

3 Positions Against Prison

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The following is a brief but thorough statement on prisons and those who would contest them. It offers a broad critique of many commonly-held assumptions and positions that could characterize leftist and anarchist political practice with regard to prison and prisoners. In particular we chose to reprint the article here (it originally appeared in the magazine *Fire to the Prisons* #10) because of its poignant criticism of the prison “abolitionist” movement which has grown in the last few years.

While we recognize that not all prison abolitionists are the same, this movement has predominantly portrayed itself as an attempt to “shrink” the Prison-Industrial Complex into non-existence while gradually replacing the prison with other less brutal (but, inevitably, state-controlled or sanctioned) institutions. This means not so much the disappearance of prisons but the permeation of their mechanisms (constant surveillance, the militarization of police, etc.) throughout all of society. It indicates not prison abolition but prison ablation: the removal of one aspect of an oppressive body politic while all the structures that gave rise to it remain.

Unfortunately, some anarchists have taken up not only the rhetoric of the prison abolitionist movement, but even its methods: policy campaigns, the negotiation of demands, the separation of political from social prisoners, appeals to amnesty and innocence, the avoidance of engaging with actually rebellious prisoners on the inside. In other words, those tactics characteristic of a gradualist approach.

As revolutionaries, we believe there are other options. As demonstrated by recent waves of demonstrations outside jails and prisons which declare proudly “Free All Prisoners,” not to mention the massive strike that shook Georgia prisons last December, or even the repeatedly successful attacks upon immigrant detention centers in Italy, there are other ways to attack the prison that do not necessitate capitulation or ablation. We print this in the hope that such methods will spread, and the ideas behind them will find good soil in which to grow.

– the NC Piece Corps

Take your Mark, Get Ready, Ablate: 3 Positions Against Prison, by August O’Clairre

1. There are no political prisoners, only prisoners of war.

“I am not a crook.” – Richard M. Nixon

Between the realm of criminality and that of the political there is a wide chasm. Politicians make the law, criminals break it. In this context, the idea of the political prisoner emerges as a contradiction in terms. In fact, the contradiction is so fundamental that it forms the basis for many appeals for the liberation of political prisoners. The argument is made that political prisoners are a special class of prisoner who are not criminals at all, but people who engaged in legal political action.

This is one understanding of a political class of prisoners – they have not infringed upon the law, but rather the law has been wielded against them in order to prevent their political activity. The reason political prisoners exist is because revolutionaries are a threat to the law as it exists,

and the law imprisons them out of its own self-interest. This understanding is most applicable prisoners who are clearly innocent – Leonard Peltier, Mumia Abu Jamal; in the United States, the list is not long.

But while the image of innocence is appealing to those who love the law, and although the air of innocence is routinely deployed in campaigns to defend comrades who have committed crime, this notion of innocence makes no stab at the law which decides innocence and guilt. The law not only acts in its own defense, it also ensures that revolutionaries commit crime. So revolutionaries outline a theory of illegal morality – in order to change the law, one must break the law. Criminality, then, is not an inherent desire of the revolutionary, but a condition placed upon her by the state. Political prisoners are not only composed of the innocent, but also of people who broke the law for the “right” reasons. They are prisoners of war. Defined in this way, the list of prisoners of war remains small – one hundred prisoners in the United States, give or take. One half of one hundredth of one percent of the incarcerated population.

The categorization of political prisoners as revolutionaries who have committed moral crimes does not appeal to those who love the law, but it resonates with individuals who take sides in a war to change the law. The demand for the release of a prisoner of war cannot be based on innocence, and so it is based on amnesty. Amnesty is the process of releasing of prisoners who have been taken hostage during a war between states, after the war has ended. It is remarkable how easily the practice of amnesty can be translated to prisoners of a war within a state, particularly when the prisoners considered themselves a different nation or sought through revolution to establish a new government. Although the revolutionary war is a civil war, it is fought between two states – one established, and the other in attempted uprising.

Political conflict is always fought between states that are either existent or revolutionary. A conflict in which the insurgents are not a government-in-rising themselves – if we can imagine such a conflict – would not be called political conflict, but social war. Social war is the expanded form of class war; class no longer marks the limits of social struggle, if it ever did.

Amnesty is an inherently defeatist position to take, one that is contingent upon surrender. In order for prisoners of war to be released, the war must be over, the prisoners no longer combatants, and they must be released into a climate of social peace, a peace their comrades will maintain.

The approaches of innocence and amnesty shouldn’t draw a knee-jerk criticism, but rather should be placed in the context of the politics from which they are derived – a politics that appeals to those who love the law, and a politics of war between different forms of government. Without passing judgment on the former approaches, let us say that they fit their positions, and then consider our own position. Specifically, we should look again at the distinction between political conflict and social war.

“Al Sharpton... You’re... a little more political, and that just means you’re a little more inhuman, than us humans. Ha!” – ‘Lil Wayne

‘Lil Wayne said it best – to be political is to be a little unhuman. That is nothing to be particularly ashamed of, for it is a pervasive condition in society. Capitalism makes us all unhuman, to be a man is to be a little unhuman, to be a woman is to be a little unhuman, to be white, to be a worker, to be a homosexual. The social order is constructed so that we each have our place, our roles, identities. These are political formations. It is a political formation that the anarchist exists as an identity and, therefore, as a tiny segment of society.

Politics is the discourse of power. Perspectives and tactics vary widely, but it is the same discourse that contains them. The political individual, then, is a person with a plan for society. Plans and programmes may threaten the existing power form, but they are not a serious threat to power itself. In the event of social upheaval, the politicians can be counted upon for a platform, leadership, and ultimately the restoration or maintenance of state and capital. When the existing politicians are unpopular, different ones are on hand, and if the social upheaval is radical enough, there will be some radical politicians who become well-positioned for a grasp at power as the vanguard or representative of the people. From the perspective of the social order – which is to say, not the specific forms of power that come in and out of dominance, but of power itself – the revolutionary politician is a last line of defense, a fail-safe in upheavals that would otherwise be most devastating.

Discourse. A bomb is placed at a building of the Federal Bureau of Investigations, but its blast does not speak for itself, because its engineers also crafted a message and sent it to the media outlets, denouncing the evils of the agency and making demands. As an action, one might say, nothing could be more radical than a bombing; yet the action remains within the context of a negotiation with power. Indeed, the political dialogue between parties that makes up the social order could hardly exist without some fringe groups planting bombs, so close are negotiation and violence to its heart. The fringe group does not have access to the political spectacle enough to proliferate its messages that way, and so it makes a spectacle of itself. It is unable to stand within the halls where formal negotiation takes place and routine violence is deployed, so it deploys spectacular violence as informal negotiation. Its demands may be wildly improbable and far too radical for the platforms of government, and yet it has “made its voice heard.” The tactics we employ, from discussion to bombing, are irrelevant compared to a question of what they aim towards – the restructuring of power or its dissolution?

On the one hand, there is the question of power and how it ought to be structured and maintained, and on the other there is the question of whether it ought to be structured and maintained at all. Political individuals engage in the former question – the discourse of power and political struggle. Everyone is involved in the latter question – the discourse of biopower and social war.

Biopower is the intersection of power with our bodies, resulting in their subjugation, management, and control. Its discourse, then, is not of the kind heard in the halls of Congress, but that between ourselves and police, politicians, activists, managers, lawyers, judges. Also in the spaces between our bodies, our bodies and machines, our bodies and the school, hospital, prison and workplace.

“All prisoners are political.” – various

There exists a third definition of political prisoners. As the movement for prison abolition has grown on the Left, there has been a tendency to radically expand the bounds of who are designated as political prisoners. And a radical new phrasing has been inscribed in the pages of the Leftist Bible: “All prisoners are political.” It is a kind gesture, but only because it is made by people for whom the label ‘political’ is a compliment. Perhaps we should have first asked the prisoners if they wanted to be political. What, and stop saying ‘bitch’? What word could be more degrading than ‘political’ to apply to people without their consent?

This tendency seems to overlook that the original reason for describing some prisoners as political was to illuminate our bonds of affinity – to identify prisoners of a war that we are

fighting on the same side of. There are Nazis behind those walls. Let them free, certainly – the better to crack their skulls – but surely we can express our desires without expressing solidarity with our enemies.

“Any movement that does not support their political internees ... is a sham movement”
– Ojore N. Lutalo, anarchist and former prisoner

And now we come to the crux of it. The recognition that prison is bad for our friends, the disgust and anger we feel at the incarceration of people we care about, is the grounding for any desire to do away with prisons entirely. Underlying the various classifications of “political” prisoners is an urge that is human and natural – the urge to support our imprisoned comrades, as well as the recognition that they are often treated more harshly by the state because of their position in war. We have no shit to sling at solidarity, only at the hordes who have wrung that word dry of every drop of meaning it once had, and at the idea that this practice is inherently radical.

In fact, solidarity has nothing to do with what side one is on, and everything to do with the understanding that one is on a side – that is, at war. For anyone who comes to life as in a state of war, there is nothing more natural than to support their comrades in prison. While some anarchists are regrettably devoid of a practice of solidarity with their imprisoned comrades, that serves as a reasonable indication of their position toward war as well as friendship. Either they witness no war, or they do not seem themselves in it, or they do not see prisoners as their comrades. So it goes.

There are many prisoners of war, and their nations have their backs as a matter of course. From the POW/MIA flags one sees flying at veterans’ posts across this nation, to the revolutionary solidarity with prisoners of the Irish Republican Army, to the Cuban Five freedom campaign, to the prison support networks of the Nazis and the mafia, everyone supports their family, their nation, their army.

Some of us, however, are fighting a different kind of war. One in which we are not fighting for a nation, an ideology, or political power, but in a struggle to destroy all of those. A war that is qualitatively distinct. The only war that could not only free our own prisoners of war, but destroy the prisons.

In the war against all that, we do not perceive criminality as the infringement of just law, nor as a necessary and just means to revolution. Crime is anti-political desire, our engagement in rediscovering our bodies and living energy. Insurrection will never be the political activity of revolutionaries, for it is the criminal activity of becoming human.

2. There is no prison, only imprisonment.

“Disneyland is there to conceal the fact that it is the ‘real’ country, all of ‘real America,’ which is Disneyland (just as prisons are there to conceal the fact that it is the social in its entirety, in its banal omnipresence, which is carceral).” – Jean Baudrillard

“Is it surprising that prisons resemble factories, schools, barracks, hospitals, which all resemble prisons?” – Foucault, Discipline and Punish

Prison is not a discrete place; its force and logic are distributed across the metropolis. Put another way, there is a place that is prison, and then there is a tendency, a way of managing life, that is prison. The place and the tendency are not two, but one. Macrocosm, microcosm. To speak of prisons as if they were separate from the rest of society is to equivocate. What we call prisons are a node in the prison-metropolis that are indicative of how the metropolis functions as a whole, and without which the rest could not function. Prison is a totality – something that one cannot escape from, but only shift positions within.

One's position in society corresponds to vastly different degrees of freedom. There is the difference between being in prison or being free. Differences in probation and parole status, differences in citizenship and documentation, social class, gender, race. Meanwhile inside the prison there are power relationships between inmates, guards and other authorities, there are hierarchies of every sort, and there is the "prison within the prison" – solitary confinement, the hole.

No matter where one is located in free society, with some rare exceptions made for the powerful, one exists under the threat of prison. Prison is a Judgment Day which, like the trumpet of the archangel, could be sounded at any time, but feels nearest during acts of sin. We are controlled through the existence of prisons because we are not in them. With the threat of incarceration comes a sense of the precarity of one's freedom, which can invoke the desire to *carpe diem*. And so the escaped convict lives wildly in freedom while her risk of imprisonment is highest; and so the prisoner with a life sentence feels he has nothing left to lose. But the majority occupy a space that is neither the heaven of being on the lam nor the hell of being condemned, but a pale grey limbo in which the desire for somebody to do something is constantly felt and constantly deferred. This is the total incarceration of the population.

The mechanisms of prison creep across the metropolis. Through architecture, psychology, and technological force, prison has perfected the control of movement, the management of time, the neutralization of threats, the universalization of surveillance, the separation of public and private space, the breaking up of life into a series of functions deemed essential – sleep, consumption of food, physical exercise, work, religious practice. These have become familiar to 'free' individuals. We do not need to rely on experts and research, for we know prison all too well.

After a recent prison riot, the experts published a study declaring the prison food was the cause. We know that it is not food, but hunger that causes prison riots.

There are other names for the pervasive condition of incarceration. Capitalism: a system of social relationships through which life is reproduced into deadness, or non-life. On the physical level it produces commodities from living beings and the earth; temporally, it turns life into labor ("Capital is dead labor" – Karl Marx); on the level of relationship it creates the spectacle from the 'unity-of-life' ("The spectacle in its generality is a concrete inversion of life; and, as such, the autonomous movement of non- life." – Guy Debord). Politics: the discourse of power that makes us less than human. Politics, prison, and capital: agents in the production of deadness.

3. Prisons cannot be abolished, only destroyed.

"Burn, baby, burn" – rioters in Warkworth Canada shouting as their former prison went up in flames

Without resorting to prophecy, it is arguable that the state could abolish prisons in a way that would not only continue its existence but restore its health.

Let it not be said that what follows is a critique of abolition as reformist; the thrust is something altogether different. Here is what can be said of the old dichotomy between reform and revolution. In place of the claim that reform prevents revolution, it would be more accurate to propose that there is normality, and then there are cracks that appear across its surface. In each insurrection we know of, the so-called revolutionaries did as much to contain, police, squash, or seek to lead the insurrection as any reformist. That is not to say that individuals who desire insurrection cannot open spaces of insurrection, but that in the process, we must confront ‘revolutionaries’ along with ‘reformists’.

It is said, “shit happens”; well, reform happens. Let us be clear: if the state offers the abolition of prisons, or the release of a few thousand prisoners, no one is going to lock himself back up in his cell. To do so would be stupid. We’ll take what we can get. Shorter sentences, longer chains, food that almost resembles food. Lovely. Only a fool would reject reforms.

But we would reject prisons. We do not intend to spend our lives asking for things from the ones who took everything from us. It is not only against the interest of our jailers, it is not even in their power to give us what we want, because we want our lives back. We will get what we can take. Only a fool would accept reformism.

The social order changes things as it sees fit. Free a few thousand prisoners to reduce the overcrowding that can lead to riots. Build a new jail. The budget is tight, though, and it is expensive to maintain prisons. There will be a focus on rehabilitation and restoration more than punishment; meanwhile, prisoners will be transferred to privately-owned facilities, because the government can pay a corporation less per head than they do to run their own prisons, while the prison owners still turn a profit. Certain substances will be decriminalized. The sentencing for ghetto drugs will remain harsher than for their white suburban forms. These are games to them. They are playing with our lives, moving us around like pieces on a chess board. They carefully consider every move, not because they care, but because they want to win the game.

One and a half centuries ago, slavery was abolished by the United States government. This followed an enormous social struggle over abolition – wars were fought between pro-slavery elements and abolitionist elements. There were slave revolts and armed uprisings. The government intervened. And the Thirteenth Amendment ever-so-neatly includes a loophole allowing for the enslavement of prisoners (“except as a punishment for crime whereof the party shall have been duly convicted”). Moreover, the economic system of chattel slavery was replaced with indentured servitude and industrial wage labor – which the Northern capitalists were struggling to proliferate. So today, we have slavery, although slavery has been abolished. The structures of society that required slaves have remained intact. And in one hundred years, prisons may be abolished, but we will still have prisons as long as capitalism remains intact.

So if we learn a lesson from this, we should not struggle for another Emancipation Proclamation, for abolition granted by the state. Many abolitionists would deny that that is what their struggle aims for; others would openly admit it is – they say, “I am not an anarchist, but an abolitionist.” The repetition of old gestures is executed with precision.

“Even if prisons were transformed from human storerooms into luxury hotels, even if the prisoners of all prisons are satisfied with ‘reduced sentences,’ even if the everyday beatings of prisoners are replaced by sly agreements and assimilated by correctional

policied in accordance with the 'human rights' model, even if the 'white cells' turn 'pink,' and heroine gives way to methadone we will remain forever enemies of any structure that denies us our freedom." – anonymous

The argument has been made that prison cannot be abolished without the abolition of the entire system of law, production, control, and so forth. If we define prison in its totality, the argument stands not only as true but as a truism, since prison includes all of those. But the abolition movement defines the prison as if it was a blot on the perfect society, a cancerous tumor that could be cut away. We seem to come together on the common urge to do away with prisons, but in actuality the foundation is being laid for a betrayal. If to abolitionists prison is only a place, then prisons can indeed be abolished separately from the rest, like slavery, at least in name.

If the abolition movement succeeds we may see a world without prisons, in which we are yet locked up. Imprisonment will have changed form, changed name; like slavery, we will say that it does not exist anymore, but control must be established nevertheless. How could this be managed? Social control would be deployed through advancements in surveillance, policing and architecture- -essentially, the mechanisms of the prison diffused through all sectors of the metropolis – while the prison population would be drastically reduced by decriminalizing certain crimes and instituting alternative sentencing. People who had spent the last ten or twenty years behind bars would be released into the streets, only to find that the world outside appears and feels more like prison than it used to. Eerily, George Orwell's 1984 describes a society without prisons – that is to say, a society existing as a single large prison.

And yet, even the subjugated population has its outliers. The main character of Orwell's narrative is arrested, and instead of imprisonment he faces a process of politicization. So it must be with the 'abolition' of prison. As the general population comes under greater control and decriminalization, overseen by nicer police and friendlier government bodies that facilitate a restorative justice process between parties, there will still be a sector of humanity who make war on society and refuse to participate in systems of social control. When populations of sex workers, people of color, and drug users are decriminalized, with assault and property crimes managed through restorative justice, the true criminals would come out in starker contrast – the outlaws, the rebels, the pirates. They must be dealt with. So prison can be abolished in such a way that the trouble-makers are still locked away in an institution that isn't called prison, or undergo 'treatment' and are reintegrated into society, while the rest of us live in a different kind of prison.

The "prison abolition movement" that is viewed as a radical social movement today, is set to become the establishment of tomorrow, to the extent that the Left is able mobilize its forces more effectively than the Right and if such changes are in the interest of maintaining or increasing production and social control. The project is already under way, from the house arrest and ankle GPS monitor to the Breathalyzer in the automobile, to the decriminalization of marijuana in some states and that drug's establishment in legitimate markets, to the reductions in prison populations under the stress of budget shortfalls and prison riots. The abolitionist argument, "look how the prison population has grown in the past thirty or forty years" has already become obsolete as states begin to cut back their prison populations to balance their budgets. It is one thing to resist the growth of prisons; it is another to desire their destruction even while they are shrinking.

Abolition is framed, like all social movements, by quantitative goals – capacity building, prison-reduction campaigns, and the abolition of prison as achievable in so many years. Campaign

goals include decreased sentences, early release programs, decriminalization, alternative justice models. Steps in the right direction. Small changes that reduce total prison populations. The logic is that we can numerically reduce prisons out of existence, or on the flip side, that we can numerically build a movement that is large and efficient enough to abolish them.

The same quantity-driven movement would claim that the destruction of a prison by fire is not effective. The prisoners will be transferred, the dormitories rebuilt, there will still be prisons. Instead of creating concrete solidarity through outside revolt, activists would willingly use the prisoners' riots as a means to an end. They say, see, this riot shows that the prisons are overcrowded and we demand some inmates be released early. It is unfortunate that such a thing had to happen, they reason, but it is worth getting our message into the media, because that will get us closer to our goals, which we know are in the prisoners' and society's best interests.

They are right that there will still be prisons. But for what reasons do prisons persist? Is it because prisoners set fire to them, or because insurrection is not sufficiently generalized?

The prisons are being destroyed, right now. Prisoners around the world are taking every available opportunity to make holes and set fires, to sabotage cameras and take guards hostage. Of course there is also stillness, inertia, falling-into-line, but beneath the sound of feet falling in rhythm are the odd sounds of the scratching of a knife, the turning of pages, and the tinkering of wire against an electrical socket; following that, the distinct sound of an electrical spark is heard, and the scent of something burning wafts through the air...

It is not enough – and what's more, it is not a joyful approach – to gradually empty the prisons of the prisoners through new social programs and campaigns, letting their shells stand hollow. The silhouettes of empty prisons would stand as reminders of a grave mistake, but we would never be free. Let us seek the feeling of a prisoner taking a sledgehammer to her cell.

There is a story that comes from the occupation of the abandoned Alcatraz prison island by the Indians of All Tribes between 1969 and 1971. We do not know where this story came from or if it 'really' happened, only that it has taken root in our minds. According to the legend, one of the people involved in the occupation had been imprisoned at Alcatraz in his earlier years. When he arrived on the island, he searched through the prison for some time and eventually came to the cell in which he'd been locked up. Taking up a sledgehammer, the man destroyed the walls of the cell, block by cement block. It was hard work, and he was many years in age, and by the time he was done he was exhausted. He put down the sledgehammer and sank to the ground, with the ruins of the old cage around him.

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