Sharifa Thompson

Envisioning A Society Without Prisons- A Discussion on Prison Abolition

The most recent occurrences, or rather most recent publicized encounters, between police and minoritized groups have led many to consider alternatives to policing. Some organizers and protestors go as far as to voice their opinions on abolishing the police, a stance that is not as radical given the unique ways in which social justice and civil rights movements have interacted with law enforcement. This paper, however, focuses on the dismantling of the prison system and seeks to describe how the prison abolition movement can be used to define ways of dealing with crime outside of the normative ways of imprisonment in the penal system.

It is imperative before we continue that we provide a working definition of prison abolition to be able to carefully distinguish the work of prison reformers from prison abolitionists and to determine where prison reform seems insufficient. Prison abolitionists vary in their definition of what constitutes prison abolition, but according to Bell Keller from the Marshall Project, there is a general consensus among many that prison abolition involves divesting from the use of law enforcement for public safety and redirecting government spending for the purpose of attending to the systematic issues of social and economic inequality. The article also discusses how prison abolition is seen as radical in the same way we think of universal health care and ideas around climate change, and to many, reform is too extreme or idealistic to work in our current society (Keller). Reformers favor incrementalism and generally push for changes such as more humane prisons and a smaller prison population (Keller).

Allegra McLeod opens her article, "Prison Abolition and Grounded Justice" by describing a prison abolitionist framework as a substitutionary or a replacement way of constructing projects, both regulatory and social, for the purpose of criminal law enforcement (McLeod 1161). This framework she states is the product of earlier abolitionist movements, most notably the abolitionist movement against slavery, and in quoting W.E.B. DuBois, she

underscores the importance of abolition including both positive and negative projects. She channels a similar line of thought as mentioned by feminist and queer politics scholar Audre Lorde, in her piece, "The Master's Tools Will Never Dismantle the Master's House" by pointing to the necessity of new structures and systems in facilitating the development of a new movement. McLeod further writes in reference to those ideas that, "An abolitionist framework requires positive forms of social integration and collective security that are not organized around criminal law enforcement, confinement, criminal surveillance, punitive policing, or punishment" (1164). This statement is important because it shows that prison abolition is not only about destroying and dismantling, it is also about the creation of new ideas and processes and thrives on the need for a radical imagination— the ability to visualize a society, a system, vastly different from the status quo and outside the constraints of the usual means of existing and organizing. McLeod adds to the brilliant collection of existing scholars and theorists on prison abolition, such as Angela Davis, who have made exceptional contributions to this discussion and has mentioned viable alternatives to the prison system that will be discussed later on in this paper.

Angela Davis, *Are Prisons Obsolete,* touches on how integral prisons have become to our society, but how even with this level of prominence, many people still shy away from acknowledging the gruesome realities of the prison system (Davis 15). The lack of transparency among members of society, to reckon with how damaging prison is to the many interlocking systems that we exist in, is one of the main reasons why prison abolition is viewed as unrealistic. Davis also mentions the role of the media in creating the image of prisons as being necessary to our functioning as a body of people, which I believe parallels the way the movement for police abolition is viewed— any disruption to the status quo is anticipated to lead to chaos (18-19).

Underlying the bubbling anxieties surrounding prison abolition seems to be this fiery rebellion against the believed prospect of regression into a Hobbesian society in light of things being utter chaos. However, as Davis mentions, the issue with using prison reform to address the issues of the "prison-industrial complex," is that reform paints a picture that "nothing lies beyond the prison" (20). Reform reduces the urgency for change and in part, results in the maintenance of the status quo. Davis, like McLeod, makes reference to the slave abolition movement in describing the magnitude of pushback that was expressed by many slave-holders (24). Slavery, lynching, and segregation seemed impossible to change at the time, and abolition was, in similar ways, quite idealistic during its time. Nevertheless, the changes that eventually occurred were through the work of social movements. The prison abolition movement, like many movements of the past, relies on an honest look into the systems and structures that challenge its ability to make substantial progress.

It would be too ambitious to attempt to give a holistic discussion of the prison industrial system in all of its complexities, but it's crucial to this analysis that we discuss the racialized ways in which prisons have gained traction in the U.S, why prisons are harmful and how ideas centered around prison abolition can address those issues.

The South's history around prison evolved from practices adapted to adjust to the era of post-slavery. In "Reimagining Prison" by Delaney et al. at the Vera Institute of Justice, a discussion around prisons, race, and American history are tackled. In the 1870s, according to this report, blacks made up 95 percent of the Southern prison population (Delaney et al. 38). Convict leasing, the exploitation of black labor was used to replenish the state's need for free labor. This leasing was done between the state and private companies and was essentially what I would describe as "legal slavery". A key difference between slavery and convict leasing as mentioned

in this paper was that with convict leasing the private owners had no vested interest in preserving the lives of their rented property because they could easily be replaced by other prisoners (39).

In the 20th century, prisons in the North saw an increase in their prison population during the Great Migration, many of which were fleeing from racial abuse and towards what they believed were better economic opportunities (40). It was around this time that ideas around black criminality were being formed and theories regarding the inferiority of blacks were gaining popularity (41). This impacted the racial disparities among black and white individuals. McCleod also makes a similar point to underscore that despite the fact that prisons in the South were deemed worse than those in the North, both regions engaged in inhumane ways of treating prisoners, despite the fact that they had differing opinions on the constructs of slavery (McCleod 1169). McCleod states this :

> Although the basic structure of Northern prisons that purported to rehabilitate through a routine of solitude and discipline may seem at first blush quite removed from the dehumanizing and violent dynamics that characterized the Southern convict experience, one dehumanizing feature remained markedly constant: Even in rehabilitative contexts in the North, the penitentiary aimed to strip and degrade the inmate of his former self so as to reconstitute his being according to the institution's preferred terms. (1189)

This quote points to a difference in how prisons were used, in that the tactics used in imprisoning blacks in the south were geared more towards punishment and retribution while those in the North were done with the purpose of rehabilitation. The intensity and modes of violence, however, do not detach from the violence that was inflicted upon the prisoners regardless of where they resided.

The prison system is a harmful institution not only because it specifically targets racial minorities as discussed above but also because of how instrumental violence is to the structuring and maintenance of it. As McLeod paraphrases in her text, "Prisons are places of intense brutality, violence, and dehumanization" (McLeod 1173). … Prisoners' sense of identity is reduced to that of an inmate number and many are forced to spend long periods encaged between metal bars (1173-1174). The effects of solitary confinement surmount beyond insanity and have been shown to have contributed to and exacerbated severe mental health issues. The structures of prison, withholding the effects of solitary confinement, also serve as a breeding ground for violence, as many are forced to comply with a system that promotes the survival of individual needs. Sexual abuse, as mentioned by McLeod, is a prominent use of power in prisons among inmates (1180). It's ironic to consider how we as a society supposedly imprison individuals in a destructive space hoping to rehabilitate them; it all seems very backward. The carceral system, whether it's working to imprison a certain percentage of blacks or other marginalized groups, or even whites, is harmful and destructive.

The most important questions that many prison abolitionists can't seem to evade are: If we get rid of prisons, what will we do about the violent criminals? How will victims get justice if the perpetrators aren't punished? Wouldn't crime increase if criminals knew they wouldn't face harsh repercussions? These are all very important questions, but Davis prompts us to first rid ourselves of the belief that we need to replace the prison system with a single alternative (Davis 107). The prison industrial complex, as she notes, works to summon the interaction of many other prominent systems and structures such as the courts and big media corporations, and if we are considering ways in which to perhaps imprison people differently or enforce progressive ways of surveilling prisoners then what we are talking about is reform as abolition. To tackle

such a complex system, we need complex solutions, multiple intersecting strategies and alternatives to make a substantial change, and decarceration needs to be the primary goal in how we envision change.

A very important point Davis makes is highlighting the role education and the school system play in abolishing prison (107). From the jump, it may be hard to see how prisons relate in any way to the school system, but if we consider the school-to-prison pipeline, the connection stands out. Carla Shedd discusses in her book *Unequal City: Race, Schools, and Perceptions of Injustice* the subtle and not so subtle ways in which students are policed within schools and the use of prison-styled surveillance (such as body scanners). Davis also engages in the discourse around the need for reform in the healthcare system and justice system works, specifically pointing out the need for mental health services prior to incarceration (cite). Davis is trying to emphasize that there is no one solution, but there are in fact many solutions that seek to address the socio-political ways in which the prison system is prominent in many aspects of society (111). Alternatives, whether they be as she states, "...job and living wage programs, alternatives to the disestablished welfare program, community-based recreation,…" are used in the abolitionist eyes as a means of decarceration. She posits further alternatives to addressing the question of victim justice by pointing to how some governments attend to this by instituting restorative or reparative justice.

In a similar light, Generation Five (an organization that works to end sexual abuse through community involvement) in their book *Child Sexual Abuse: A Transformative Justice Handbook*, explains the use of transformative justice specifically in regards to sexual abuse. I think this is important to discuss because sex crimes are one of the few crimes (among of course extreme uses of violence such as murder) in which most people not only have a visceral response

of disgust but also anger. I believe that if this organization is able to reimagine the way justice is

hashed out among victims of child abuse then imagining a world where this line of thought can

be used to address other crimes seems possible.

Transformative Justice is defined as, …" how we—as individuals, families, communities,

and society— can prevent, respond to, and transform the harms that we see happening in our

world" (Generation Five 37). A key feature of it is to change the situations that promote and

enable harm. This ties into the same type of thinking that Davis shares with us, in that prevention

is seen as a binding part in breaking the cycle of trauma and abuse. Although it is unclear

whether or not this organization directly supports the idea of prison abolition, I think they share

the common goal of many abolitionists in wanting to reduce harm and secure justice, whether it

be for the victim, the perpetrator, or both. The guiding principles of Transformative Justice are

liberation, shifting power, safety, accountability, collective action, cultural responsiveness,

sustainability, and resilience, but for brevity, I will discuss the first four tenets.

Liberation and shifting power are very compelling principles, especially given the way in

which we live in a society that thrives off of the oppression of the many. This leads to a

discussion around how the community can take back its power by not allowing the state to create

more injustice by intervening. Questions in regards to shifting power such as, "Who has decision

making authority?" and "Who is take[n] seriously when they declare what is true/right/real?" beg

us to challenge how power is used in these situations. Safety in this context is discussed more so

on the side of the victim, but it expounds on how crimes can be prevented. It is framed as being a

type of liberty in which people are able to have the resources, support, and information to live

fully autonomous lives (40). There is a breakdown of safety that includes individual, community

and societal safety and lends to a comprehensive way of maximizing safe conditions. However, when safety is jeopardized and harm is done, accountability is imperative.

Accountability is something to consider even beyond transformative justice because as much as the focus needs to be placed on how harm is maintained and created through the prison industrial complex, a conversation needs to be held in tangent about those that have been harmed by others. It's fruitful to note how this piece speaks of accountability as being a continuous set of actions, but it also talks about the war and certain societal practices that reward incidents of violence through the use of power. The handbook states: "Transformative Justice approaches seek concrete accountability from individuals who cause harm using sanctions, agreements, consequences for non-compliance with agreements, and other forms of leverage to mobilize the individual towards willingness to account for their harmful actions" (40). This is not simply about an apology but it is more so an active commitment to hold the perpetrator liable for their behavior.

Prison Abolition occupies a distinct position in that it is viewed at this time and place as being radical, but it exists primarily out of an attempt to reform punishment, namely in the use of the death penalty (Davis 20). Unfortunately, our attempt at reform, although arguably better than its predecessor (in its macabre), is still impeding societal progression by confining us to a growing system that destroys the lives of many and disbands communities. Skeptics of prison abolition must confront the harsh realities of upholding the prison system as a way of punishment. The truth is that the radicality of prison abolition is only a difference in degree in comparison to how radical the idea of slavery abolition was a few centuries ago. The future of prison abolition lies in purposefully organizing strategies and methods around preventing

individuals from entering the prison system and with the overarching goal of implementing

decarceration across the country.

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