They enter into a foreign world, much as immigrants do. The dislocation that immigrants experience is echoed in incarceration and intensified in that the migration of incarceration is an isolated and isolating experience. And there is no elective option to return to the so called old world. Baca deftly interweaves images of global immigration to America to construct an image of the incarceration experience that is tangible to readers. He uses the promises of immigration to further compound his disillusionment with the criminal legal system and incarceration.

The migrant is an essential figure in the Chicano literary canon who can be found outside the traditional narrative of immigration and migration; in particular, the experiences of the migrant are echoed in incarceration. According to Perez-Torres, "The migrant within Chicano poetic imagination asserts dignity and empowerment despite the displacement, dispossesssion, and exploitation involved in migratory life."[80] Incarceration offers a different image and form of displacement. It is a forced migration which does not end in the finite experience of being incarcerated. Formerly incarcerated people are denied the full citizenship rights of those who

[79] Baca, *Immigrants in Our Own Land & Selected Early Poems,* 13.
[80]Perez-Torres*, Movements in Chicano Poetry: Against Myths, Against Margins*

have not been incarcerated. "Numerous measures have been passed that cumulatively exclude millions of former prisoners from political, social, and economic participation in society."[81] These measures restrict formerly incarcerated people from accessing anything from welfare programs and student loans to employment opportunities and public housing, depending upon the state in which they reside. Further, "nearly four million people have lost their right to vote because of felony convictions– democratic rights are a permanent casualty of the war on crime."[82] Formerly incarcerated people in the United States become, in a sense, immigrants in their own land. They are fundamentally separated from those who have not been incarcerated (and fundamentally separated from their former selves) by nature of a lack of access to basic citizenship rights. This lack of access produces a sense of isolation and dislocation. Formerly incarcerated people belong to a separate American society, one that is marked by absence and loss. Just as the migrant must assert their dignity in the face of transnational displacement, the formerly incarcerated individual must assert their dignity in the face of intranational displacement.

A further connection Chicano literature draws between immigration and incarceration is the experience and consequences of presumed guilt and criminality. Lisa Marie Cacho argues that

> "because undocumented immigrants are marked indelibly 'illegal' across various institutions, mobilizing support for undocumented immigrants' rights requires negotiating accusations of criminal intent… Because being an 'illegal alien' is essentially a de facto

[81]Linda Evans, "Playing Global Cop: US Militarism and the Prison-Industrial Complex," in *Global Lockdown,* ed. Julia Sudbury (Routledge, 2014) 219.
[82] Evans. "Playing Global Cop: US Militarism and the Prison-Industrial Complex,"219

> status crime, undocument immigrants' 'illegal' status renders their law-abiding actions irrelevant."[83]

Defining an entire group of people as legal or illegal on the basis of their immigration status has consequences for how those individuals are perceived. The denotation of someone as "illegal" renders them guilty, and renders any treatment of them as just punishment for a crime. A person who is inherently illegal or criminal is worth less consideration than someone who is inherently legal and, therefore, non-criminal. Injustice is excused when those harmed by the injustice are considered to be "illegal aliens" or nonpersons. It is this attitude towards illegality, this adoption of a moral high ground that allows for brutal family separations and exploitative labor practices. This same assumption of illegality is at play in incarceration. The conditions of prisons and jails are often violent and inhumane, as evidenced in the poetic work of many Chicanos. Incarcerated people, whether found guilty at trial or having pleaded guilty, are labeled as guilty and criminal. As a result, their incarceration and the conditions of this incarceration are considered to be just punishment for a crime. Applying a label of guilt allows those who are not impacted by incarceration to separate themselves from those who are; they are not guilty, and therefore they do not need to consider the conditions of incarceration. Moreover, people who are incarcerated have "done this to themselves" and therefore, the consequences they suffer are justified. Just as language around legality and illegality allows for a lack of sympathy for certain immigrants and a justification for inhumane treatment, the language of guilt and "criminal justice" brings forth complacency towards dehumanizing conditions and disregard for those caught within the criminal legal system. The pinto figure is in a unique position of close proximity to the realities

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[83] Lisa Marie Cacho, "4. Immigrant Rights versus Civil Rights" in *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected*, (New York, USA: New York University Press, 2012), 117

of both incarceration and immigration (either through personal, familial, or community influences) and can bring these realities into the conversation.

Sanchez also depicts the pinto, particularly the pinto after his release from incarceration, as a migrant figure. Following Sanchez's release from Soledad State Prison, he returned to El Paso and sought work to support his family. He was ultimately unsuccessful and returned to prison for armed robbery in Texas before being paroled in 1969.[84] Miguel Lopez describes Sanchez's discomfort following his release staying in El Paso. He quotes Sanchez "It was a perilous moment, for my parole officer wanted arbitrarily to revoke my parole. He disagreed violently with my coming back home– and more so with my involvement in the Movement and with my writings."[85] Sanchez's concern, that any action or infraction, could threaten his parole and freedom calls to mind Lisa Marie Cacho's analysis of the experience of undocumented immigrants. Cacho notes that the term "illegal" when applied to immigrants filters their lives through this lens of illegality, they become criminal in their very existence as undocumented.[86] Sanchez understood that, having been incarcerated twice, his parole officer regarded all his actions through this lens of criminality. He would be constantly looking to confirm his perception of Sanchez as a criminal and return him to incarceration. Lopez notes that "the parolee was thus forced to make a quick transition *between* two timespaces, from the stagnation and confinment of *la pinta* to its opposite extreme, a life of constant movement on the 'migrant stream.'"[87] In a poem dated March 10, 1969, just days before his release from prison in Huntsville, Texas, Sanchez writes:

"... and I mean it

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[84]Lopez, *Chicano Timespace: The Poetry and Politics of Ricardo Sanchez,* 117
[85]Lopez, *Chicano Timespace: The Poetry and Politics of Ricardo Sanchez,* 117
[86] Cacho, "4. Immigrant Rights versus Civil Rights," 117
[87] Lopez, *Chicano Timespace: The Poetry and Politics of Ricardo Sanchez,* 117

when I say

that serving raza

is my answer

for the reason to my being;

if we have to burn

or shout or sing

or act or whatever

we have to do

to make our freedom real,

i am ready,

and so are other pintos,

but if the movement is a game

and hucksters are hustling

all our people

just to make themselves look big

or get more money

by pimping off the people,

then i'm also ready

to just go back to criming,

to looking and conniving,

for a pinto has no future

in this gringo/sordid world."[88]

This poem bears significant analysis. The final lines "for a pinto has no future/in this gringo/sordid world" point to the central problem Sanchez would later identify with his parole officer, and his ultimate impetus for leaving the barrio in El Paso to travel across the country. The pinto is permanently branded as a criminal. To be formerly incarcerated is to be the constant subject of suspicion and assumptions of criminality. Just as the undocumented immigrant's lawful actions are negated by their status as an undocumented immigrant, the formerly incarcerated person's lawful actions are negated by their criminal record. Sanchez notes that there is no place for him in "this gringo/sordid world" referring a society which is predominantly white and middle-class. As a formerly incarcerated Mexican American, he is dually marked as an outsider.

In this poem, Sanchez also notes that activism within the Chicano Movement is his reason for being. It is this work he sees as making "our freedom real." Sanchez does not equate freedom from prison with absolute freedom. Although he does not specify exactly who he means when he says "our freedom," it can be inferred that he is referring to fellow formerly incarcerated and potentially all Mexican American people. The conceptualization of freedom from incarceration as an incomplete freedom further points to the ways in which incarceration constitutes a sense of migration. Sanchez's citizenship status changed as a consequence of his incarceration, he became, as Baca would say, an immigrant in his own land. He had lost access to basic rights and employment opportunities–this lack of employment opportunities is abundantly clear in his inability to secure work in the periods between his incarcerations. Sanchez felt the loss of his freedom acutely, and this loss was not ameliorated by his release from prison. Rather,

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[88] *Hechizospells*, 83 quoted Lopez, *Chicano Timespace: The Poetry and Politics of Ricardo Sanchez,* 117-118

the permanency of this loss became more poignant, and he became engaged in work to try and change this. For Sanchez, this work led to extensive travel. Both his concern around his parole officer's eagerness to revoke his freedom and his work as a Chicano activist led Sanchez to move frequently throughout his life, becoming what Lopez characterized as a "migrant intellectual."[89] Here, migrant refers to an internal migration throughout the United States. However, the sense of transience and dislocation remains. Prompted by his experiences of incarceration, and his sense of a loss of safety and security in his home of El Paso, Sanchez adopted this migrant lifestyle. Thus he physically embodied the conditions of insecurity and dislocation that many formerly incarcerated people encounter moving out of incarceration. Although their migrations might be more metaphorical, a change in their access to citizenship rights or societal statuses from before their incarceration, Sanchez's migration was both physical and metaphorical.

The Chicano Movement, which ran parallel to prison organizing and prison abolition movements made significant contributions to the changing genre of United States prison literature in the 1960s and 1970s through the pinto subgenre. The work of two particular poets of the pinto subgenre, Jimmy Santiago Baca and Ricardo Sanchez, was particularly influential in understanding the contributions of Chicano literature to U.S. prison literature. The prison organizing and abolition movements, which were headed primarily by Black incarcerated and formerly incarcerated activists drew attention to the ways in which race and class contribute to the understanding of crime and guilt. They argued that incarceration is largely a function of a racist society and that the conditions of incarceration are a microcosm of the larger American society. Within the pinto subgenre, Chicano poets built upon this perception of incarceration but located their critique within their Chicano experiences. Jimmy Santiago Baca pointed to educational and economic inequities experienced by Mexican American people and Ricardo

[89]Lopez, *Chicano Timespace: The Poetry and Politics of Ricardo Sanchez,* 119

Sanchez focused on the incarceration as mirroring poverty. Chicano poets in the pinto subgenre also drew on the ever-present reality of immigration and border-crossing to make sense of incarceration. Baca's poetic work points to incarceration and immigration as parallel realities. The dislocation, displacement, and disenfranchisement of incarcerated and formerly incarcerated people constitutes a sort of immigration experience. Sanchez's own experiences of migration following incarceration point to the ways in which formerly incarcerated people immigrate to and occupy a second American society, one marked by insecurity and absence. The emphasis on collectivity present in Chicano writing further contributed to the emerging state of U.S. prison writing. In their poems, Baca and Sanchez, decentralize the personal for the sake of the communal. This community includes their identity not only as Chicanos but as incarcerated and formerly incarcerated people. Alongside these contributions, a further benefit to the consideration of pinto poetry in considering the changing face of prison literature in the United States in the 1960s and 1970s is the fact that it is produced by Mexican-American writers. Throughout U.S. history, race has often been considered in black and white terms. Latina/o people are consistently excluded from conversations around race. The 1970 U.S. Census asked for a person's "color or race" in question four, offering potential answers of "White, Negro or Black, Indian (Amer.), Japanese, Chinese, Filipino, Hawaiian, Korean, or Other."[90] Mexican Americans would have to choose between identifying as white, despite living in a world of racial and ethnic discrimination which continuously reminded them they were not white, or at least, not white enough, or identifying as other, and filling Mexican American in themselves. In 2020, the Census asked whether a respondent was of "Hispanic, Latino, or Spanish origin" but still did not

[90] "1970 Census," Decennial Census of Population and Housing Questionnaires & Instructions, United States Census Bureau, last modified November 23, 2021, https://www.census.gov/programs-surveys/decennial-census/technical-documentation/questionnaires.1970_Census.html

include Hispanic or Latino as racial identifiers.[91] Mexican American people have always been excluded and ignored in official American discourse around race and racism, therefore it is essential to draw out the voices of Chicanos explicitly. This is directly accomplished through considerations of pinto poetry. While many of the sentiments and experiences in pinto poetry are present across prison writings produced by writers of color more broadly, pinto poets articulated experiences specific to the Mexican American incarcerated experience. They filled an absence in the American conversation around race and asserted their voices and filtered their commentary and experiences through the lens of their ethnic and racial identities. Pinto poetry thus builds upon the prison literature produced by Black writers and activists, contributing to a robust genre.

Bearing in mind the significant contributions of Chicano writers to prison literature in the 1960s and 1970s and their intersections with the work of prison organizers and prison abolitionists, it is worth noting that neither the Chicano Movement nor prison organizing and prison abolition movements have seen definitive ends. To this day, many Mexican American people assert Chicano identities and a number of incarcerated, formerly-incarcerated, and non-incarcerated activists are working tirelessly towards aims of prison reform and prison abolition in a variety of ways. Work is continuously being done at the intersection of incarceration and the Mexican American identity, consequently, we must continue to engage with this work and build upon the definitions of prison literature drawn from the 1960s and 1970s. Prison literature is a body of work that is constantly expanding and, due to its size and diverse voices, eludes clear explanations. However, the insights of the 1960s and 1970s put forth in this paper offer a valuable point of entry into prison writing in its contemporary forms.

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[91] U.S. Department of Commerce, Economics and Statistics Adminstration, U.S. Census Bureau. 2020 Census, 2020. https://www2.census.gov/programs-surveys/decennial/2020/technical-documentation/questionnaires-and-instructions/questionnaires/2020-informational-questionnaire.pdf

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