

Race, Capitalist Crisis, and Abolitionist Organizing: An Interview with Jenna Loyd¹

JENNA LOYD (JL): It's great to be talking with you, Ruthie. Can you tell us how you got involved in anti-prison work?

Ruth Wilson Gilmore [RWG]: I started working on anti-prison organizing about twenty years ago. It was never not on my agenda, but it became the focus of a good deal of my work when I realized that people who were trying to organize themselves around all different kinds of issues kept running up against the criminal justice system, which then seemed to become a focal point for people who were trying to achieve other goals, whether the goals were adequate education for children, health care, immigrant rights, you name it. People kept running up against the criminal justice system and what seemed to be a wholly new relationship with prisons and policing and jails.

I don't think once upon a time prisons and jails were used judiciously and then just got out of control recently. That is *not* what I think. But what I do know is that the use of prisons and jails as all-purpose solutions for all different kinds of social, political, and economic problems and challenges *is* different than what it was in the past. This is to say that the practices perfected in the past on the working class, people of color, and people without certain kinds of

documentation have reached a new level of industrialized efficiency, and we see all different kinds of people being sucked into that kind of machinery at an incredibly fantastic rate. What has happened over the last twenty years is that different kinds of people have found themselves confronted with suddenly having to prove or assert innocence or nonguilt in the face of criminalizing machinery, including legislation and the ideologically produced representation of all different kinds of people as already criminals.

In recent years, one way that people have joined the struggle against the all-purpose use of prisons to solve social problems has been to try to assert that certain kinds of people are actually innocent. So they will say, for example, that long-distance migrants who are not documented to work are not really criminals because they didn't do anything, they just showed up to work. Or they will say, "Oh, look. People who are in prison or who are in jail because they are addicted to certain kinds of substances are not really guilty of any crimes. They're really innocent and should be released."

In my view, while saving anyone is a good thing to do, to try to assert innocence as a key anti-prison political activity is to turn a blind eye to the system and how it works. The way the system works is to move the line of what counts as criminal to encompass and engulf more and more people into the territory of prison eligibility, if you will. So the problem, then, is not to figure out how to determine or prove the innocence of certain individuals or certain classes of people, but to attack the general system through which criminalization proceeds.

JL: It seems like there's a gap between this analysis of criminalization as a political process and a widespread explanation for prison expansion, which puts the blame on private prison corporations as the major culprits. Could you talk about how you think about the prison-industrial complex and how this term can help us understand the dynamics of both criminalization and privatization?

RWG: The first thing I want to say is that over the last thirty years, the prison and jail capacity of the United States has swelled to such a point that one in a hundred adult residents in the United States is in a jail, in a cell, even as we speak. *Right now, one out of a hundred.* As this has happened, the percentage, or fraction, of cells that are operated or managed by private entities has stayed about the same. It's less than 10 percent of all capacity. Now, since absolute capacity has expanded, obviously the number of cages that are privately managed on behalf of public entities has expanded as well.

A lot of people imagine that it is private prison operators that lobby for the draconian laws that keep people locked up so they can make more money. While there is no doubt in my mind that there are places in which such private prison operators do lobby for certain kinds of laws, the fact of the matter is that they're parasites—and this is not to excuse them, they're totally nasty—coming in the wake of an entire criminalization project rather than being the people who make it happen. They're not the ones who make it happen.

What *do* they make happen? One of the things that has happened, especially in the area of immigrant detention, is that investment bankers—and this is separate from Corrections Corporation of America (CCA) or Wackenhut² or any other private prison entities—will persuade communities, especially communities in southern borderland areas and especially in South Texas, that if they agree to build or expand their jail in their county, that eventually the US Marshals Service or Immigration and Customs Enforcement (ICE) will put detained immigrants in them.

There are jails that have been developed that are “privately managed,” but what makes them private is that they're not managed by the entity—the US Marshals or ICE—that is authorized by law to take people into custody. Some of these “private prisons” are actually managed by private prison management companies, like Wackenhut and CCA. Others are managed by counties and cities; they're called private, but they're not actually private in the sense that you and I understand the term private. They are contracted with the entity that has jurisdiction to hold people against their will.

The second thing I want to say is that if we collectively could bring a halt to the private management of all cells tomorrow, including the management contracted with city and county officials, not a single person would get out of prison or jail. That would only end a certain kind of management activity. And the rooting out of CCA or Wackenhut or the city of Shafter [California] from managing these facilities would not at all change the laws and regulations under which the people who are in the cages are held in the cages. So it doesn't end the problem; it just shifts it back to the public sphere.

So that's a way of leading into a mini-rant on the prison-industrial complex. Rather famously, in 1995, Mike Davis published an article in the *Nation* magazine in which he more or less coined the phrase "prison-industrial complex";³ it was modeled on the phrase used by Jim Austin, a criminologist, the "corrections-industrial complex." What both of these guys were trying to think through was whether the ways in which the courts and prisons and industry and the state operate in tandem, or complexly together, could be understood through the lens of the military-industrial complex. It wasn't, in my view, a cute phrase just to be cute. But what happened, in my view, is that people took up the phrase and they thought that all that Austin, Mike Davis, and by extension Critical Resistance—which picked up Mike Davis's phrase—meant was: "Are private corporations calling the shots?"

If we go back to Dwight Eisenhower (or his speechwriter), who coined the phrase "military-industrial complex," we can think about what he meant. Who are included in that complex? What makes the "complex" complex? How is it not simply that weapons manufacturers were telling the United States Congress what to do and when to go to war? The latter is not exactly what Eisenhower was worried about when he warned against the military-industrial complex. Rather, Eisenhower—who revered war and who loved capitalism—was worried that this dyadic relationship between the Pentagon, on the one hand, which had become incredibly insulated and powerful by the end of the 1950s, and the military-industrial providers and beneficiaries, on the other hand, was going to set the stage and determine the path of *all* industrial development in the

United States. That's what he was worried about. He wasn't worried about whether they were going to decide when the next war was, but rather that all of our industrial development would be shaped by the needs of perfecting the capacity to make war.

It's a slightly different emphasis, which is important for thinking about the prison-industrial complex because the complex evoked by the term "military-industrial complex" did not only include the elected and appointed officials in the Pentagon and in Washington, or the heads of corporations like McDonnell Douglas and General Electric, but also the places with military bases, all of the people who work for the military, the boosters who wanted more military installations in their communities in order to produce jobs, and the intellectuals in universities and think tanks who made plans about who should be appropriate targets for war, or the most efficient ways to kill the most people.

All of that is the military-industrial complex, which means to me that all of that is the prison-industrial complex. It's not only the private entrepreneurs or firms that make a profit, although they're important, but it's also the ways in which an entire path has been created around how to deal with certain problems. An entire development path has been created through the assumption that there is a perpetual enemy who must always be fought, but who can never be conquered. And that's where international militarization and domestic militarization meet—at this notion that there is the production of an enemy around which we organize everything, *everything*, not simply profit.

That said, when we think about the profit motive in prison expansion, in thinking in a detailed way through the notion of a *complex*, we are compelled to think about: What are all the ways in which people, firms, and entities—including law enforcement—are sweeping off from the top, as it were, the value that is circulating in the form of expenditures in policing, courts, and prisons? This means everyone who works in the courts. This means everyone who works in the prisons. This means every vendor who sells anything to the prisons. This means all those outrageous costs that are heaped on top of ordinary costs for telephones and so forth. But it also means what's happening in public education, not only the dollar trade-off,

but the assumption that there is a place awaiting everyone who doesn't make it in the teach-to-the-test educational system in K–12, and for many the place is in some cage. *All of that*. It's an entire way of life that we're looking at when we think about the prison-industrial complex. And that is a lot to say to somebody who gets their interest fired up by the phrase "prison-industrial complex," who thinks that the problem is private prisons or slave labor. You can't say it fast!

JL: Who has been targeted by criminalization, and how does this fit with the recent history of class and capitalism?

RWG: When I describe who is in prison, the phrase that I always use is "modestly educated women and men in the prime of their lives." That phrase enables me—in fact, compels me—to think about: How do women and men *become* modestly educated? How is it that people in the prime of their lives who otherwise would be making, moving, growing, and caring for things instead are in cages? What has happened to the making, moving, growing, and caring for things that has changed through the participation of modestly educated women and men in those economic sectors? What did the activities and organizing of such folks become in capitalist terms? (And that's not always the same everywhere.) What is it about the regions that these folks come from that has changed, since once upon a time, without question, there was absorption into a certain labor market niche—often, but not always, a low-wage labor force—that is now unquestionably impossible?

Each of these questions enables a certain thinking about: How are these folks organized or not organized? What are potential, already-existing organizations or institutions through which organizing on behalf of, or in favor of, people sucked into prison might happen? What is working against them in an organized way? And, finally, are there new organizations that can come into being? I'm a firm believer in founding new organizations, not for the organizations to become the center of our attention such that what we do is tend the organization (which is where I think a lot of people in the voluntary sector have unwittingly arrived). Rather, new

organizations make for new combinations and new possibilities. I totally agree with Paulo Freire and Myles Horton that organizations are the substance of social movements.

JL: How do you explain the paradox that so many modestly educated folks are being shoved out of the labor market, while other people, many of whom are migrating across national boundaries, are finding low-paid work? And on top of it, there's been an expansion of immigrant detention.

RWG: At least part of what's happened was that when the ideological and material conditions for the intense expansion of prisons took place, union busting was at the top of all agendas connected with how to revive capitalism in the Golden State after the difficult decade of the seventies. This was a period marked by a very long economic recession, by the United States being run out of Vietnam by the triumph of the Vietnamese People's Army, by the United States going off the gold standard, and by the beginning of the shift in who set prices for oil and what they called the "oil shock." All that economic ferment on a global scale was met not exclusively, but in a widespread way, in the United States by a very strong focus on getting rid of unions or at least weakening them.

So we see, starting in the late seventies and early eighties, outsourcing and multiple-tier contracts for union workers who entered a firm at different times. We see the busting of the unions, which was really profound. Firms wanted to employ people who were the least organized and most difficult to organize, so that having successfully clamped down on (and, in some cases, almost obliterated) the capacity of unions, the firms wouldn't have to go through that again.

Rather than imagining that workers line up outside a factory every day and that Brown workers without documents were hired before the Black workers with documents, this was actually much more structural and was much more systemically put into effect. For example, here in Los Angeles, janitors had organized from the 1930s forward. A lot of them organized during World War II under the

Congress of Industrial Organizations and then continued to organize post–World War II. The janitorial services became eventually a niche dominated by Black men. (My grandfather was a Black man who was a janitor who organized on the East Coast, and my father was a machinist and janitor who did the same.) Black men fought and fought and fought to secure their jobs, wages, and benefits such that in 1980 janitors who were organized in Los Angeles County were making *good* money. They were making \$10 an hour, which in 1980 was a lot of money. (I was making \$5 at the time.) This meant a lot of things. It meant that they could pay for their houses, their little houses in South Central, they could let their children go to college. They didn't have to pay for it because it was free. They could allow their children to leave the household and not contribute to the household income because they had fought so hard.

It was right at the moment of success that failure kicked in systemically. Firms decided to lay off all their janitors and outsource janitorial services. They didn't hire new janitors who were undocumented people from Central America. They laid off all their janitors and then they hired Joe's Janitorial Contracting Firm to bring in new janitors. The contracting firms went and found people who were not already organized, who didn't have the local knowledge base, the local community networks, and so on, that those former janitors had developed in order to organize. And they hired those whom they imagined were the least organizable people—immigrants not documented to work, women rather than men (in many cases, although not exclusively)—and those are the people who succeeded the other janitors. And they succeeded them at less than half the hourly wages. What seems to be a conflict between group one and group two, and in some ways might actually play out to be a conflict, was actually a calculated decision made on the part of firms to reduce the cost of business. And, of course, the employers were wrong about the people they hired, as I'll discuss in a minute.

Now imagine that we're looking at a Los Angeles County graph of race and gender in relation to jobs and employment over time. You will see that as the best-waged jobs for Black men disappeared, the number of Black men going to prison shot up. Then we move across in time a little bit, and we see that as the well-waged jobs for

Chicanos start to disappear, the number of Chicanos going to prison shoots up. And every time we see a certain labor market niche shrink, there's a sudden, secular rise—it's not just a spike; it goes up, and it keeps going up—in the number of people from that demographic category going to prison. When it comes to the question of long-distance migrants who are undocumented, we see again, as certain kinds of reorganizations in the economic landscape happen, that there's a rise in the percentage of people going to prison who are undocumented.

Thinking about these issues in this way gives us some insights into the various ways to connect the need to (re)organize low-wage workers as part of the struggle against the expansion of prisons as all-purpose solutions to social problems. One meeting I went to in the nineties, in which people who were organizing Justice for Janitors (the very immigrants whom firms thought were not organizable) presented what they had been doing, included representatives of the first Sandinista government in Nicaragua. When they finished their presentation, the Sandinista representative said, "That's really great, but what happened to the people who used to have these jobs? Are you organizing with them, too?" And that was exactly the right question. Not, "Should the long-distance migrants be organizing?" Of course they should. "And should they be organizing back along the migration trail so that people who might be coming from Central America or Mexico would understand that when you get there, you've got to join the union, so as not to be exploited?" But the question was, "What about the people who are right down the street? Why are you not organizing with them as well? Because if you're not, there's something wrong with this project."

JL: How do you understand the connections between slavery and prison?

RWG: I spend a lot of time trying to think about how to take the concept of slavery, which people respond to for good reasons, and open it up to a contemporary understanding of what is going on. Thinking through Orlando Patterson, and thinking through the

constituent features of slavery as being secondarily or tertiarily about uncompensated labor, and more about the construction and consolidation of a certain kind of enemy status is important.⁴ What makes the enemy is what makes the enemy different from everybody else. So, while that difference might be conceived of or understood as race, which is to say “undifferentiated difference,” Orlando Patterson’s thinking can help us ask: What is it about people who have been criminalized that keeps them permanently, rather than temporarily (during an unfortunate period in their lives), in this enemy status?

The way that Patterson puts it in describing enemies, and the distinction between those who become enslaved who are from within the polity and those who become enslaved as a result of war with an external force, is: “The one fell because he was the enemy, the other became the enemy because he had fallen.”⁵ How can we think about this nexus between those who are “the enemy,” that is, those who immigrate to the United States without authorization, and those who become the enemy because, although legally in the United States, they are criminalized?

Both groups being criminalized come to share certain features, and those constitutive elements of slavery have to do with alienation from their families and communities, and violent domination, which is to say, they are held against their will and made to do certain things that they otherwise wouldn’t do. It’s coercive, not consensual, force. And the third is general dishonor; who you are and what you are does not change because this singular category of criminal, which has been ascribed to you, becomes *the* category that defines everything about you in terms of the social order in which this coercion takes place. This doesn’t mean that people who have been criminalized or enslaved themselves become this one thing to themselves; Du Bois’s concept of double consciousness takes care of that analytical error for us.⁶

That said, if we start to think about all of the people who are caught up in this category as blending into a new category of person—a new category, thinking through the processes of racialization—then one of the things that we might be able to do is to echo what a

former white supremacist, who is a prisoner, said in the wake of an uprising in which white supremacist prisoners organized with Black supremacist prisoners and Brown supremacist prisoners: “Well, maybe what we are is the prison race.” This is endlessly interesting for me to think about and to try to get people to connect to.

JL: How do you think about organizing different groups of people together?

RWG: When I think about organizing, I ask myself: What would people actually do? Because organizing is constrained by recognition, and recognition is not only a matter of whether some people recognize other people who might become part of an organization as in some way similar to themselves, but also the recognition that this is something we *can* do. We *can* fight this, or we *can* protest that, or we *can* reorganize, whatever it is. As we all like to say, “You have to start where people are at.” But as Stuart Hall reminds us, where people are at is more complicated than perhaps it might seem at first blush.

For example, people organize against three strikes.⁷ What can happen that opens up that organizing focus to the multiple dimensions of the all-purpose use of prisons, even if the fight in the short term is to reform a law, which would still stand as a law? How can such organizing open people up to the consciousness of the *impossibility* for such a reform to be durable as long as that kind of law can also endure? How, in other words, might organizing around a reform issue do significant work in building political consciousness?

I worked for many years with Families to Amend California’s Three Strikes (FACTS), and I was around when it started. Another organization, Mothers Reclaiming Our Children (MROC), brought FACTS into being. The MROC constantly asked itself: “What can we do, what can we do, what can we do?” And the women from MROC decided to kick off FACTS because Three Strikes seemed the most blatant example of the whole set of laws and practices that was sweeping people into prison at a dizzying rate.

What we talked about at first was getting rid of that whole law because people completely understood what that law was really doing, which was taking modestly educated women and men in the prime of their lives, documented or not, and putting them into prisons for the rest of their lives. Everyone understood that, and having debated the perceived extent and purpose of the law, everyone understood that it was happening to all different kinds of people, but the high-profile way in which it was happening at the time to Black people made the struggle against the law understandable, acceptable, and justifiable to a whole political community, including Black people. The group developed a keen recognition of how anti-Black racism was doing the work of justifying mass incarceration and life terms and so on.

As FACTS transitioned from an idea for an organization into an organization for itself, people in the organization decided they would fight for an amendment, which would not completely blow up the law, but they were trying constantly to open up the law and make it vulnerable. What struck me was that there were people in that organization who were fighting for an amendment even though their loved ones in prison would not get out were the amendment to pass. That blew me away. These people were fighting just as hard as people whose loved ones would get out if the amendment were passed.

That's an example to me of people coming to the consciousness of how the complex works and therefore the complexity of arrangements that people would have to get themselves into to fight it out. People—and these are people who are themselves modestly educated women and men in the prime of their lives, or elderly people—fighting for this amendment were fighting in a sense for a “non reformist reform,” as André Gorz would have it, even though they knew that they ran the risk of just consolidating the rest of the law. They knew that but were willing to take that risk. That's an example of people who might not call themselves abolitionists having an abolitionist agenda.

Another example is the Central California Environmental Justice Network, which is composed mostly of environmental justice communities in the vast San Joaquin Valley struggling around issues

of air quality and water quality. When we in the California Prison Moratorium Project (CPMP) went to the conference that led to the formation of the organization, we asked for some time to be on their agenda to explain why we thought that prisons fit the criteria by which the network was organizing itself, and therefore that CPMP would like to be part of any organizations that came out of the conference. They gave us twenty minutes to make our pitch, and at the end of twenty minutes everyone was convinced. They didn't have to think hard about it. People in urban areas of CPMP or Critical Resistance said, "They gotta be crazy!" We went out to rural California, and they said, "Oh, yeah. We see what you're saying." So we could talk about both the ways in which prisons are cities, and therefore their environmental footprint is huge, and we could talk about how part of the life-threatening conditions for people in rural California has to do with the ramping up of policing and criminalization there. Everyone saw that. It wasn't rocket science, just a little harder.

Therefore, the CPMP, which doesn't have the word "abolition" in its mission statement, could join forces with grassroots environmental-justice organizations in the Central Valley in order to fight against prison expansion. And to fight against prison expansion, we would, by joining forces, also have to fight on behalf of clean water and adequate schools, and against pesticide drift, toxic incinerators, all of that stuff. This raised anti-prison organizing in that region to a true abolitionist agenda, which is fighting for the right of people who work in the Central Valley to have good health and secure working conditions and not be subject to toxicity, even though so many of the workers in the valley are not documented workers.

JL: This brings us to the specific connections that you see between abolitionist organizing and migrant-justice organizing.

RWG: Abolitionists should be thinking about what kinds of social practices and political and economic configurations make it possible for us to know that we finally ended the capacity for some of us to designate others as enemies in the way that Orlando Patterson so

eloquently describes slavery as social death. In other words, if abolitionists are, first and foremost, committed to the possibility of full and rich lives for everybody, then that would mean that all kinds of distinctions and categorizations that divide us—innocent/guilty; documented/not; Black, white, Brown; citizen/not-citizen—would have to yield in favor of other things, like the right to water, the right to air, the right to the countryside, the right to the city, whatever these rights are. Of course, then, we have to ask ourselves: What is the substance of rights? What is a right anyway? Is it a thing, or is it a practice? If a right is a practice rather than a thing, then that requires that these little instances of social organization in which people work on behalf of themselves and others with a purpose in mind, rather than a short-term interest that can be met through a little bit of lawmaking or other haggling, changes the entire landscape of how we live.

To me, abolition is utopian in the sense that it's looking forward to a world in which prisons are not necessary because not only are the political-economic motives behind mass incarceration gone, but also the instances in which people might harm each other are minimized because the causes for that harm (setting aside, for the moment, psychopaths) are minimized as well. In that sense, I think the greatest abolitionist organization that exists in the United States today, with all due respect to my beloved brothers and sisters in Critical Resistance, is the Harm Reduction Coalition. That's an abolitionist organization no matter what the people who do that work think of the word "abolition."

And that's where I'm at today. If we're not organizing between the very groups who imagine they have some "structural antagonism," we're never going to win. As a result, to go back to something I was saying earlier, the extent to which people try to differentiate between those who are convicted of crimes and sent to prison, those who are guilty, compared to people who aren't documented to work, but only showed up to work as non-criminals, is a *big* mistake. One, if the law has been set that crossing the border is a criminal act, you are a criminal. Two, that's not the issue. The issue is: Let's get everybody who's been criminalized together and figure out how we can undo this state of affairs.

JL: So, ending the possibility of defining other people as enemies comes back to not just an analogy with the military-industrial complex, but to the connections of the prison-industrial complex with the military-industrial complex.

RWG: Yes, exactly. Industrialized punishment and industrialized killing are following the same trajectories. The motives, the organizational strategies, in the United States the fiscal and bureaucratic capacities, are all modeled on each other. The great irony is that, as Greg Hooks so brilliantly showed, the whole structure, the fiscal and bureaucratic capacities and the organization of the Pentagon coming out of World War II, were modeled on the fiscal and bureaucratic structures that were designed, and never fully operationalized, for social and economic and cultural programs in response to the Great Depression.⁸ They were formations organized for capitalism to save capitalism from capitalism and were sucked into the War Department and then emerged as the Pentagon and the warfare state. And then sucked into prisons and policing and emerged as the carceral state. Our job is to look at how capitalism saves capitalism from capitalism and figure out other directions—which does not mean helping save capitalism from capitalism, but to say, “Okay, there’s something vulnerable here, obviously, because look at what changed. Let’s get busy.”