# Abolition AC

#### Welcome to the prison industrial complex, a system of racial dispossession where black bodies are rendered fungible through incarceration under racial capitalism – this is not hard labor but rather modern chattel slavery where blackness forms the fundamental basis for the political economy

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The legal entrenchment of color-blind racism allowed White supremacist political and economic advantage to be pursued—unchecked by either law or public discourse— under the guise of criminal justice. Davis (1998b) noted, When the structural character of racism is ignored in discussions of crime and the rising population of incarcerated people, the racial imbalance in jails and prisons is treated as a contingency. . . . The high proportion of black people in the criminal justice system is this normalized and neither the state nor the general public is required to talk or act on the meaning of this imbalance. . . . By relying on the alleged “race-blindness” of the law, black people are scrumptiously constructed as racial subjects, thus manipulated, exploited, and abused, while the structural persistence of racism—albeit in changed forms—is ignored. (p. 62) As before, this newest political and legal construction of White supremacy is intimately interconnected with capitalist economic interests. The extreme racialization of criminal justice and the rise of the prison industrial complex are directly tied to the expansion of global economy, the decline of the industry and rise of the minimum wage service sector in the United States, and the growth of privatization of public services. The internationalization of the labor force and the turn to robotics, computers, and hi-tech are having a profound impact on labor in the United States and globally. The prison industrial complex is an expression and re-articulation of the political economy of late capitalism. The intense concentration and privatization of wealth in a few hands continues unchecked in this country. Indeed, the unparalleled growth of corporate power is at the heart of the economic inequality African Americans and all working people are confronting. Angela Davis (2003) again becomes important in interpreting the multiple intersections of race, economy, and the prison industrial complex. She traced the historical links between current practices and the policies that emerged during the post–civil war era: Vast amounts of black labor became increasingly available for use by private agents through the convict lease system and related systems such as debt peonage. This transition set the historical stage for the easy acceptance of disproportionately black prison populations today. . . . We are approaching the proportion of black prisoners to white, during the era of the southern convict lease and country chain gang systems. Whether this human raw material is used for purposes of labor or for the consumption of commodities provided by a rising number of corporations directly implicated in the prison industrial complex, it is clear that black bodies are considered dispensable within the “free world,” but as a source of profit in the prison world. (p. 95) This quest for dispensable labor increasingly includes women of color who, in light of globalization, deindustrialization, and the dismantling of social services, are propelled by state economic interests into the slave labor markets of the prison industrial complex. The prison industrial complex is not a conspiracy, but a confluence of special interests that include politicians who exploit crime to win votes, private companies that make millions by running or supplying prisons and small town officials who have turned to prisons as a method of economic development. (Silverstein, 1997) This complex now includes more than 3,300 jails, more than 1,500 state prisons, and 100 federal prisons in the United States. Nearly 300 of these are private prisons. More than 30 of these institutions are super-maximum facilities, not including the super-maximum units located in most other prisons. The prison industrial complex consumes vast amounts of tax dollars at the expense of education and other social programs. Each year, the United States spends more than $146 billion dollars on the criminal justice system, including police, the judiciary and court systems, and corrections. More than $50 billion of this is spent directly on corrections, with the majority of those expenditures going toward incarceration and executions—the two most expensive sentencing options (Bureau of Justice Statistics, 2004). The quest for profit has led to international U.S. expansion of the prison industrial complex in the United States. Both private companies and the U.S. military industrial complex rely on the global proliferation of both U.S. prisons and their internal practices at Basra, Abu Ghraib, Guantanamo Bay, and untold other locations.2 In essence, the prison industrial complex is a self-perpetuating machine where the vast profits (e.g., cheap labor, private and public supply and construction contracts, job creation, continued media profits from exaggerated crime reporting, and crime/punishment as entertainment) and perceived political benefits (e.g., reduced unemployment rates, “get tough on crime” and public safety rhetoric, funding increases for police, and criminal justice system agencies and professionals) lead to policies that are additionally designed to ensure an endless supply of “clients” for the criminal justice system (e.g., enhanced police presence in poor neighborhoods and communities of color; racial profiling; decreased funding for public education combined with zero-tolerance policies and increased rates of expulsion for students of color; increased rates of adult certification for juvenile offenders; mandatory minimum and three-strikes sentencing; draconian conditions of incarceration and a reduction of prison services that contribute to the likelihood of recidivism; collateral consequences—such as felony disenfranchisement, prohibitions on welfare receipt, public housing, gun ownership, voting and political participation, and employment— that nearly guarantee continued participation in crime and return to the prison industrial complex following initial release). As Donzinger (1996) aptly noted, Companies that service the criminal justice system need sufficient quantities of raw materials to guarantee long term growth in the criminal justice field, the raw material is prisoners. . . . The industry will do what it must to guarantee a steady supply. For the supply of prisoners to grow, criminal justice policies must insure a sufficient number of incarcerated Americans whether crime is rising or the incarceration is necessary. (p. 87) In sum, Black workers, men and women, are at the center of this prison industrial process. They are used again as exploited labor and as consumers—of products produced by prison labor. African Americans and other working people are less needed in the free labor market under current conditions of globalization. Highly exploited global workers match cheap prison labor. So the processes of deindustrialization and economic restructuring contribute to the process of accumulation for capital and the increasing immiseration of the Black poor, and this is true because many of the decisions are explicitly racial in form. Corporate actors choose to move out of Black communities on racial grounds (Brewer, l983). Thus, private prisons play a key role in the political economy of transnational capital. But so do public prisons. These prisons are equally tied to the corporate economy “and constitute an ever growing source of capitalist growth” (Davis, 2003, p. 96). This exploitation of Black labor continues, made permissible, indeed possible, with the law. Although the names and legal legitimations have changed, there is little to distinguish the plantation from the penitentiary. Nevertheless, in the United States, Blacks have been a central political force in checking unabashed profit realization. Historically, this occurs through political struggle. We contend that it is only through organized political struggle and radical pedagogies for change that the current situation will be transformed for social justice.

#### I affirm that “A just government ought to recognize an unconditional right of incarcerated lumpenproletariats to strike” as a form of abolitionist study.

Wang 18, Jackie, black studies scholar, poet, multimedia artist, and PhD candidate in the Department of African and African American Studies at Harvard, “Carceral Capitalism”, <http://criticaltheoryindex.org/assets/CarceralCapitalism---Wang-Jackie.pdf>, Accessed 10/29/21 VD

In contemporary discussions of automation, there is rarely any acknowledgment of black Marxist theorizations of automation, such as those produced by the Black Panther Party (BPP). The BPP was not only a revolutionary political organization, it was a political movement that produced many significant contributions to black political thought. Before the Black Panthers, few thinkers beyond Malcolm X had undertaken the daunting endeavor of both organizing the lumpenproletariat into a political organization and theorizing how and why the lumpen could be included in a revolutionary struggle. The BPP was also singular insofar as many of its leaders and theoreticians—such as George Jackson, Huey P. Newton, and Eldridge Cleaver—were former hustlers and members of the same class they were theorizing. BPP theorizations of the lumpenproletariat are somewhat distinct from traditional Marxist conceptions of the lumpen. In the Marxist view, unemployed people (the lumpen class) are essentially workers without work: a labor reserve that is necessary to keep wages down and weaken the power of labor unions. However, historically, they have not been considered a revolutionary class in themselves by Marxists because they do not control the means of production and are notoriously difficult to organize, as there are few social, political, and material forces that bind them to one another. For instance, factory workers are considered organizable because they share material interests (similar working conditions and a shared opposition to their bosses) as well as a physical space through which they can develop a working-class consciousness and coordinate their actions. The lumpen class, on the other hand, is an aggregate of mostly de-skilled people who sometimes operate outside the licit economy. In Newton’s, Cleaver’s, and Jackson’s post-Marxist theorizations of the new capitalist economy, most of humanity (aside from a small class of technocrats) will eventually be subjugated by technology. This is a significant departure from the techno-optimism of Marxism, and the view that capitalism is a necessary stage in the development of communism because it catalyzes technological innovations that will reduce the human labor required to provide for the material needs of humanity. Supposedly this would liberate the masses from the enervating drudgery of alienated work and allow people to cultivate themselves through more satisfying activities. However, for the BPP, the lumpen and the working class have a negative relationship with technology. These thinkers predicted that rapid technological innovation would lead to a “lumpenization” of the lower classes, who would become permanently unemployable as automated production rapidly supplanted human laborers. For the BPP, black Americans would be the first to feel the negative effects of automation (as well as deindustrialization), though eventually this condition would become generalized and affect all workers. Black Americans are what some might call “the canary in the coal mine” insofar as they are the first to suffer the consequences of political and economic restructuring. Newton writes: In this country the Black Panther Party … sees that while the lumpen proletarians are the minority and the proletarians are the majority, technology is developing at such a rapid rate that automation will progress to cybernation, and cybernation probably to technocracy. … If the ruling circle remains in power it seems to me that capitalists will continue to develop their technological machinery because they are not interested in the people. … If revolution does not occur almost immediately, and I say almost immediately because technology is making leaps (it made a leap all the way to the moon), and if the ruling circle remains in power the proletarian working class will definitely be on the decline because they will be unemployable and therefore swell the ranks of the lumpens, who are the present unemployables. Every worker is in jeopardy because of the ruling circle, which is why we say that the lumpen proletarians have the potential for revolution, will probably carry out the revolution, and in the near future will be the popular majority. Of course, I would not like to see more of my people unemployed or become unemployables, but being objective, because we’re dialectical materialists, we must acknowledge the facts.21 Thus, according to Newton, there would be a massive shift in class composition: as the working class shrank, the lumpen class would grow and eventually become the majority. But how, as workers are lumpenized, will the lumpen consume goods? Consumption, Cleaver argues, drives economic growth, and profits fall when there are too few people with enough disposable income to purchase the products being produced. However, in “On Lumpen Ideology” Cleaver theorized that the problem of underconsumption would be solved by the state and the creation of a welfare system that would allow the lumpen to participate in the economy as consumers without participating in the process of production. Perhaps one could say that today the problems of underconsumption and the falling rate of profit identified by Cleaver have been temporarily solved (or deferred) by the creation of a debt economy that allows people to consume commodities using borrowed money. For the BPP, the technological transformation of the process of production requires the creation of political strategies and tactics that are responsive to the new situation. Since they were prophesying that the working class would eventually be demoted to the ranks of the lumpen, it was necessary that the lumpen class be the point of departure for their political theories, and that their strategies attend to the question of how the lumpen could be converted into a revolutionary class. For Jackson, U.S. blacks are—as former slaves and the hyper-exploited stratum of the working class—revolutionary because they have a “desperate historical relation to the violence of the productive system” that makes them more committed to uprooting the whole system, while the white working class would be more susceptible to neutralization because they did not have a fully antagonistic relation to production and thus could be bought off, as they had a stake in maintaining the system.22 This antagonistic relationship to production also redefines how the People’s War is waged: rather than seizing the means of production, Jackson emphasized the destruction of the protective and productive forces. He advocated destabilizing capitalism by halting production through sabotage, thus making the terrain uninhabitable for capitalists as well as unfit for capital investment. He writes, “The objective, I repeat, of the destruction of a city-based industrial establishment and its protective forces is to create perfect disorder, to disrupt all of their interacting processes that allow them to produce and distribute goods, and this can be done from within the process much more easily than from without.”23 But sabotaging production also meant that the BPP would have to simultaneously develop autonomous infrastructure that could ensure, as the Panthers would say, survival pending revolution. The last of Jackson’s contributions to political theorizations of the lumpen class that I want to examine is Jackson’s analysis of the function of prisons and prisoners as a class. When Jackson was writing Blood in My Eye in the early 1970s, prisons in the U.S. were in the process of becoming—but were not yet—majority black. In one of his letters he noted that he was in his eleventh year of being held in the “largest prison system in the world,” but it was not until the 1980s and 1990s, after his death, that rates of incarceration began to skyrocket, marking the expansion of a process that is now commonly referred to as “mass incarceration.” For these reasons, Jackson’s remarks about prisons are particularly prescient. There are several layers to his analysis of prisons and the prisoner class. The first and most basic one is an argument that is now routinely made by social scientists: incarceration has little to do with “crime” as such, but is driven by economic and political forces. Jackson wrote that in 1969, 87 percent of all crimes were property crimes.24 For him it was no coincidence that a disproportionate number of blacks were incarcerated and that “every one” of the “thousands of prisoners” he encountered “was from the working or lumpenproletariat.”25 According to Jackson, law itself is a political construction designed specifically to manage “poor, desperate people like me.”26 He writes, “Bourgeois law protects property relations and not social relationships.”27 His discussion of “crime” and the “law” attempts to denaturalize these terms and reveal how class determines the way the law is applied. “Crime,” Jackson writes, “is simply the result of a grossly disproportionate distribution of wealth and privilege, a reflection of the present state of property relations.”28 In other words, socioeconomic conditions are what cause crime as well as what determine which kinds of activities get counted as criminal. In addition to Jackson’s class analysis of prison, he also argues that prisons have a political function: they are one of the chief repressive institutions that make up what he calls the “totalitarian capitalist state,” which he asserts exists to “discourage and prohibit certain activity.”29 In other words, prisons are used as an instrument of political repression. He writes, “Throughout its history, the United States has used its prisons to suppress any organized efforts to challenge its legitimacy—from its attempts to break up the early Working Men’s Benevolent Association to the banning of the Communist Party … to the attempts to destroy the Black Panther Party.”30 For Jackson, all actions that threaten the capitalist social order automatically set the repressive apparatus into motion, which is why he believes that a civil war is the only means through which a total revolution can be achieved.

#### Prison strikes destroy the reproductive process of prisons making prisons unsustainable – the rebellion cannot be contained and becomes the fundamental basis for abolition

Stark 20, Alejo Stark, University of Michigan graduate student-worker / PhD Student, “Containing the Surplus Rebellion: Prison Strike/Prison Riot”, New Global Studies (peer-reviewed Journal), New Glbl Stdies 2020; 14(2): 193–203, accessed 10/14/21, sb

Joshua Clover’s book Riot. Strike. Riot. attempts to provide a broad characterization of how shifting patterns of capital accumulation in the world-system (although he specifically focuses on “the early industrializing and now deindustrializing nations of the West”) correspond to what Charles Tilly calls different “repertoires of collective action.”6 For Clover, the recent cycle of riots corresponds roughly to the period beginning in the 1960s until today, in which, as Clover argues, “capital’s center of gravity shifts toward circulation, borne by the troika of Toyotaization, information technology and finance” (Clover 2016, 25). This moment corresponds in other words to deindustrialization and the growth of the relative surplus population. For Clover, citing Stuart Hall’s famous formulation, the “riot is the modality through which surplus is lived” (Clover 2016, 170). In contrast to the strike, the riot sets the price of goods rather than the price of labor-power. But there is something extra, a certain surplus, in the recent cycle of riots. The key figure in the current wave of riots is the relative surplus population, in stark contrast to the figure of the worker in the case of the strike (Clover 2016, 155). Therefore, the current age of riots is the age of what I have been anticipating, what Clover calls the surplus rebellion. These surplus rebellions (Ferguson, Baltimore, etc.) seem to occupy different spaces; they exist not at the factories or “at the site of production,” but at the strip malls, plazas, and squares of urban centers in the West. Moreover, it is important to note that Clover distinguishes between the emphasis on “price-setting” of the first cycle of riot (e.g. bread riots in England) and the surplus rebellions of today, which are “distinct, if related, forms” (Clover 2016, 129). Beyond price-setting, what Clover’s surplus rebellions seem to be concerned with is the disruption of circulation as such. Surplus rebellions, Clover writes, have an “unquenchable desire to make it all stop” (Clover 2016, 82). Lastly, but most importantly, Clover argues that the surplus rebellion also is “both marked by and marks out race” (Clover 2016, 27). Following Ruth Wilson Gilmore, Clover argues that the racialized surplus population across the “West” is that which not only is not absorbed by productive capital (and therefore exposed to both super fluidity and wage differentials) but also bears the brunt of both “state sanctioned” and “extralegal” violence or “premature death.” Although racism – and more specifically, anti-Blackness – cannot be reduced to this political economic dimension, it can also not be thought of without it. One might say that this is an instance of the relative autonomy of race and capital. With this brief sketch of Clover’s argument, it seems that the self-activity of prison rebels I have been discussing finds a certain expression in the concept of riot as surplus rebellion. There are four points that suggest the high degree of adequacy of the concept of surplus rebellion for thinking about the singularity of the recent prison strikes. They are as follows: 1. The prison strike as a spatially displaced surplus rebellion. Insofar as prisons are predominantly populated by what I have coarsely named as “racialized surplus population,” the prison strikes can be thought of as a spatially displaced surplus rebellion. Even in the instance of Michigan’s Kinross prison, in which the rebellion was sparked by a strike, the rebellion generalized only when it went beyond the limits of the figure of the worker and interpellated the vast majority of prisoners – the dispossessed who do not work. Again, the figure of both the prison strikes and riots is not the worker, but rather, the racialized surplus population. As Clover argues, “[p]eople will struggle where they are” (Clover 2016, 144). My argument is that people are somewhere else. Depending on state capacity and the correlation of forces at a given conjuncture, surplus populations might be more or less “contained” by the carceral apparatus. Again, people struggle where they are: in squares, avenues, strip malls and prison yards. 2. The prison strike as a price-setting struggle. The immediate effect (both intended and perhaps unintended) of the prison strike actions is that of price-setting – not of labor-power as such but of living conditions more generally. Although one might never quite know how or when this happened – due to what the strategist Clausewitz calls the “fog of war”– one knows that earlier this year the process to revert food services back to the state began. It is very likely that this happened because of the actions taken by prisoners at the Kinross facility and beyond. Also in a recent move, the private contractor that provides phone services (Global Tel Link) to Michigan prisons lowered its prices in the wake of the 2018 prison strike.7 3. The prison strike’s immediate effect is to make it all stop. Beyond specific demands being put forth by different prisoner-led organizations, the immediate effect of prisoner self-activity is the very disruption of the reproductive process of the prison. The strength of the prison strike is not that it will necessarily force the state to increase wages but that it disrupts the reproduction of the carceral apparatus itself. These disruptions decrease the state’s capacity and intensify the state’s inability to continue to hold prisoners captive. Prolonging such a disruption, through whatever means necessary, is a key element of prison abolitionist strategy today. 4. The illegal and racial character of the prison strike. Lastly, the contemporary character of the surplus rebellions inside prisons is both its racialized character and its illegality. As Clover writes, the illegality of surplus rebellions is “among other things the illegality of the racialized body” (Clover 2016, 27). In the context of the carceral space, and in contrast to most strikes, prison strikes in the state of Michigan are literally thought of as riots by the state. Here is a direct quote from the Michigan Department of Corrections’ Policy Directives’ that describes the “Incite a Riot or Strike” ticket, which I mentioned earlier: Incite a Riot or Strike: Advocating or instigating actions which are intended to seriously endanger physical safety of the facility, persons, or property or to disrupt the operation of the facility by group cessation of normal activity; participation in such action; joining others in unauthorized work stoppage.8 Prison strikes are literally riots in the sense that they disrupt “normal activity.” They interrupt the order of the police and open a space for politics, that is, they disorder the distribution of racialized bodies and instituted hierarchies. These four elements of the prison strike find a strong resonance and a high degree of adequacy with the concept of riot (as surplus rebellion). At the same time, however, such a conceptualization does not attempt to subsume the singularity of the prison strike; it merely attempts to think through the relations and rhythms of these heterogeneous struggles. Making these relations explicit provides a theoretical weapon to fight against the reifying tendencies of the “other” of the riot – that is, prison and police – two social forces that constantly attempt to turn relations into objects, and social problems into individual problems. Paraphrasing abolitionist Angela Davis – prisons, and one might add, police – do not solve social problems, they simply disappear human beings. Therefore, the task is to intensify potential alliances across the walls. To support prison rebels as they struggle to take the containment apparatus to its breaking point is the only way the state will not be able to contain the crisis and restore the racial capitalist order.

#### Prison strikes are the greatest threats to the state - it allows for the formation of black communes under abolition democracy without the counterinsurgent force of the carceral state

Stark 18, Alejo, organizer with Michigan Abolition and Prisoner Solidarity (MAPS) and a co-producer of Rustbelt Abolition Radio (RAR), Abolition Journal, “Like a Game of Chess: The Prison Strike and Abolitionist Strategy”, <https://abolitionjournal.org/like-a-game-of-chess/>, Accessed 10/17/21 VD

Fred also makes a similar point in a reflection we recorded with him a year after the 2016 strike, Sometimes I think about the fact that I heard that more facilities within the state were supposed to protest in the same way, at the same time, so I imagine, in theory, had that occurred, … it’s hard to imagine how the state could have responded you know with having to employ so much manpower and resources to this one facility at that time. Can you imagine 10, 12, 15 facilities on fire, with prisoners jumping out of windows and refusing to lock down and refusing to be counted and looting…. you know because there was a point where guys were looting the guard from what I understand they were really close breaking in and looting the chow hall and at a point at this facility during the protest, you can clearly see that the prisoners had taken control, that emergency count and the threats they were yelling over the bullhorn to go lock down, didn’t work. Guys did not go in and lock down. At one point, where they were denying ERT entrance — even entrance into the facility– the administration didn’t have control at that point. You know, I don’t’ know man, but it would be interesting, you know I think the federal government would have to come in or something. As such, from a tactical standpoint, even though most prisoners do not work, those that do might have a relatively privileged position inside prisons today. A handful of striking workers—particularly kitchen workers, as the case Kinross illustrates—can function as the spark to shut down an entire facility. In that sense, the strength of the prison strike (broadly conceived) is not that it will necessarily force the state to increase wages but that it disrupts the reproduction of prison itself. These disruptions decrease the state’s capacity and intensify the state’s inability to continue to hold prisoners captive. Prolonging such a disruption, through whatever means necessary, is at the core of abolitionist strategy today. To conclude, if the riot is the “other” of incarceration, as Clover claims, we might conjecture that, today, prisons operate as a countervailing tendency to the riot’s potential to communize, to becoming commune. Clover argues, The commune, then, has a continuity with the riot. It presupposes the impossibility of wage-setting as a means to secure any manner of emancipation. It is likely to be inaugurated, like many struggles in the first era of riots, by those for whom the question of reproduction beyond the wage has long been posed—those who have been socially forged as the bearers of that crisis.[49] For Clover, therefore, the commune, as a “form of life” and as a “tactic of social reproduction,” exists as a virtual potentiality of the riot.[50] George Jackson also theorized the importance of the Black commune as a tactic of social reproduction. As part of the broader survival programs of the Black Panther Party, Jackson writes that “[t]otal repression and genocide are not possible if we organize ourselves for survival first—if we first construct the commune, a sense of community, a common interest of class.” [51] As such, the crisis also bears within itself the possibility of another way of being in the world. For Jackson, building the Black commune, … will involve building a political, social and economic infrastructure, capable of filling the vacuum that has been left by the establishment ruling class and pushing the occupying forces of the enemy culture from our midst.[52] For Jackson, such occupying forces include the fascist elements of society, such as the police. Emphasizing the importance of struggling in urban centers—that is, building the commune in the ghettos and the sites of what Clover calls the surplus rebellion—Jackson argues that, … we cannot withdraw from the cities. In order to complete the revolutionary syllogism, the fascists must be forced to withdraw. And under cover of the guns which force their withdrawal, we will build the new black communes.[53] The prison, as a counter-revolutionary, fascist force, contains the surplus rebellion on the outside from further generalizing itself by displacing it to the inside. This dynamic therefore acts as a countervailing tendency to the possibility of the proliferation of the commune as a tactic. In that sense, abolition is not a utopianism; rather, it is an instance in the real movement to communize the present state of things. Our task is therefore to support prison rebels as they struggle to take the containment apparatus of the racial capitalist state to its breaking point. To free prisoners is not only an emancipatory ethical imperative against slavery in America. It is the only way the state cannot not contain us—that is, the crisis—from intensifying.

#### Independently, striking results in abolitionist nonreformist reforms which allow for the imagination of radical futurities, a new society founded on black communes and abolition democracy

Akbar 20, Amna A. Akbar, Associate Professor of Law, The Ohio State University, Moritz College of Law. “Demands for a Democratic Political Economy”, Responding to Michael J. Klarman, The Degradation of American Democracy — And the Court, HARVARD LAW REVIEW FORUM, 134 Harv. L. Rev. F. 90, DEC 1, 2020, <https://harvardlawreview.org/2020/12/demands-for-a-democratic-political-economy/>, accessed 10/25/21, sb

The hallmarks of non-reformist reforms are three. First, nonreformist reforms advance a radical critique and radical imagination.74 Reform is not the end goal; transformation is.75 Non-reformist reforms are “conceived not in terms of what is possible within the framework of a given system and administration, but in view of what should be made possible in terms of human needs and demands.”76 In advancing an agenda to meet human need, non-reformist reforms advance a critique about how capitalism and the carceral state structure society for the benefit of the few, rather than the many. They also posit a radical imagination for a state or society oriented toward meeting those needs. By contrast, reformist reforms draw on and advance critiques of our system — whether that be capitalism or the carceral state — that do not question underlying premises or advance alternative futures. In fact, reformist reforms “reject[] those objectives and demands — however deep the need for them — which are incompatible with the preservation of the system.”77 Here, one can think of the quick rejections by so many of defund the police or the Green New Deal — despite the mounting evidence that liberal reforms have done little to limit police violence or to slow the speed at which we are hurtling toward increasingly frequent environmental disasters.78 Liberal reformism effectively shields the status quo from deep critique.79 The end goal of liberal reformism is just that: reform. The non-reformist reform then provides a framework for demands that will undermine the prevailing political, economic, social system from reproducing itself and make more possible a radically different political, economic, social system. For abolitionists, the underlying system to undermine is the prison industrial complex and the horizon to build toward is abolition democracy. For socialists, the underlying system is capitalism and the horizon socialism. In theory and practice, these are intertwined, variegated, and debated political projects.80 I am suggesting neither a false neatness within nor artificial distinctions between rich left traditions. But I mention it to make a point so obscured in legal discourse: that approaches to reform reflect ideological commitments, critiques of or acquiescence to underlying systems, aspirations for the future, and theories of change. Reforms communicate analyses of our conditions, tell stories about possibilities, and contribute to dynamic relations of power. So the target and object of the nonreformist framework will depend on one’s political project and analysis, as will whether one accepts a reformist or non-reformist orientation. Whereas reformist reforms aim to improve, ameliorate, legitimate, and even advance the underlying system,81 non-reformist reforms aim for political, economic, social transformation: for example, socialism or abolition democracy. They seek to delegitimate the underlying system in service of building new forms of social organization. Rather than relegitimate, they seek to sustain ideological crisis as a way to provoke action and develop public consciousness about the possibilities of alternatives and our collective capacity to build them together. Second, non-reformist reforms must draw from and create pathways for building ever-growing organized popular power.82 They aim to shift power away from elites and toward the masses of people. This is a matter of substance and process, from where the demand comes, the vision it advances, and the space it creates. Whether through demands on the state or the workplace, non-reformist reform “always requires the creation of new centers of democratic power[,] . . . a restriction on the powers of State or Capital, an extension of popular power, that is to say, a victory of democracy over the dictatorship of profit.”83 In their focus on power, non-reformist reforms challenge liberal legal frameworks that tend to obscure power relations.84 Non-reformist reforms are about building the power of people to wage a long-term struggle of transformation. In contrast to reforms formulated by expert elites, non-reformist reforms come from social movements, labor, and organized collectives of poor, working-class, and directly impacted people making demands for power over the conditions of their lives and the shape of their institutions.85 People living under perilous conditions must generate analysis of those conditions, and advance solutions, in collective formations.86 Collective processes — whether in organizations, unions, or assemblies — become schools of democratic governance in action: processes of enfranchisement and exercises in self-determination that build power and motivate further action.87 Third, non-reformist reforms are about the dialectic between radical ideation and power building. Non-reformist reforms come from contestatory exercises of popular power.88 They attempt to expand organized collective power to build pathways for transformation. As such, they are not in themselves about finding an answer to a policy problem: They are centrally about an exercise of power by people over the conditions of their own lives. They aim to create “a vast extension of democratic participation in all areas of civic life — amounting to a very considerable transformation of the character of the state and of existing bourgeois democratic forms.”89 Because the end goal is building power rather than identifying a policy fix, non-reformist reforms can only be effective when pursued in relation to a broader array of strategies and tactics for political, economic, social transformation. That includes protests and strikes as well as political education, mutual aid, organizing, and the building of alternative institutions. Along with other strategies and tactics, reforms are in dialectical relationship with transformation: deepening consciousness, building independent power and membership, and expanding demands.90 As Gorz put it, reforms have to be imagined as part of a longer-term “strategy of progressive conquest of power by the workers.”91

#### YET

#### NIGHTMARES CAN BECOME DREAMS,

#### REGARDLESS OF WHAT YOU’ HAVE SEEN.

#### TOGETHER, IN HERE, EVERYONE ACCOMPLISHES MORE.

#### WHEN HYPOCRISY DOESN'T GET CONFUSED WITH

#### DEMOCRACY

Watson 20 – currently incarcerated at California State Prison, Solano (SOL), Shaylor, My Comrades' Thoughts on Black Lives Matter, "Nightmare into Dreams", <https://mcusercontent.com/6a3f8fc112275cc54fa1c620c/files/335d60ca-9e61-4e92-b759-203caac732c6/BLM_Kilgore_Book_Manuscript.pdf>

#### Articulating abolitionist demands through strikes is key to abolition democracy, grassroot power, and self determination to end carceral capitalism

Akbar 20, Amna A. Akbar, Associate Professor of Law, The Ohio State University, Moritz College of Law. “Demands for a Democratic Political Economy”, Responding to Michael J. Klarman, The Degradation of American Democracy — And the Court, HARVARD LAW REVIEW FORUM, 134 Harv. L. Rev. F. 90, DEC 1, 2020, <https://harvardlawreview.org/2020/12/demands-for-a-democratic-political-economy/>, accessed 10/25/21, sb

We are living in a time of grassroots demands to transform our built environment and our relationships with one another and the earth.2 To abolish prisons and police, rent, debt, borders, and billionaires.3 To decommodify housing and healthcare and to decolonize land.4 To exercise more collective ownership over our collectively generated wealth.5 Some of us are reimagining the state. Others are dreaming of moving beyond it.6 But these are more than dreams. These are demands for a democratic political economy. These demands increased in volume this year as the violence of policing continued, the fires burned in California and Oregon, and the coronavirus raged across the country. The police killings of George Floyd and Breonna Taylor set off unprecedented summerlong protests.7 Almost nine million acres of land have burned.8 Twelve tropical storms and hurricanes have made landfall, causing widespread flooding, property damage, and power outages in the Gulf Coast and beyond.9 Over 250,000 people have died from the coronavirus,10 and estimates suggest nearly as many will die this year from suicides, alcohol-related deaths, and drug overdoses.11 Millions of people — the vast majority without a college degree, and many Black, brown, immigrant, disabled — are doing essential devalued labor at great peril to themselves and their families.12 Tens of millions are hungry, without work or healthcare, debt-ridden, and unable to make rent.13 Millions are confined to carceral institutions despite squalid conditions and the heightened risk of coronavirus transmission in jails, prisons, detention centers, and psychiatric institutions.14 While most of us are becoming increasingly insecure, the wealthiest among us are amassing even more wealth.15 And there is no real relief in sight. In his remarkable Foreword, Professor Michael Klarman implicitly makes the case for this decade of protests, riots, and strikes, and the demands that spring therefrom.16 The United States “is not a democracy.”17 Our political system is “dominate[d]” by “the wealthiest Americans”18 and “well-funded interest groups,”19 whereas “workingclass and middle-class Americans exercise almost no influence on political outcomes across a wide array of issues.”20 We are living through a material and ideological crisis: people’s basic needs are not being met — not by the state, and not by the market. But it is not simply that material conditions are increasingly unsurvivable. Ordinary people have no way to determine the conditions of their lives.21 People are taking to the streets because it is their “only recourse.”22 More than hardball, Klarman argues that conservatives and superelites have written, interpreted, influenced, and enforced the laws to build a world where their power and profit reign supreme. Despite large majorities who support “paid sick leave and parental leave for workers, a higher minimum wage, and higher taxes on millionaires . . . such policies do not get enacted.”23 In an unusually clear identification of political opponents in a piece of legal scholarship, Klarman’s charge is against Republicans, Donald Trump, the Roberts Court, libertarian businessmen, the religious right, and the right-wing media. But Klarman does not rest there: he identifies a fundamental contradiction between property rights and representative democracy in our constitutional structure from the founding until today.24 While he omits land theft and Indigenous genocide, he repeatedly refers to the histories and afterlives of enslavement.25 As he charts the neofascist turn in Republican politics, Klarman provides a sweeping argument about how neoliberalism has come to define our law and politics — with Republicans at the helm and Democrats in tow.26 The “libertarian businessmen’s political agenda” is at the center of the story: “reducing taxes, cutting social welfare programs, privatizing education and other traditional government functions, undermining labor unions, [and] eviscerating environmental regulations.”27 But Klarman overlooks the exponential rise of incarceration and policing since the civil rights movement.28 This is a curious omission given Klarman’s past work on criminal procedure and the Foreword’s focus on eroded democracy, expanding inequality, and racial resentment among whites.29 Mass criminalization is an engine of political, economic, and social disenfranchisement that has devastated Black, brown, poor, and working-class communities.30 It provides bipartisan scaffolding for the widening wealth and income gaps that animate how race, class, and gender are lived.31 Klarman refuses many of the myths of liberalism and neoliberalism.32 He considers law as a terrain and tool of politics: the product of dynamic social forces contending for power. From social movements to the Civil War to the evisceration of labor unions, he describes the bloody struggles — far outside the courtroom or Congress — over labor, land, race, class, and gender as central to the shape and meaning of our laws. He identifies the material incentives and ideological infrastructure that have created the Republican Party we know today and its sizeable support among whites.33 He repudiates any fantasy that we are on a linear march toward betterment for all. He powerfully reminds us, for example, that “only for a relatively brief period during Reconstruction and since the 1965 Voting Rights Act have [B]lacks been permitted to participate in any significant way in American democracy.”34 There is no machinery toiling on automatic toward justice. He understands the state not merely as the government, but as something more akin to the ruling elite.35 After refusing the divisions among democracy, the state, and the economy, Klarman falters when it comes to reforms. He explicitly places the horizon for reform as democracy — which he briefly defines as a political system where “a majority of voters enjoys at least a majority of the political power”36 — and narrows his focus to the formal structures of participation in electoral politics. Klarman calls on the Democratic Party to advance reforms that “bolster”37 and “entrench”38 democracy: implementing automatic voter registration at eighteen, ending felon disenfranchisement, publicly financing elections, resizing the Supreme Court, abolishing the Electoral College, and addressing the malapportionment of the Senate.39 He recognizes that “[w]e are trapped in a downward spiral in which growing economic inequality erodes democracy, leading to the enactment of more policies that further exacerbate economic inequality, which then further erodes democracy.”40 But then he concludes that “democratic reform logically must come first.”41 As an empirical and normative matter, I am not so sure. Electoral reform is unlikely to mobilize a public where only twenty to sixty-five percent of eligible voters cast their ballots in various elections and only twenty percent trust the federal government.42 Nor do we have the luxury to wait and see. The rhythms and impacts of minority rule are more frequent and brutal than the election cycle. That most people have virtually “no influence on political outcomes across a wide array of issues”43 has very material consequences. It means widespread hunger and houselessness, declining wages and a third part-time job, no time for rest or leisure or loved ones, and high rates of alcoholism, depression, overdoses, and suicide. It means ballooning budgets for punitive control financed by the poor and defunding of schools, transportation, and infrastructure. It means living in a debt-based economy where most everyone cannot afford their daily existence. It means dirty air, undrinkable water, and rising sea levels. It means widespread premature death and insufficient medical care.44 It means stoking anti-poor, anti-Black, antiimmigrant, anti-Muslim, and anti-Mexican sentiment to try to ease the pain between myth and reality. It means doubling down on the nuclear family, patriarchal violence, and gender binaries. It means increased feelings of powerlessness and despondency. The reforms Klarman advances would provide important avenues to reconstitute Democratic Party power and to weaken nativist rightwing forces. But they would not go far enough to counter the devastation minority rule has wrought through never-ending privatization and the monstrosity of the carceral state. Nor are Democrats likely to lead a meaningful agenda of redistribution and reconstruction. Consider that from Minneapolis to Los Angeles to Louisville, virtually all of the cities engulfed in protest this summer have Democratic city councils and mayors. At the federal level, the party leadership has ferociously fought pressure from the emboldened left of the party, even as “the Squad” organizes around large-scale changes that are mobilizing young people and a broader ideological base.45 Democrats have consistently failed to mount a serious challenge to Republican power with any kind of real vision for an alternative or for large structural changes.46 They have been willing partners in the neoliberal project.47 Democracy must be a bottom-up project. It cannot be entrusted to either party. Whether you think of Occupy or Ferguson or Standing Rock or the teachers’ strikes, the flourishing protests of the last decade are grassroots insurgencies against intersecting material crises produced by elite rule. It is here that we must pay attention.48 Social movements are essential to contesting the strangled domain of democratic politics under neoliberal capitalism and its unrelenting expansion of the market economy. To create the conditions where popular majorities can engage in self-rule requires a vision of democracy that does not separate politics from the economy and that is committed to grassroots power and a more ambitious program of reform. In this Response, I lay out a more capacious vision of democracy emerging from today’s grassroots movements on the left: where the pursuit of “non-reformist reforms” is one strategy to move us toward a democratic political economy where people possess the agency and power to self-determine the conditions of their lives. Organizers are increasingly using the heuristic of non-reformist reforms to conjure the possibility of advancing reforms that facilitate transformational change. Articulated in protests, strikes, campaigns, and policy platforms by organizations like Mijente, Black Visions Collective, Sunrise Movement, the Right To The City Alliance, and the International Longshore and Warehouse Union,49 non-reformist reforms provide a framework for thinking about reforms that aim to build grassroots power as they redress the crises of our times. They embody a combined concern with democracy and the economy, the ends and processes of grassroots power: to fight criminalization and privatization as we organize for collective self-determination. The Response proceeds as follows. In Part I, I lay out the conceptual framework of non-reformist reforms, its origins, and its current articulation in abolitionist, antiracist, and anticapitalist organizing.50 In Part II, I turn to defund the police as one example of a non-reformist reform. In Part III, I explain that movements are making demands for the public to have greater say in the commons: our collectively generated wealth, the land, and our shared built environment. These demands for redistribution reflect the deepening of anticapitalist and antiracist critique in many of today’s movements and a shift in thinking about the nature of reform that creates greater self-determination for poor, working-class, Black, and brown people — and a more just and sustainable future for us all.

#### AFTER (32) YEARS OF

#### BEING A PAWN IN THE SCHEME.

#### I TAKE CONTROL OF THIS SCENE

#### TURNING NIGHTMARE INTO

#### DREAMS

Watson 20 – currently incarcerated at California State Prison, Solano (SOL), Shaylor, My Comrades' Thoughts on Black Lives Matter, "Nightmare into Dreams", <https://mcusercontent.com/6a3f8fc112275cc54fa1c620c/files/335d60ca-9e61-4e92-b759-203caac732c6/BLM_Kilgore_Book_Manuscript.pdf>

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Prison and Neighborhood Arts Project 19, FATS, George Frison, William Jones, Erica R. Meiners, James Piggues, Sarah Ross, Johnny Taylor, Devon Terrell, Fereshteh Toosi and Alan White. FATS, William Jones, Erica R. Meiners, James Piggues, Sarah Ross, Johnny Taylor, Devon Terrell, Fereshteh Toosi, and Alan White are all participants in the Prison and Neighborhood Arts Project, in Illinois. “DUE TIME”, CSPA Quarterly , Summer 2019, No. 25, Time & Attention (Summer 2019), pp. 34-53, Center for Sustainable Practice in the Arts, https://www.jstor.org/stable/26753797, accessed 10/27/21, sb

Contradictory engagements with time are also reflected in the movement to reform or end prisons and policing, and build radical alternatives. When we make demands for abolition, we are told—even from allies in the struggle—to ask for less, to slow down, to wait, to be practical. Such discursive responses are the signposts of late capitalism created by an economic apparatus able to control the clock. Building abolition futures in the present requires not only time (and the refusal to wait), but rethinking how our prison nation uses time against us. In Cruising Utopia, José Esteban Muñoz (2009) writes that, “queerness is that thing that lets us feel that this world is not enough, that indeed something is missing.” “We are not yet queer,” he writes, “but we might use its possibility to help us imagine a future, and to make our futures in the present.”2 Requiring more than a radical imagination, abolition asks us to live as if we were already beyond this punishing time. Multi-faceted and out of time, this work is not simply about eliminating prisons or closing jails. As theorists Stefano Harney and Fred Moten write, the abolition of our prison nation necessitates making and thinking of “the abolition of a society that could have prisons, that could have slavery, that could have the wage.”3 How is time a central aspect of discipline, mobility, social segregation, and punishment? How do we not simply mark time, but interrupt or steal time and resist the punitive ticking logic? Below we offer an on-going, experimental glossary of entries from scholars and artists, some currently incarcerated, who have thought about time, labour and freedom during a year-long art inquiry/class at Stateville Prison in Illinois. An invitation from a local museum, the Jane Addams HullHouse Museum, prompted the class to consider histories of time and labour from the reform era in the U.S., when ideas of free time were connected to one’s ability to participate in a democracy. How might a group of people articulate time and freedom in an unfree space? Is the speed-up of time and inability to shape a collective political future in the free world connected to “doing time” and “state time”? Many of the resulting entries are descriptive, while others theorize time. Some contributions are authored by one person, and some are melded, written by many. Names are removed from individual entries in order to create a plural or polyvocal effect. Dissimilar voices and experiences are intertwined, reflecting some shared contexts, but also varied experiences within and across the carceral continuum. Our glossary is provisional, incomplete, and the contributions invite engagement. As a partial constellation, these entries aim to provoke an on-going interrogation of how time, tinkered with and manipulated, narrowly structures our collective existence. DAY TIME This timeline details every thirty minutes of the day, with detailed illustrations of specific times. In one such articulation, freedom is found only in the artist’s sleep/dreams. FEELING TIME Categories of labourers—from volunteer college educators to paid imprisoned workers that process paperwork and clean floors— reproduce the state functions of incarceration and mimic services that have shrunk under economic restructuring. Let’s take these two examples. The college educator: Each week a group of artists, writers, and scholars pass through four gates run by unionized prison guards to enter the small world of a big prison. Gaining access to a state prison requires criminal background checks and no prior arrests or convictions, TB tests, drug tests, and an agreement not to write to or visit anyone in another state prison, ever again. Once inside the front gates we shuffle through a timeline that materializes the carceral project on a small scale: buildings constructed in the 1920s, 1940s and 1980s. Far from the entrance gate is the crumbling school building where we teach college-level art, writing, and humanities courses as nonpaid workers, volunteers. Most of us teach at area universities and state colleges where the undergraduate tuition price tag is between $7,000 and $45,000 per year. At the prison we work for free. The imprisoned worker: prisons are partially operated by people locked inside. Both physical and affective, this labour includes the everyday maintenance of the people and the prison. The daily work of keeping the place clean, food cooked, and the administration of all kinds of activities—including the volunteer taught college classes—is all done by “selected inmates.” The pay is horrible: the Prison Policy Initiative identifies that the average minimum pay of a prisoner per day is $0.93 and the maximum is $4.73.4 But in such a constrained environment, these jobs are often coveted because it means time out of a cell to move around, talk with others, and sometimes, as many identify, be treated as a colleague. These sets of workers assure the business as usual of the carceral state. State and federal agencies have largely stripped funding for art, education, mental-health services, and recreational opportunities—both within and outside prisons. Thus in the prison we volunteer teach. Prison needs the almost free labour of those caged within to function. Without the bodies and the work of imprisoned people, prisons would not exist. Our bodies extend and naturalize the prison, and this work is often justified through the affects of care and love. Yet simultaneously the possibility of exceeding these everyday constraints also exists. As a connection with the outside world, college classes provide forms of educational support and make another link between free and unfree spaces, reminding outside communities (some of which rarely feel the impacts of the widespread confinement in our society) that indeed, prisons exist. Imprisoned workers create expanded infrastructural capacities to add to the limited offerings provided by prison chaplains or volunteer coordinators, whose positions still barely exist in the state-prison budget. The time offered by both is critical, lifesaving even, in a place where segregation, depression, and state violence are common. Yet this affective labour and its corresponding humanistic logic subsequently reinforce the carceral continuum. What does it mean to offer care and to listen, yet be unable to alter the dominant and inhumane power structures? What does it mean to be a temporary and mercurial buffer between the institutional forms of state violence and people’s bodies? Might caring mobilize particular logics— punitive and otherwise—that knit people into compromising relationships with work, the state, and each other? But, perhaps, on some days, this feeling time can also change the state, push up against its power, and restructure its logics, in due time.

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#### Just as the abolition of the institution of slavery in 1750 was an imagined impossibility for slaves, the refusal to wait in favor of imagining unthinkable and impossible forms of liberation is a method of abolitionist study and undercommoning

Prison and Neighborhood Arts Project 19, FATS, George Frison, William Jones, Erica R. Meiners, James Piggues, Sarah Ross, Johnny Taylor, Devon Terrell, Fereshteh Toosi and Alan White. FATS, William Jones, Erica R. Meiners, James Piggues, Sarah Ross, Johnny Taylor, Devon Terrell, Fereshteh Toosi, and Alan White are all participants in the Prison and Neighborhood Arts Project, in Illinois. “DUE TIME”, CSPA Quarterly , Summer 2019, No. 25, Time & Attention (Summer 2019), pp. 34-53, Center for Sustainable Practice in the Arts, https://www.jstor.org/stable/26753797, accessed 10/27/21, sb

The demand for visibility and power by those marginalized has often been met with questions about the feasibility of any radical demands for the redistribution of power: Abolitionists who sought to end slavery, feminists pushing for equal rights, queers seeking to decriminalize sodomy. All too often we hear: We can’t go too far too fast, don’t make yourself a target, we need to wait, we must move slowly, don’t be too visible, don’t make them angry, we can’t ask for that right now… Liberation under oppression is somehow unthinkable, unimaginable by design. Yet the admonition “to be practical” illuminates the value of an abolition framework. Making the claim that something is broken does not require that we know the response. As anthropologist Elizabeth Povinelli writes, “Not this makes a difference even if it does not produce a prepositional otherwise.”10 Not this re-orients the terrain and forces other imaginative possibilities. The fierceness of not this has the potential to even momentarily interrupt the daily grind, the everyday, business-as-usual forms of harm and state violence. While abolition, like other forms of critique, does not require a response—and a part of the power is in the interruption, the refusal of the wait, wait, slow death—many have used this interruption to create and build interventions across the carceral state. Organizations and people are building other ways to create stronger and safer communities that do not involve more prisons, more dronesurveilled borders, more police in our schools. Asking those harmed to wait, and to then wait more for ends that are inadequate, is characteristic of how our time is shaped by a punishing state. OUT OF TIME Prisons are a plank in what historian Saidiya Hartman has termed the “afterlife of slavery” including “skewed life chances, limited access to health and education, premature death, incarceration, and impoverishment.”11 Slavery, Black Codes, convict-lease systems, policing, and imprisonment are intertwined manifestations of state violence under white supremacy. Yet racialized state violence is a moving trajectory. While prison closures and police reforms are announced, antiblack racism, for example, persists and new state forms emerge to incubate and animate punishing logics. In 2013, Illinois closed the Tamms supermax prison, the only maximum-security prison for people the state considers women, and two youth prisons. Across the U.S., many herald the “end of mass incarceration,” yet Hartman’s frame pushes us to keep our eyes on the prize. Even with no evidence that surveillance cameras and police in schools reduce violence or act as deterrents, districts are hiring more school police officers and installing more surveillance cameras in schools overflowing with poor black and brown youth. Mandatory minimum sentences for gun possession are offered as a viable solution to the on-going violence in Chicago’s poorest neighbourhoods. Drones are proposed to monitor the U.S.- Mexico border, a zone already flooded with military forces and vigilantes. A carceral logic still drives our public safety agenda. Public safety has been, and still is, law-and-order politics. Stepping out of our time, away from narratives of progress, away from reform as advancement, forces us to unpack the jarring contradictions inherent in the political moment in which the United States elected a black president and incarcerates more people than any other nation on the globe.

#### Building praxis surrounding prison labor and hunger strikes which built mutual aid across prison cells allows for the endorsement of a prisoner regime of study that jumpstarts the abolition of the prison-university complex

Bolish 14, Abraham Bolish [pseudonym] is an independent researcher who lives and organizes in the Southeastern United States, Libcom, “Freedom From Education: Decolonial Study for Abolishing the Prison-University Complex”, <https://libcom.org/blog/freedom-education-decolonial-study-abolishing-prison-university-complex-06052014>, Accessed 10/21/21 VD

We have a strong desire to assume that a non-racist, liberating education is possible. But who is this ‘we’? People talking about “saving public education” tend to be associated with Higher Ed institutions in some way, whether from working in or graduating from one. This desire seems to be far less evident in people who haven’t invested their identity in such an institution. People who are engaged in struggles that strike directly at the heart of the dominant order—like prison labor strikes and hunger strikes—tend not to ask for anything about this order to be saved. In their struggles, they are practicing an alternative to education—mapping and building social relations across prison cells, analyzing the terrain of surveillance for blindspots, experimenting with covert communication techniques, formulating effective demands, etc.—practices of collective studying that makes their organizing a kind in which “every crook can govern.” To reduce prisoners’ autonomous study to education would not only disrespect their ingenuity but also foreclose the possibility of studying with them across the prison walls. A revolutionary alternative to education can also be seen in indigenous people’s struggles to undo the ongoing history of dispossession from their lands, for instance, with the Indigenous Nationhood Movement. With direct actions, such as blockades against fracking, they practice an insurgent politics toward abolishing the flows of commodified resources that churn the gears of capitalism. Indigenous peoples simultaneously enact a resurgent politics through reclaiming their land, revitalizing their cultural traditions, and reconnecting their lives in relations of reciprocity with the non-human world. In insurgence and resurgence, indigenous peoples study with each other in ways that are radically alternative to those of education. Reflecting on these contrasts can draw out what is at stake in my call to de-romanticize education. Prisoners’ study and indigenous study are practices for composing alternative worlds—not alternative forms of modernity, but alternatives to modernity and its underside of colonial-racial-hetero-patriarchal-capitalism. Naïve faith in education gives a shortcut around the challenges of integrating study with revolutionary organizing. Instead, we should drop the abstract concept of ‘education’ in favor of the differentiating concept of ‘regimes of study’—that is, sets of practices, institutions, and processes that enroll people in particular ways of knowing, teaching, and learning. The major regime of study today is the education-based regime. Its key features are credentialed experts who teach and give exams, which prepare students for participation in governance. There are many alternative regimes of study associated with ways of composing the world alternative to modern/colonialist capitalism. To promote a regime of study based on continual circulation of study-knowledge-and-teaching, we can take the relay from indigenous communities, DIY study groups embedded in organizing, as well as movements that have sought to contest the education regime’s control of the resources for study. The Black Campus Movement sought to abolish the White University and expropriate its resources for Black study. American Indian and First Nations movements sought to replace the Colonial University with the Indigenous University. Feminist and Queer movements sought to abolish the Hetero-Patriarchal University. Communist movements sought to abolish the Capitalist University. In these movements—and often in radical struggles—what participants called ‘education’ would have been better described as an alternative regime of study. Calling for their own kind of ‘education’ can have politically useful, tactical purposes (e.g., making a claim on the resources assigned for ‘education’). But, it also has many pitfalls from confusing their own resistant practices with those of what they are struggling against. Thus, I argue for using the language of ‘regimes of study’ for analytical purposes—i.e., in developing critical analyses of strategy, visions, etc., which can include discussion of uses of 'education.’ In a particular struggle, for instance, to take over a campus and foster an alternative regime of study in that place, the movement could tactically use slogans like 'defend public education' but, simultaneously, have some critical analysis amongst their group about how they are seeking to avoid reproducing the education-based regime of study and to enact and foster alternatives to it. The revolutionary campus movements fell far short of their goals, as evidenced by the marginalization of their projects within small ‘Studies’ departments and by the predominance throughout the wider academy of the projects they sought to destroy. Resistant study projects still emerge from these departments and they occasionally connect with wider movements. Yet, the game is rigged against them, as the wider institutions of universities are fully enmeshed in the education-based regime of study—on the top of the pyramid of education. Despite education administrators’ tight rule over the pyramid, alternative practices of study happen in its cracks. Students create a group against sexual violence. Custodians coordinate a work slowdown. Contingent faculty organize a union. In their organizing, they integrate practices of study—such as mapping the campus and their social relations—that have nothing to do with the education regime’s exams and expertise. They contest the use of the university as a place for study. The education regime’s way of seeing the world relies on a view of time as separate from space and as linear and developmental, on a two-dimensional scale. Students who subscribe to this view see themselves as individuals hurtling into a future with possible trajectories of either going ‘up’ as a valued graduate toward economic productivity or ‘down’ as a ‘dropout’ toward criminality. This discourse of ‘dropout’/’graduate’ was developed in the 1960s to stigmatize potentially resistant youth through individualizing of responsibility for social crises onto future-oriented students. As an antidote, we can draw from indigenous conceptions of the world that refuse such individualizing imaginaries through their rejection of dichotomized ‘space’ and ‘time.’ Grounding our bodies in particular places, we can make meaning for our lives through telling stories about our relations with these places and the people and things in them. A first step for such a re-grounding has to be to acknowledge that universities and prisons are built on indigenous land, and that the dispossession of indigenous peoples from that land was the key precondition for building the regimes of racial capitalism on it. We can unsettle our ‘selves’ and our relations with these places through reconnecting with the land in ways that take responsibility for undoing the mess of settler colonialism. Indigenous movements have often reoccupied land for purposes of decolonizing and resurgence, such as the Alcatraz occupation of 1969-1971. Likewise, the Black Campus Movement occupied buildings, such as the Allen Building at Duke University in 1969, creating the Malcolm X Liberation University. The state reacted with infiltration of the movements and repression of their most militant leaders, often imprisoning them. This was the beginning of the era of mass incarceration. The movement kept their relationships alive across the prison walls through prisoner support groups and occasional jailbreaks. In some contemporary struggles at universities, the places have becomes sites for re-articulating new relationships in and through regimes of study alternative to that of education. In the occupation of Wheeler Hall at Berkeley in 2009, students and workers broke “the glass floor” through creating affective relationships, or “lines of care,” between their bodies across police barricades. Some participants have highlighted the difficulties of bridging these campus struggles with movements against policing and incarceration of working class people of color in nearby neighborhoods, such as East Oakland. The Left creates its own imaginal obstacles to seeing how prisons and universities are co-constitutive through subscribing to liberal narratives, like ‘dropout’/’graduate’ and ‘school to prison pipeline,’ that romanticize education and see incarceration as its despised Other. Some projects are taking on these obstacles, such as Damien Sojoyner’s de-mystifying of the ‘school to prison pipeline’ by showing how schools have long been places of policing young people, with a case study of Los Angeles’s programs of police in schools in the 1960s as means of suppressing Black Radicalism and normalizing racial oppression. Through such critical historicizing of the ‘school to prison pipeline’ metaphor, it can become a useful tool for drawing attention to the long-standing co-implication of schools and prisons as disciplinary institutions of racial capitalism. By contrast, the ‘education not incarceration’ framing—with its naïve treatment of education as a social good—might be impossible to recuperate for radical purposes. Conversely, comparisons of universities with prisons, such as implying deviation from their educational mission into becoming “ivory cages,” also pose such an extreme challenge, though perhaps not insurmountable. Such comparisons can foreclose thinking about the ways that the institutions are co-constituted with each other within racial capitalism. Yet, if framed carefully, they can also be used to show how the institutions share common logics—they both perpetuate logics of the regimes of carcerality and education, which are instantiated in crucially different but inter-related ways. The problem of romanticizing education (and conversely, demonizing incarceration) often arises from a failure to make these distinctions between 'institutions' and 'regimes,' their different types, and how they are related. Comparisons tend to imply assuming the possibility of creating institutions of schools and universities that are ideally free of carcerality and full of education. Such an ideal is romanticizing because the regimes of carcerality and education have always co-constituted each other and infused all institutions of racial capitalism. Against this historical neglect, movements should articulate our ideals in ways that call for schools and universities free not only of carcerality but of education as well. Inspired by the revolutionary campus movements who fought for a ‘Black University’ and an ‘Indigenous University,’ we should demand, not ‘free education,’ but ‘freedom from education.’ Through reoccupying the places that have been used for both education and carcerality, we can turn them toward other purposes: to enact alternative regimes of study in and for our revolutionary movements. In addition to such de-romanticizing, the best paths toward breaking down these obstacles are through study embedded in organizing with the people who are most affected by the brutal, exploitative functions of both prisons and universities. The beginning of an abolitionist regime of study can be created through connecting with campus workers and students who are more likely to have friends and loved ones in the penal system. Collaborating together, they can build relationships and communicative, co-research projects with the inmates of jails and prisons so as to amplify the voices of those inside.

#### Yes, the university is a nonplace of abolition and is inextricably intertwined with the carceral state. However, the recognition of the impossibility of struggle within the university creates radical moments for studying and planning

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We start with a recognition, for us, of the obvious. While the project of what some scholars now call critical university studies might be new, 1 the underlying analysis is not. 2 More recently, a wide body of scholars and organizers have named how the university is intertwined with our prison-industrial complex: Dylan Rodríguez identifies the long arc of the “gendered racist, apartheid, colonialist foundations” of the academy, or what Sandy Grande calls an “arm of the settler state.” 3 Robin D. G. Kel - ley wrote that the university “cannot be radically transformed by ‘simply’ adding darker faces, safer spaces, better training, and a curriculum that acknowledges historical and contemporary oppressions.” 4 Abigail Boggs and Nick Mitchell remind us “that there is no history of the university that is not also a history of capital accumulation and capital expropria - tion.” 5 Feminists, particularly women of color, have consistently identified and challenged the de facto university response to their bodies, scholar - ship, and teaching: “presumed incompetent.” 6 For us, far from a hallowed and romantic space of enlightenment, the university will not stop being racist, sexist, ableist, and heteronormative, nor will it redeem us/help us make good. 7 And yet here we are. Both of our lives were and continue to be altered by the possibilities of study incited through, and in spite of, the university. Yet any illusion of a refuge —the fugitive pauses from the assemblage and its violences —contains a paradox. We may borrow temporal breaks from the machine, but within the academy we are still indebted to it. (And we cannot unknow how our bio/blood/loved networks, the unstudents and the ungraduates, are calculated through a lens of dispossession and defi - ciency.) We use these refuge/moments to organize and to study. Study is not limited to or contained within the university. Study involves planning and moving with other people, or as Stefano Harney and Fred Moten describe, “talking and walking around with other people working, danc - ing, suffering, some irreducible convergence of all three, held under the name of speculative practice.” 8 We also open with a note that the university operates through recu - perative logics to incorporate dissent: writing this article is a clear example of how difference and crises can actually be included in the official proj - ect of the accommodating state and legitimize existing and grotesquely uneven power relations. Critique, even of the university, is folded into the university’s mission of marketing itself, especially to the tuition-paying consumer. And yet it is our collective uneasy feelings, persistent questions, a slow burn, that propel us to write together, to study. At this political moment within the university, “mass incarceration” and its most recognizable constituents, the prisoner and the prison, are at a predictable tipping point: the violence of inclusion.9 Neoliberal multiculturalism appears capacious enough to hold select representations of mass incarceration in its pursuit of new markets and deft enough to deploy this difference to whitewash other forms of institutional violence: a sprinkling of liberal arts through an education program for some deserving prisoners appears just as the university mints new degree programs in counterterrorism studies and homeland security. In some university spaces, programs that claim to create pipelines from prison to university are funded and touted. Subfields, endowed chairs, and tenure-line faculty positions emerge—critical carceral studies, critical prison studies, critical criminology—to further investigate the problem of mass incarceration. Social justice centers and research clusters are funded (through state, tuition, and private donor dollars) to further urgent scholarship on our prison nation, to invoke Beth Richie’s term, and to posit solutions through university-based publications, convenings, and lectures.10 Again, the university deftly positions itself as the unique, meaningful, and necessary answer to the pressing question of the day: the prison.11 And yet, against this backdrop of energetically producing solutions, the university also continues and reproduces our carceral regime. Universities police dissent. Pro-Palestinian Boycott, Divestment, Sanctions groups and speakers on campuses are repeatedly silenced, and affiliated faculty and staff are sanctioned.12 Staff and other resources for departments accountable to community and university political movements—perhaps ethnic studies, Black studies, gender and sexuality studies—shrivel while budgets for campus sports and policing balloon. Labor organizing, particularly by contingent and service workers, who are most often women and/or people of color, is met with swift repression:13 as this article goes to press in the summer of 2020, the University of California continues to exploit, half starve, deport, surveil, evict, fire, and brutalize its striking graduate student instructors.14 Militarized campus police often harass and detain our people for walking while being a racialized and/or queer body. (The formerly incarcerated are especially targeted because of their precarious standing, including conviction histories and often parole and probation restrictions.) With stuffed budgets, criminology continues its algorithmic dystopia, its supposed study of the so-called criminal justice system, that draws nothing intelligible from either crime or justice in its epistemological or practical reasoning. This terrain is rife with contradictions, including the perception of an emergent and pivotal restructuring at the site of the prison and at the university —which themselves form competing hegemonic projects, or what Boggs and Mitchell term a “crisis consensus.”15 We are neither for nor against the university in its current formation, or we risk either repro - ducing the violence of the university or producing further evisceration of the public in late-stage capitalism, for example, fueling silos and devalu - ation through the marking of some forms of education as professional schools, including teacher’s colleges, or boosting the logics that natural - ize the legitimacy of private, restrictive-enrollment, and wealth-hoarding universities.16 We also recognize that during any crisis —engineered or otherwise —the historical bloc aims to reconfigure its balance of power between consent and coercion.17 And the effects, the residuals, of this reconfiguration never settle. Therefore, now, like always, is the queer time to study. As two inhabitants in the undercommons, we travel through and sometimes occupy critical university studies and critical prison studies. We speak on panels that highlight the experience of people impacted by systems. We give social justice lectures. One of us teaches in prison (and wrote about it). One of us is formerly incarcerated at the university (and wrote about it). We inhabit the subjectivities —once disposable, perhaps still slightly toxic —that in some contexts have currency in this political moment: formerly incarcerated graduate student, activist feminist scholar. Yet our allegiance and accountability are to movements that engender material redistributions and to the production and circulation of analysis and labor capable of cracking this political moment, even temporally, to free up more lives. We write from one place we inhabit, the university, not to fix or to solve or to address or to critique (in pursuit of the new) —from one place we inhabit, the university —but to make visible emergent lines and arrangements of power and resistance that inhibit and build abolition. We write in what Barbara Tomlinson and George Lipsitz might consider accompaniment:18 we write to find our people.

#### Against the prominence of democratic despotism, study situates a blockage that cannot be revised as a means of unraveling the prominence of logistical sovereignty, institutionality, and the prison-industrial complex

Melamed 16, Jodi Melamed is associate professor of English and Africana Studies at Marquette University, “Proceduralism, Predisposing, Poesis: Forms of Institutionality, In the Making “, 4/1/16, https://epublications.marquette.edu/cgi/viewcontent.cgi?article=1368&context=english\_fac, apark 10/29/21

For our purposes, Stefano Harney and Fred Moten’s The Undercommons: Fugitive Planning & Black Study, a performative event repeated with each reading, can be seen to work for a rupture of neoliberalized and liberal modes of institutionality. It works to undo and estrange their constitutive and constituting logics, their modes of individualizing, rationalizing, politicizing, critiquing, and formalizing social being into dominant ‘institutions’ and their ‘will to fix’ (apprehension of) the conditions of the material and the real. From the matrix of meaning the Undercommons creates, liberal and neoliberal modes of institutionality come into focus as continuous within a developing genealogy of unfreedom and truncations of social life, whose strategies include racial capitalist, settler colonial, and liberal democratic logics and practices alike. One description of the university’s institutionality captures this perfectly: “The University Is the Site of the Social Reproduction of Conquest Denial.”26 Another description makes it clear that the university institutionalizes the same violence as the prison: “The university, then, is not the opposite of the prison, since they are both involved, in their way, with the reduction and command of the social individual.”27 Thus for Moten and Harney, neo/liberal institutionality, generally considered, abhors social being outside its forms. Thus sociality itself (along the lines of what they call “consent not to be one”) is resistance. 28 The performance of The Undercommons: Fugitive Planning & Black Study is structured around the play of two categories of terms: 1) terms that distill the specific violences of neo/liberal modes of institutionality, which reduce and harm human capacities of sociality and continuously refresh the coloniality and raciality of institutional forms, and 2) terms that help us think and organize desire for forms of social being that are illiberally collective, unoccupied by professionalism, sociopoetical, in-the-making, and shared beyond the logics of democratic capitalist humanist Enlightenment traditions or critical moves that fall under the category of legitimation-by-reversal (i.e., the commons as reverse legitimation of privatization, redistribution as the reverse legitimation of dispossession, the critical professional as the reverse legitimation of the university as site of the social reproduction of conquest denial). While some of the terms in the first category incline towards a critique of liberal institutionality (‘politics’ and ‘critique’), many of them catch hold of a neoliberalization of institutionality, including ‘policy’ and ‘logistics.’ For Moten and Harney, capital today “wants control of the means [of social reproduction…]by gaining access to and directly controlling the informal experiment with the social reproduction of life itself.”29 In neoliberal times, this requires the use of directly political forms in addition to economic compulsion. ‘Policy’ is a name for the form political control and command takes. It is a deputized, dispersed form of command which controls social reproduction by diagnosing ‘incorrectness’ for those it represents to be in need of improvement, of change, of policy. Moten and Harney counterpose ‘planning’ to ‘policy.’ “Planning is self-sufficiency at the social level, and it reproduces in its experiment not just what it needs, life, but what it wants, life in difference, in the play of the general antagonism.”30 It begins with “militant preservation” in the face of ‘policy’.31 To escape the proceduralism of ‘policy,’ Moten and Harney offer the sociopoesis of the statement, “There’s nothing wrong with us.”32 Similarly, ‘logistics’ is a name for the “capitalist science” of the moment, which “wants to dispense with the subject altogether,” to containerize “bodies, objects, affects, information” for circulation as capital, “as if it could reign sovereign over the informal, the concrete and generative indeterminacy of material life.”33 To “logistics” Harney and Moten counterpose “hapticality, or love,” “the capacity to feel through others, for others to feel through you, for you to feel them feeling you,” a capacity attached in sociopoetic imagination to the bodies of people captured in the hold of slave ships (the first form of logistical transportation).34 The Undercommons, in this way, repeatedly performs the defeat of neoliberal proceduralism by the sociopoetical imagination, asserting “the necessarily failed administrative accounting of the incalculable.”35 In these performances, the concept of the ‘undercommons’ holds a special weight of desire and meaning, circulating as a term for “the nonplace of abolition,” a beneath and beyond of the university inhabited by maroons, castaways, and fugitives, and an “appositionality” of “being together in homelessness.”36 How do the streams of meaning performatively attached to ‘the undercommons’ as a tool for sociopoesis frame or interact with the concept of ‘institutionality,’ as we’ve been discussing it here? In the interview that makes up the last chapter of text, in answer to a question about the relationship between the university and the undercommons, Harney states, I don’t see the undercommons as having any necessary relationship to the university…. [T]he undercommons is a kind of comportment or on-going experiment with and as the general antagonism, a kind of way of being with others[. I]t’s almost impossible that it could be matched up with particular forms of institutional life. It would obviously be cut through in different kinds of ways and in different spaces and times.”37 As a “kind of comportment,” a way of being and doing, the undercommons is not in contradiction with Gayatri Chakravorty Spivak’s dictum that there is no such thing as “a noninstitutional environment.”38 Rather, it’s a kind of practice that cannot be encompassed by “institutional life.” It may be thought of as the placeholder for a vision of sociality without institutionality, or perhaps the sociality that happens all the time beyond and below the incorporative maneuvers of dominant institutions. On the othe hand, the ‘undercommons’ might be thought of in relation to institutionality as an excessive and ruptural sociality, a sociopoesis which demands that the active social content institutionality congeals returns to fluidity through a generative unthinking of the “hard materiality of the unreal.”39 My suggestion for thinking about pedagogy is to advocate for thinking and teaching that renews our sense of institutions as sites where the form and appearance of social being and collectivity is determined through social action and contest, even as we problematize institutions as always explicitly incorporative, as constituted out of the durable predispositions of adaptive hegemonies. Inspired by Ferguson and Harney and Moten, my call is perhaps to work for a disruptive institutionality, to work with the paradox of institutionality—which pits congealed social process against lived presence—to plan for what Audre Lorde called “a new and more possible meeting,” for a broader sense of collective social being than neo/liberal forms of institutional power let us imagine and practice.40 Infused with the disruptive potential of illiberal discourses of collectivity, “institutionality” can be made to line up anti-intuitively with critical rubrics that empower us to try to inhabit social being otherwise (undercommons, abolition, fugitivity), while reminding us that “radical change requires structure.”41

#### The ROB is to endorse planning over policy – prefer incomplete abolitionist demands on the state for endless revision in contrast to policy’s consistent desire to consume and diagnose

Moten and Harney 21, Stefano Harney is a Professor of Strategic Management Education, Singapore Management University and co-founder of the School for Study, an ensemble teaching project. He employs autonomist and postcolonial theory in looking into issues associated with race, work, and social organization; Fred Moten is a Professor of English at the University of California, Riverside, where he teaches courses and conducts research in black studies, performance studies, poetics and literary theory. “All Incomplete”, Minor Compositions, p 43-44, apark 10/29/21

The algorithm of work subjects every labor process on the production line to undoing, disassembly, and incompletion, in order to demand it be completed better, assembled better, done better. It leaves behind not an improved organization but a metric to ensure the organization will never be satisfied. The metric measures everything against its last instance, ensuring that the last instance never comes. The metric demands more access, more measurement of access, more movement, more assembly, more measure of the last instance, which is given in and as enclosure. The consultant is still talking but it does not matter now what he says. The algorithm of work has arrived, algorithmic surplus has gone viral. If the settler could not be heard over the screams of primitive accumulation, and the citizen could not be heard over the noise of the machines, the consultant cannot be heard over the click of the metrics. Mikey heard this noise and walked the other way, another way, so the algorithm could not pass through, so we could hold him up and pass him along. Chandler reminds us of a term W. E. B. Du Bois invented and employed; “democratic despotism.”21 When the consultant cannot demonstrate access, and therefore the algorithm cannot demonstrate improvement, the consultant calls for policy as once (and still) the citizen calls for heteropatriarchal nationalism or the settler for racist manifest destiny. Policy is past all that, even though all that’s not past. Policy comes in to diagnose what’s blocking access, and what’s blocking access are ‘those people.’ What’s wrong with those people in Detroit who want water, in British Columbia who want land, in Manila who want some place to stay? Policy says there is something wrong with those people that makes it so that the consultant can’t get access. But it is the other way around. The consultant is denied access – those people deny him access – because they embrace the general access-in-antagonism that he denies. And so policy must be called. Self-defense becomes the disease. Love becomes the problem because love is the problem, the self-defense of the accessible. But, hey, maybe governance can help, which is to say maybe those practicing self-defense may be willing to self-diagnose, self-reflect, self-improve! One way or another policy will proscribe, or policy will get posed – as democracy, as democratic despotism, where everyone is given the chance to say there is something wrong with those people. Democratic despotism is the imposition of policy and its violent possibilities and impossibilities on the wrong(ed). Because the thing is, the consultant’s not wrong, the algorithm of work is not malfunctioning, the policy hustler is not misdiagnosing. We’re wrong, which is why we’re wronged. We are incomplete. Moreover, they got the very idea of incompleteness from us! Another word for incompleteness is study, or more precisely, revision. The consultant gets this revision from us, from study, from our sumptuous revisions of one another out of existence, as existence. Study happens and it don’t stop. In study, we are engaged consciously and unconsciously. We revise, and then again. This is not just about distinguishing improvement as capitalist efficiency. That is too easy to dismiss. It is about improvement itself, the time-concept, the moral imperative, the aesthetic judgement, which is to say capitalist improvement founded in and on black flesh, its female informality. Revision has no end and no connection to improvement, never mind efficiency. So the consultant does and undoes institutions but can’t access instituted life, can’t open black life, can’t uncover queer life, can’t expose feminist planning around the ‘kitchen table’ as Barbara and Beverly Smith called it and Tiziana Terranova calls to it again, all noting certain paradoxes of freedom and sequestration in little general intellects of surreal life.22 He can’t access open secrets, can’t incomplete what is already incomplete, can’t deform what is always informal already, and yet they can’t believe and this leads to the state emergency that goes under such names as resilience and preparedness. When democratic despotism fails, simple despotism in the name of democracy must be imposed. Resilience is the name for the violent destruction of things that won’t give, won’t return to form, won’t bend when access is demanded, won’t be flexible and (com)pliant. Stopping when you are told to stop and moving along when you are told to move along demonstrates resilience and composure; but broken, breaking, dissed assembly demonstrates itself openly, secretly, dissembling in captured but inaccessible glance, for us, to us, as incomplete and much more than complete. Its daimonic performance can’t be individuated and won’t be performed.