PRISON

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“The starting-point of critical elaboration is the consciousness what one really is, and is ‘knowing thyself’ as a product of the historical processes to date, which has deposited in you an infinity of traces, without leaving an inventory.”

--Antonio Gramsci, Prison Notebooks (1929-1935)

Taking a broad inter-disciplinary approach, this course embraces the longue durée of critical prison studies, questioning the shadows of normality that cloak mass incarceration both across the globe and, more particularly, in the contemporary United States. While speaking very directly to the prison system, this course intends to reorganize the logics of an institution we commonly accept as the reasonable destination for those identified as “criminal”. As an interdisciplinary team, we recognize that we cannot possibly teach about the presence and persistence of punishment and prisons in contemporary American life without inviting conversation across time periods, genres, and geographies. Thus we will explore a series of visceral, unsettling juxtapositions: ‘freedom’ and ‘slavery’; ‘citizenship’ and ‘subjugation’; ‘crime’ and ‘punishment’, ‘marginalization’ and ‘inclusion’-- in each case explicating the ways that story making, political demagoguery, and racial, class, and sexual inequalities have wrought an untenable social condition. Throughout the semester, we will excavate a series of tough questions about the potential futures of the carceral state.

Each of the four instructors will give a series of four lectures, devoted respectively to the following four themes: Time, Space, Law and Action. The trajectory of the class will trace the idea of prison through its complex historical development, engaging the spatial and legal parameters of incarceration, and leading to a real-time engagement with the current politics of mass incarceration. The semester will be marked by a series of one-week intervals, to which we have invited activists, authors and artists to join us. These sessions will extend our conversation and debate beyond the walls of academia; thus the course will embrace intellectual advocacy and seek to create an active space as well as a reflective one. Guests, instructors and students will participate together in these discussions of some of the most exciting and contentious questions that arise from our contemporary cultural landscape.
Course Requirements

Class Attendance: Students are expected to attend all classes and sections; attendance will be taken. Active participation in discussions in lecture and section is a component of student evaluation in the course.

Course Readings: Students are expected to complete all assigned readings on time in preparation for class discussions during lecture and section. We have deliberately kept the amount of assigned reading reasonable with the expectation that the reading is done thoroughly and thoughtfully. Readings for the course can be found in two places: 1) A course reader that is available for purchase at Copy Central; 2) Additional readings that are listed on the bCourse website.

Plagiarism: As outlined by the Code of Student Conduct and the Campus Office of Student Judicial Affairs, any plagiarized work may result in failing an assignment and possibly the entire course. To learn more about the campus definition of plagiarism: http://writing.berkeley.edu/about-us/academic-honesty

DSP Related: If you need disability-related accommodations in this class, if you have emergency medical information you wish to share with me, or if you need special arrangements in case the building must be evacuated, please inform me immediately and provide me with your “letter of accommodation” from the DSP Office. Please see me privately after class or at my office hours. Students who need academic accommodations (for example, a note-taker), should request them from the Disabled Students’ Program, 260 César Chávez Center, 642-0518 (voice or TTY). DSP is the campus office responsible for verifying disability-related need for academic accommodations, assessing that need, and for planning accommodations in cooperation with students and instructors as needed and consistent with course requirements.

Main Assignments and Grade Distribution

This course includes five semester reflections, one for the introductory keywords (prompt to be handed out on Thursday the 30th of January) and one each of the segments: “Time,” “Space,” “Law,” and “Action.” Prompts for each and the respective deadlines will be posted on bCourse; the formats may vary slightly, but will be short essays in response to the prompts. (40% of your final grade.)

Participation in lecture and section discussions is a central dimension of this course; this includes attendance, your group presentation / facilitation assignment on course readings, as well as other small assignments that your GSIs will oversee in sections. (20% of your final grade)

A final research project will be required. There are many options for fulfilling the requirements of this assignment; all of these options will be discussed at length in class, around the 7th week of the semester. (20% of your final grade).

An in-class final exam will be given, drawing on material from lectures and intervals through out the semester. (20% of your final grade).
COURSE OUTLINE & CALENDAR

Week One (Jan. 21-23): INTRODUCION

Reading: Angela Davis, ‘Introduction: Prison Reform or Prison Abolition?’ In: Are Prisons Obsolete?

The statistics are by now well known. The United States, with 5% of the world’s population, incarcerates 25% of the world’s prisoners, the population doubling since 1990. Collaborative in design, what analyses can be brought to this fact by the ‘Big Ideas’ course, and what are the major disciplinary and public debates, which structure discussions of this fact? This introduction begins to provide students with the tools and historical background needed to engage in meaningful and informed debates about race, gender, legal status, crime and punishment, provoking an inquiry which asks the nature of prison’s function, its dimensions, capacities, and alterations over time. Is today’s incarceration the same in shape and dimensions, just bigger? Are the practices of punishment within the prison the same? Are those who are incarcerated in 2014 largely the same as in the nineteenth century, and are they incarcerated in the same ways, or are we seeing a new occupation of the why, who and where of prison?

The long history in which ‘prison’ sits, begins by challenging the foundational ‘origin stories’ of the US by focusing on the incarceration of Native America and the creation of slavery. To interrogate the very normality of US incarceration in our national geography, its’ locations, physical appearance and day-to-day operations are introduced. This ‘landscaping’ of the place of prison will simultaneously re-represent a critical cartography of captivity, dislodging the often-voiced presumption that ‘prison’ is the only space in which captivity sits, and instead converge on other institutions and forms of spatial recognition. Accompanying this mobilization of spatial analysis is an interrogation of the public policy foreground under which much expansion of the penal system and its’ various constituencies have been subject. In analyzing the development of new legal practices (three strikes, indefinite detention, mandatory minimums etc.), how have ideological significances such as the ‘war on crime’, the ‘war on drugs’, and the ‘war on terror’ unfolded new forms of state and federal jurisdiction and racialized representations? That prison is a place where people are confined, plays a particularly critical role in the development of struggles for ‘prison justice’. The confined space has been where the politics of a prisoner, distill, sharpen, transform themselves from a focus of personal trauma to social analysis, and in turn the social movements against mass incarceration, over-policing and cultures of control, all of which criminalize those who are socially excluded, have been reshaped by joining forces with broader movements for gender/sexual/racial and legal justice. The voices and actions of prisoners and the movements, which have joined them, lie in an unfolding territory of ‘reformist’ and ‘abolitionist’ claims, focusing in a very concrete sense on discrete pieces of the penal framework (e.g. the death penalty, surveillance, health care access, gang validation) and in turn changes which require seismic structural shifts in social structure and perceptions.

J.21 Review of the syllabus.

J.23 Introduction to themes of the course.
Week Two (Jan.28-30): The Language of Incarceration – Keywords

Readings:  
Sharon Dolovich, *Exclusion and Control*  
K. Kersplebedeb, *Repression, Resistance, and the Neocolonial Prison Nation*  
Michel Foucault, “Panopticism.” In *Discipline and Punish*  

“This is not a neutral review of meanings. It is an exploration of the vocabulary of a crucial area of social and cultural discussion, which has been inherited within precise historical and social conditions and which has to be made at once conscious and critical – subject to change as well as to continuity.” Raymond Williams, ‘Keywords’ 1983

The field of prison studies is a place of exciting and vexed discussions, where words are of great importance and significance. Keywords from different areas of prison studies will be introduced, providing nodal points for our discussion and for our interdisciplinary discussions. These keywords provide particular formulations of prison studies concern and offer grist for conceptual entanglements, which both challenge perceptions of the ‘issues’ and offer assistance to elucidation of ‘solutions’.

"Greetings from the living graveyard!" wrote Gabriel Reyes. "I have been placed in an ice-box in Ad-Seg, they are giving me vitamins and electrolites, don't know how much longer those will sustain me." August 20th 2013. The hunger strike at Pelican Bay, a remote, windswept prison outside Crescent City, near the border with Oregon, is a serious analytical entry point—an actor-orientated, justice-based challenge to the existing understandings of rights of prisoners and a contestation to the normative and political threads which consolidate in the ‘prison’. How might our scholarship enter such a moment, when the body of the captive inmate becomes the location of struggle and near death; the cell holds apart bodies which identify in struggle; and international law is held against the provision of ‘re-feeding’ to the 40 prisoners who sign ‘do not resuscitate’ orders? To press the brakes on the historical analysis of such a moment is to make a theoretical move across a spectrum of disciplinary imaginaries, compressing alternative versions to the moment of death by self-starvation to critical account.

J28  
Time, Justice, Incarceration (Hilden)  
Abolition, Queer, Illegal (Robinson)

J30  
Cell, Cage, Correctional Facility (Stoner)  
Mass-incarceration, Torture, Dignity (Simon)

Segment I. TIME

*History is the fruit of power, but power itself is never so transparent that its analysis becomes superfluous. The ultimate mark of power may be its invisibility; the ultimate challenge, the exposition of its roots.* (Michel Rolph Trouillot, *Silencing the Past*)

This section challenges the historical narratives that form the story of the United States. It proceeds by examining the roots of the mechanisms of incarceration (resulting in exclusion and control) that have shaped U.S. history from
the nation’s origins to the present. Three historical moments are examined in some detail: the period of origins, when both Indigenous people and Africans were incarcerated and enslaved; the continuation and refinement of carceral practices in the 19th century and 20th centuries; and the spread of carceral practices to use the law to exclude and control those of Japanese origins during World War II in the series of so-called “internment camps.” Each of these stories provide an antidote to what Carlos Fuentes famously described as “the United States of Amnesia” while also providing a basis for considering how the US came to practice the mass exclusion of those “othered” by race, class, national origin, and sexual identities.

Week Three (Feb.4-6)

Readings:  
Hilden, “Reservations, Praying Towns, Deportation/Importation and Enslavement”  
Leonard Peltier, “The Imprisonment of Native America in the Colonial Period”

Native nations have been shattered over the course of their relationships with Euro-Americans, where a combination of the spiritual and military was used to control Native California with laws meant to politically and physically disenfranchise and dislocate, suppress Native cultural and familial worlds.

For instance in 1901, all agents and superintendents of Native reservations were notified to enforce the ‘short hair’ order. To those who had long hair, their behavior was seen as ‘deviant’, evidence of primitive culture and subsequently criminalized. Such control not only demonstrates the early ways in which behaviors became criminalized, but likewise, how acts of resistance emerged.

F04 Creating the Carceral Landscape: Origins in Indigenous North America - exploitation, exclusion, control  
F06 Enslavement and Incarceration

Week Four (Feb.11-13)

Readings:  
Matthew Hannah, "Space and Social Control in the Administration of the Oglala Lakota  
Michele Alexander, "The New Jim Crow;", excerpts  
David Wallace Adams, "Education for Extinction"  
Ruth Okimoto, “Sharing a Desert Home: Life on the Colorado Indian Reservation  
“Born Free and Equal,” by Ansel Adams

Once it became clear that Japanese Americans living on the West Coast were to be interned, the federal government moved quickly to find facilities to contain them. Army Major General Jay Benedict wrote a restricted letter to Governor Sprague on February 5 asking for information about available housing facilities, in which he expressed an interest in a variety of state and local facilities such as “prison farms, State parks, migratory farm camps, fairgrounds, pauper farms, and similar installations....” Demonized, dehumanized, criminalized and torn from their homes, the lives of Japanese Americans and Native peoples intersected in the ‘empty spaces’ of those lands ‘found’.
Segment II. Space

"Is prison, then, the generic name designating all architectural production?"

Denis Hollier, *Against Architecture*

In this segment, we will explore both the literal and the metaphorical spaces of prison, both explicit and implicit evidence that Hollier’s statement is in fact true. Prisons are only the most overt representations of a spatial politics of control. From the exile of English criminals to Australia, to the ‘incarceration’ of African slaves in the holds of ship; from the camps and ghettos of World War II, to the gated communities and corporate enclaves of contemporary America, we will explore the role of the built environment in the politics of hierarchy, exclusion and punishment—and the ways in which subversive alterations to architecture can act as a liberating force.

Week Five (Feb.18-20)

Readings:  
*Michel Foucault, Discipline and Punish* (excerpt)  
*Lorna A Rhodes, Total Confinement: Madness and Reason in the Maximum Security Prison*  
*Charles Dickens, American Notes, Philadelphia, And Its Solitary Prison*  
*Jacobo Timmerman, Prisoner without a Name, Cell without a Number* (excerpt)  
*Jack Henry Abbott, In the Belly of the Beast* (excerpt)

Spatialization has been key to both criminalization and state relationships to those who are deemed criminal. For those convicted, social isolation through removal relies on the use of incarceration for a separate social domain, a routinization of the criminal body. And what is that domain inscribed within and because of the prison walls? Is it one of total power and control, or of compliance, boredom, madness, negotiation? That the organizing of confined spaces itself orders social structure seems most evident within the place called prison, but how might our cultural, political and social imaginaries resonate with other spaces mean to confine, surveil and contain? From border building, where drone technology blankets the U.S.-Mexico border and has been described as a ‘virtual panopticon’ to discussions of the ‘militarized’ relationships of urban space, to discussions of ‘better’ prison architecture as a response to disease and overcrowding, and morality concerns and claims making centered on mental capacities, gender and sexualities, the architecture of confinement is one of purpose.

*F18 The Evolution of Carceral Space: From Piranesi to Pelican Bay*

*F20 (IN)visibility*
Week Six (Feb.25-27)

Readings:  
Mike Davis, “Fortress L.A.” in City of Quartz  
Edgar Allan Poe, “The Masque of the Red Death”  
Alison Mountz, “Mapping Remote Detention” in Loyd, Beyond Walls and Cages

“It’s huge, you can’t station enough people on the border,” New York senator Chuck Schumer said, explaining how new technology gives the government the ability to apprehend or turn back nine out of ten unauthorized border crossers. “With these drones, you can see every single person who crosses the border day or night, and you can follow their path, so they can be apprehended when they’re ten, twenty, twenty-five miles inland.” By Tim Fernholz @timfernholz June 11, 2013

In 1892 the site of a former prison, the Millbank Penitentiary, was chosen for the new National Gallery of British Art, which would be under the Directorship of the National Gallery at Trafalgar Square. The prison, used as the departure point for sending convicts to Australia, had been demolished in 1890. This historical amalgam of function and purpose, and re-purpose: prison, art, archive, and collections rotate around each other, holding predication of access to certain types of ‘public’. How has the ‘built space’ organized and normalized scales of captivity, containment, punishment, and control? And in turn what practices, technologies and materials have been used to contest these carceral spaces by those that inhabit them and those that act against them?

F25  Prison Inside Out: Supermax Suburbia

F27  Postcards from Carceral America

1st Interval: Week Seven (March 4-6)

March 4: Abolition, Prison and Education
March 6: Mental Health, Art and Solitary Confinement

Segment III.  LAW (Simon)

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

Article 5, Universal Declaration of Human Rights, December 10, 1948

“As a consequence of their own actions, prisoners may be deprived of rights that are fundamental to liberty. Yet the law and the Constitution demand recognition of certain other rights. Prisoners retain the essence of human dignity inherent in all persons. Respect for that dignity animates the Eighth Amendment prohibition against cruel and unusual punishment.”

Brown v Plata, 131 S.Ct. 1910, 1928 (Supreme Court of the United States)

Week Eight (March 11-13)
A remarkable consensus exists both within and across all modern societies that torture is an unacceptable, indeed intolerable, method of punishment (whatever we may say about its use for interrogation purposes under particular circumstances). But how did we come to this consensus? After all, given the conventional understandings of why we punish— to vindicate the suffering of the victim, to deter others, to make the offender personally unlikely to offend again (rehabilitation) and to incapacitate them— torture would seem to satisfy three out of four quite well and perhaps better than any other easily imaginable substitute. Ever since the formation of that consensus in the middle of the 19th century, modern societies have struggled with what kinds of punishment will adequately serve the intensified demand for punishment created by the rise of the nation state, within this constraint not to torture. The prison, in its general outlines, was the first, and remains the last word in how to solve this quandary. How did we get locked in such a tricky dilemma?

M11 Torture
M13 Civilized Punishment and its Discontents

Week Nine (March 18-20)

Readings: Coleman-Plata v. Schwarzenegger (Three Judge Court Northern and Eastern Districts of California 2009)
Vintner et. al. v. UK, Grand Chamber of the European Court of Human Rights, July 2013
Brown v. Plata, 131 S.Ct. 1910 (1911)

The growth of incarceration at the end of the 20th century, primarily in the US, but in less extreme form across Europe as well, reflected to some extent a consensus that modern prisons had become a human way to keep dangerous men in safe custody. However, when the scale of mass incarceration policies, and their commitment to incapacitation through extended sentences and lock-down regimes, combined with the burgeoning health crisis among criminalized people conditions degenerated toward the degrading and tortuous. If the point of punishment under law is to defend and honor human dignity (in victims real and potential), then our penal sentences and methods must be constrained by and even defined by respect for that dignity.

M18 Mass incarceration and the return of punishment as torture
M20 Punishment and human dignity
SPRING BREAK

2nd interval: Week Ten (April 1-3)

April 1: Alternatives to juvenile incarceration - Restorative Justice locally
April 3: Youth and the PIC

Segment IV. ACTION (Robinson)

"Abolition pedagogy pushes the bounds of our imagination. It is pedagogy for liberation"
(http://towardsanabolitionpedagogy.wordpress.com/)

Grounded in domestic and transnational social movements, anti-racist and feminist scholarship has sought to link the community and academy as a site of struggle against racial/gender oppression and the economic violence of capitalist globalization. Pre-eminent amongst these movements is that of the anti-prison movement. What are the historical antecedents to these freedom struggles and how can racial justice movements align themselves to their predecessors rebellions with the use of new technologies, art-based practices and social media? Can the academy at this neoliberal moment forge abolition pedagogy with the communities most affected by the penal state?

Week Eleven (April 8-10)

Readings: Abolition Democracy – George Lipsitz
David & Dent – Prison as a Border
Rodriguez – Abolition as a Pedagogical Position
Critical Resistance - Overview of ‘Critical Resistance to the Prison Industrial Complex’
Sudbury – Reform or Abolition?
James – Introduction to the New Abolitionists
Prison Abolition as an Ecosocialist Struggle
Braz & Gilmore – Joining Forces - Prison and Environmental Justice in Recent California Organizing

Link (Prison Reform Discussion - Charlie Rose w. Michelle Alexander, Eugene Jarecki, and Patricia Williams) start at 26.36)
http://www.getonthebus.us/
http://www.prisonersofthecensus.org/

"Prisons and other locally unwanted land uses accelerate the mortality of modestly educated working people of all kinds in urban and rural settings, and [they demonstrate] how economic and environmental justice are central to antiracism"
Ruthie Gilmore 2007, 247)
When asked to reflect on her own experiences as a political prisoner in relationship to her work as a “prison abolitionist” with Critical Resistance, Angela Davis commented, “The most important lessons emanating from those campaigns, we thought, demonstrate the need to examine the overall role of the prison system, especially its class and racial character. There was a relationship, as George Jackson had insisted, between the rising numbers of political prisoners, and the imprisonment of increasing numbers of poor people of color. If prison was the state-sanctioned destination for activists such as myself, it was also used as a surrogate solution to social problems associated with poverty and racism.” As a concept we understand that “Prison Abolition” may be a difficult idea to consider. You may be initially asking “abolition of what?” Questions that may follow that could be “why and for who(m)”? How does my work here at UC Berkeley play a role in that work?

Grounded in domestic and transnational social movements, anti-racist and feminist scholarship has sought to link the community and academy as a site of struggle against racial/gender oppression and the economic violence of capitalist globalization. Pre-eminent amongst these movements is that of the anti-prison movement. The academy has become a site of reason-making for the work of abolition, asking the fundamental question, ‘why prison?’ Can the academy at this neo-liberal moment forge abolition pedagogy with the communities most affected by the penal state?

And as a new reform agenda is built in the shadows of Brown vs. Plata, is it okay to “get the right results but for the wrong reasons?” How does an abolitionist approach conceive of realignment as a balanced budget-backed response that results in less prison population? What is left out of the conversation about realignment? How to consider the respective roles that county sheriffs versus state wardens now play? Do GPS monitoring anklets at ‘home’ or ‘flash-incarcerations’, etc. simply extend the carceral register in a less ‘architectural’ way? What ‘successes’ can we take away from cross-sectional organizing, bringing educational, environmental and health movements together with prison abolition? Does geography get in the way, or can we forge rural-urban organizing strategies?

**A08** Abolition Democracy, Praxis and Dreams: Abolition Today

**A10** Joining Forces: organizing environmental, education, immigration and public health through the lens of prison abolition

**Week Twelve (April 15-17)**

**Readings:**

Lloyd, Burridge, Mitchelson – Thinking (and Moving) Beyond Walls and Cages

Negron-Gonzales – Navigating Illegality: undocumented youth and oppositional consciousness

Deporting Our Souls and Defending our Immigrants – Bill Ong Hing

Colorlines – How Immigration Got Caught Up in the Deportation Dragnet

Surviving Prison in California: Advice By and For Transgender Women

Sudbury – Unpacking the Crisis

Oparah – Feminism and the (Trans)Gender Entrapment of Nonconforming Prisoners

Spade – The only Way to End Racialized Gender Violence
Illegal immigration might be on the margins of what is considered as ‘crime’, but undocumented immigrants’ efforts to secure legal status sheds light on many logics of the current penal system, from how to ‘diagnose’ who is illegal, including targeted law enforcement, to expanded ‘warehouses’ built to detain and eventually deport. Employment, higher education, public benefits, medical care, social services and other basic necessities are all places of exclusion, overlapping with others contained within the category ‘criminal’. These social exclusions are also places of contestation and organizing. Advocates have pursued multiple strategies to challenge the logics of these exclusions and their repercussions, from the courts (Giraldo vs. CDC) to public art, http://dreamersadrift.com.

Over 40 years ago, Stonewall Rebellion rose against brutal police violence. “Stonewall was the culmination of years of domination, resentment, and upheaval in many marginalized communities coming to a new consciousness of the depth of violence committed by the government against poor people, people of color, women and queer people, both within US border and around the world.” (Bassichis, Lee & Spade, 2011) How then today, does the ‘LGBT movement’ consider marriage rights the way to address inequalities in queer communities? How does ‘hate crime’ legislation added to multi-billion dollar defense bills supporting military operations in Pakistan, Afghanistan, Iraq and elsewhere, protect trans and queer youth in foster care without jobs, health care, or safe homes? An abolitionist movement within the queer, transgender and gender-non-conforming community changes the terms of social change away from ‘trickle-down’ equality policies, to powerful intersections of prison abolition and gender justice.

A15 Border of Madness, Visible Dreams: contesting criminality and illegality
A17 Anti-Racist Gender Queer Organizing

3rd Interval: Week Thirteen (April 22 – 24)
April 22: Solidarity and Community Networks
April 24: Creative Intervention

Week Fourteen. SUMMARY
A29 Selected Group Presentations
M01 Selected Group Presentations

Week Fifteen. R and R

Week Sixteen. Final Exam