

## Introduction: Democracy and Captivity

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Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

—Thirteenth Amendment, Section 1, U.S. Constitution

[T]he post-Civil War southern system of convict lease . . . transferred symbolically significant numbers of black people from the prison of slavery to the slavery of prison.

—Angela Y. Davis

As a slave, the social phenomenon that engages my whole consciousness is, of course, revolution.

—George Jackson

### “What Is in a Name?”

From its origins as a democratic slave state or a slave democracy into its current manifestations as a penal democracy, the United States of America has produced a wealth of writings constituting perhaps the world’s largest collection of (neo)slave literature. A singular achievement. This literary productivity will continue given that the United States has the greatest incarceration rate in the industrialized world—estimated at about 2.5 million (counting children, nonlegalized immigrants, and the mentally disordered). Overwhelmingly, these detainees are poor and people of African, Latino, Asian, and indigenous ancestry. The United States also possesses the technological means and wealth to record and to preserve (or censor and disappear) its captive/penal discourse as part of its vast warehouse of “(neo)slave narratives.”<sup>1</sup>

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The above epigraphs are part of the abolitionist literature that exists as subcategories of a genre that I identify as “(neo)slave narratives.” (Neo)Slave narratives emerge from the combative discourse of the captive as well as the controlling discourse of the “master” state. (Neo)Slave narratives focus on the punitive incarceration and containment of designated peoples in the United States (and its “territories,” such as the prisons at Guantánamo Bay in Cuba and Abu Ghraib in Iraq). Here, I focus on three categories of (neo)slave narratives: those of the “master-state”; those of the nonincarcerated abolitionist and advocate; and those of the “prisoner-slave.” Ideologically, these narratives range from conservative and liberal to radical and revolutionary. The above epigraphs proffer fragments of abolitionist (neo)slave narratives that clash in ideology and political objective as they seek to alter the reality of enslavement in the United States. (Narratives shaping penal/slave democracies intend different, and at times complementary or contradictory, abolitionisms; among African Americans, the most intensely policed in the United States, [neo]slave narratives possess no uniform ideology.<sup>2</sup>)

Of the state narratives, the most significant to this discussion is the Thirteenth Amendment to the U.S. Constitution. The Thirteenth Amendment ensnares as it emancipates. In fact, it functions as an enslaving anti-enslavement narrative.<sup>3</sup> In contradistinction, slain prison rebel, author, and theorist George Jackson—his 1971 death at the hands of California prison guards would spark New York’s Attica rebellion weeks later—calls into question the very right of the state (as master) to exist.<sup>4</sup> In abolitionists’ insurrectionary narratives, such as those offered by Jackson, what is sought is not the mere abolition of penal captivity or slavery, but the abolition of all masters, including the state-as-master or master-state. Not all abolitionists seek the same “freedoms” or even freedom at all.<sup>5</sup> Some seek management and containment of social or state violence. At times, both a visionary freedom and an immediate emancipation are sought.

Advocacy abolitionism and its narratives by nonprisoners—like state narratives—grant only “emancipation.” Neither advocacy abolitionism nor state abolitionism can control or create “freedom” for the captive. These terms cannot be fully explored here. Yet, we can note that despite the common assertion that “Lincoln ‘freed’ the slaves,” the President issued proclamation and legislation to establish emancipated people. Emancipation is *given* by the dominant, it being a legal, contractual, and social agreement. Freedom is *taken* and created. It exists as a right against the captor and/or enslaver and a practice shared in community by the subordinate captives. (In fact, as W. E. B. DuBois notes in *Black Reconstruction*, some 200,000 African Americans fought in the Civil War—for

emancipation *and* freedom.) Freedom is an ontological status—only the individual or collective—and perhaps a god—can create freedom.

Narratives by penal slaves seek and demand freedom (no matter for how limited a time, in what limited space).<sup>6</sup> However, penal captives or slaves conditioned by the state can see freedom and emancipation as one and the same. As a consequence, not all penal slave narratives offer new visions of freedom. Some yearn for emancipation (parole, clemency) but not *freedom* (liberation from racial, economic, gender repression) and the political agency and risk-taking that could realize it.

Racially fashioned enslavement shares similar features with racially fashioned incarceration. Plantations, historically, were penal sites—prisons for the exploitation of agricultural, domestic, and industrial labor and the dehumanization of beings.<sup>7</sup> Prison is the modern day manifestation of the plantation. The antebellum plantation ethos of dehumanization was marked by master-slave relations revolving about sexual terror and domination, beatings, regimentation of bodies, exploited labor, denial of religious and cultural practices, substandard food, health care, and housing, forced migration, isolation in “lockdown” for punishment and control, denial of birth family and kin. That ethos is routinely practiced and reinscribed in contemporary penal sites.<sup>8</sup> Physical, emotional, sexual, and economic exploitation and violence are visited upon bodies with equal abandon and lack of restraint in sites disappeared from conventional scrutiny. The old plantation was a prison; and the new prison is a plantation. Both reconfigure the (white) rural landscape, receiving and processing bodies forcibly transported, at times from “black” spaces into often culturally unfamiliar territory. In alien terrain, isolated captives witness and participate in a conditioning in which their civil or human rights are reduced to the rights of slaves.<sup>9</sup>

This discussion, by now, will have ignited old and heated arguments about the “legitimate” use of the term “slavery.” Certainly, ambiguities exist concerning the definition of “slavery” in modern usage. Most likely the debates center on the deniability of contemporary enslavement—as a noncriminal or legal state enterprise—in a western, democratic nation-state. For example, Matthew Mancini argues in *One Dies, Get Another* that the convict prison lease system emerging in the late 1800s did not constitute slavery. While Orlando Patterson suggests in *Slavery and Social Death*—by his failure to mention the Thirteenth Amendment and to analyze U.S. penal slavery—that “slavery” is not terminology applicable to the post-emancipation United States.<sup>10</sup>

The political and ideological debates seem sharply drawn. However, despite the contributions of these and other noted scholars, the above three

epigraphs were chosen to remind readers that the state through legal narratives, the academic through her scholarship, and the prisoner from his cell, all assert the presence of slavery in the United States as a post-emancipation reality. The state has explicitly identified the slave; its narratives, as a subset of (neo)slave narratives, both illuminate and obscure the racialized body of the slave and/or prisoner. According to the U.S. Constitution, "other persons" (racially fashioned without any racial marker in the text to designate them as "black" or African), and later, according to the Thirteenth Amendment, "other persons" (criminally fashioned again with no apparent racial referent) are designated real and potential slaves. I highlight the Thirteenth Amendment to argue this: *The state does not create legal categories in abstraction*. Legal narratives materialize and manifest in political practice(s). Within its possessions and territories, in the very act of (re)naming involuntary servitude, the United States recreated rather than actually abolished slavery.

Generally, most abolitionist discourse (excepting radical discourse) tends to avoid the debate over naming, and to focus on the rights of the incarcerated (or enslaved). Consequently, the important contributions of advocacy organizations such as Human Rights Watch, Amnesty International, and various policy and organizing groups, tend to emphasize the conditions of penalty and servitude (or slavery), not the ontological status of the servant (or slave). If the question of "slave" status is a critical one and not merely an exercise in semantics, then it might be that some types of abolitionism, just like the master-state narratives that they counter, seek less than freedom—the agency of the captive individual or community to chart their humanity through transforming and negating slavery and social death.<sup>11</sup>

Historically, legal discourse and institutions have manufactured illegal or criminal races as slaves. Laws maintained the plantation and reservation as penal camps, and fuel for labor in consumption for those designated as socially living and free. Democracy rooted in captivity and social parasitism meant that the civic body fed itself through the state's legal (criminal) apparatus and procurement and containment of racially fashioned bodies. Although master-state narrators maintained, for moral and political legitimacy, that it was they who suffered the presence of social parasites—the plague of criminal, antisocial savages poisoning the citizenry—still, in the frame of the nation-state, they became engorged. The state fed the master race (constructed by racial supremacy and propertied "free person" status) with the bodies and lands of its captives. The master race fed the state with the fruits of captive labor. Laws codified, regulated, and policed the exchange.

The official narratives of the nation-state itself—which were legally binding and enforceable—proved coercive and fashioned not only the lan-

guage of (neo)slavery but slavery itself. The narratives reflect the languages of master, slave, and abolitionist. State, master, and slave in an interminable battle over freedom created the language of the fugitive or incarcerated rebel—the slave, the convict. The language of the illegal or criminalized in turn created the conditions for freedom not rooted in captivity.

Law mandated that to be socially alive, to be fully human and part of the civic body, required the marking of the white European body (of course gender, sexuality, and property would have significance as well). Hence it assisted and encouraged the European body (both individual and civic) by developing a relationship of social parasitism through genocidal anti-Indigenous wars and the African slave trade. The white civic body was strengthened by feeding off those designated as socially dead. The encoding of slavery or criminality onto blackness reflected a counterpart construction: the inscription of "whiteness" and nonincarceration as freedom and civility, hence as property or existential wealth.

The currency of white skin with its parasitical relationship to red, black, brown, and yellow skin would spark centuries of antiracist abolitionism. Perhaps it did and does so because racism is best expressed in the violence of penal culture; and the symbolic and real renderings of penology, as a form of [sur]reality, are shatteringly visceral. Penal culture inverts conventional reality to link the presence of torture and abuse to the law abiding civic body, "civil" and "civilized state." It thus places into question where to locate the "savage."

Abolitionists are heirs to their ancestors' strengths and limitations in combating violent captivity. It is impossible to survey here all of the significant and lengthy history of abolitionist discourse. Still, in order to place this anthology by contemporary imprisoned writers advocating and agitating for justice within a historical context, it is useful to review key state legal narratives that shaped both slave and abolitionist narratives.

### Law and Master-State Narration

In an European settler colony, in 1661, the Virginia State Assembly became one of the first legislative bodies to equate enslavement with racial standing by legally coding enslavement as ethnicity/race: "Slave" would be synonymous with African/Black. At the time, there were indentured Europeans as well as indentured Africans and Native Americans; so, captivity was a penal designation applicable to all.

One century after the legal codification of slavery as racially driven, the new republic, triumphant in its war for freedom from its British colonial master, issued its guiding laws and principles: the Constitution of the

United States. That document would also codify the socially living and the socially dead, respectively as master (race) and enslaved (race). (White women of course would not garner the franchise until the 1920s and so existed in between both sites, masters of the enslaved race[s], subjects to their male counterparts.)

The Preamble of the U.S. Constitution sets the template for the construction of “we, the people” to be understood as white and propertied. In 1787, Article I, Section 2 of the Constitution establishes the political profit tied to enslavement. Curiously, what is so present in that document—the most famous issue of the founding fathers—is what is unspoken. There is the specter in the subtext; she appears in the disappearance of the words “black,” “African,” or “slave.” No reference to races binary in construction, designated as nonbeing/noncitizen or being/citizen manifests in this document. Yet, without mentioning the phenotyped captive (one must acknowledge that reservations to warehouse and decimate indigenous peoples were also penal sites), race is everywhere:

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.

The Constitution’s three-fifths clause demarcates social life from social death; thus it created a political opportunism to benefit electoral elites. Those barred from voting could still accrue political power for whites, increasing not only their congressional representation but also their electoral votes.<sup>12</sup> Ironically this would be revisited over a century after the formal abolition of chattel slavery. (For instance, the majority of prisons located in rural upstate New York house a considerable number of men and women shipped in from downstate or urban areas such as New York City; the state employs largely white prison guards and administrators to police largely black and brown bodies; largely conservative, white congressional representatives are elected in rural districts augmented by [re]apportionment expanded by the incarcerated who cannot vote while the urban congressional representation in prisoners’ home districts in Harlem, Brooklyn, and the Bronx shrinks with their enforced absence and appropriation or theft of their electoral value.)

For the slave to attain civic identity and power required her to possess freedom. The republic mandated that freedom could not be obtained by

virtue of any haven within its borders or act of autonomy by the captives. Linking the prisoner with the slave, Article IV, Section 2 of the Constitution stipulates that there is no “free” space or site for the prisoner or the slave; no place within the nation where the register of social death would be erased by the captive’s volition:

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Insurrectionists though would contest the absence of freedom (rejecting the possibility of manumission or purchasing themselves and family from their captors). In 1822, Denmark Vessey led a slave uprising followed in 1831 by the bloody revolt of Nat Turner. In 1857, the U.S. Supreme Court confirmed the absence of free space for blacks with its majority decision in the Dred Scott Case in which a former slave who had moved to free territory and who had lived as a free man returned voluntarily to slave territory only to lose his free status. Two years after the Supreme Court rendered its verdict on the fixed nature of blackness as property, white abolitionist militant John Brown<sup>13</sup> executed the 1859 raid on Harper’s Ferry and was summarily executed by the state after forty days in prison. That armed rebellion, as did the earlier Dred Scott ruling, hastened war—apparently the only avenue to resolve the contestations over the disturbing presence of the socially dead amid the larger civic culture populated by those granted social life by the master-state.

In 1861, following the secession of southern states in the wake of the election of Republican Abraham Lincoln as the sixteenth President of the United States, the Civil War commenced. Two years later, President Lincoln issued the Emancipation Proclamation. This pronouncement was to abolish slavery; it garnered for Lincoln—who felt that African Americans had no social life to give to the nation and therefore should be “repatriated” to Africa or shipped to the Caribbean—the title of the so-called great emancipator. On September 22, 1862, Lincoln gave the following declaration, as the 1863 Emancipation Proclamation:

That on the 1st day of January, AD 1863, all persons held as slaves within any State or designated part of a State the people whereof shall then be in rebellion against the United States shall be then, thenceforward, and forever free; and the executive government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom. . . .

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defense; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

And I further declare and make known that such persons of suitable condition will be received into the armed service of the United States. . . .

Presidential cautiousness is evident in this abolitionist narrative. All enslaved people of African descent are not “freed,” only those in the territories or states in rebellion against the union. The President furthermore pledges the use of the government’s military force to ensure the “freedom” of those seeking liberation in the recognized territories, and cautions blacks to remain “law abiding”—that is, to continue in the work force and to abstain from (political) violence except in the case of self-defense. Over two hundred thousand African Americans would serve in the Civil War; likely their armed status would have prevented any forcible repatriation after the exhausting and bloody confrontation (a war preceded by the written and oral narratives of nineteenth-century antebellum abolitionists such as David Walker, Maria Stewart, Frederick Douglass, Sojourner Truth, Harriet Tubman, Henry Lloyd Garrison, and John Brown).

Lincoln, the most venerated of the antislavery abolitionists, was assassinated two years after he issued the Emancipation Proclamation. Also that year, Congress passed the Thirteenth Amendment to the U.S. Constitution; thus, after two years of wrangling, it reinstated slavery which Lincoln abolished. Ratified in 1865, the Thirteenth Amendment, Section 1 rebranded the captive: “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.” Now, slavery would operate in a restricted fashion. Congress resurrected social death as a permanent legal category in U.S. life, yet no longer registered the socially dead with the traditional racial markings. Breaking with a two hundred-year-old tradition, the government ostensibly

permitted the enslavement of nonblacks. Now not the ontological status of “nigger” but the ontological status of “criminal” renders one a slave. Yet, as became apparent in the convict prison lease system, blackness remained the signifier of social death, although now all those relegated to prisons would be imbued with that pariah race status. Law mandated the transition from chattel slavery to penal slavery, from personal property to “public” property owned by the state (and leased to corporate interests). In doing so, it established new obstacles and challenges for abolitionism.

Constitutional amendments during and following the Civil War, a war ostensibly to resolve institutional captivity, provide a mixture of abolitionist victory and venality, of euphoria and despair. Three years after the passage of the Thirteenth Amendment, the Fourteenth Amendment’s Section 1 amplified the parameters of freedom: “No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” Yet, contemporary abolitionists recognize that judicial rulings do not allow prisoners full or equal protection under the Fourteenth Amendment.

The Fifteenth Amendment (1870), Section 1 expands the franchise: “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.” Yet, in 1877, federal enforcement was rendered null and void in the Hayes Compromise to secure electoral votes and the presidency of Rutherford Hayes: Social slavery would remain intact and the radical experiment of Reconstruction for a nonapartheid democracy would end. Of the postbellum years, W. E. B. Du Bois’s *Black Reconstruction* notes the Hayes Compromise and federal complicity (reminiscent of the compromise reached in the 1787 Philadelphia convention); that compromise promoted the rise of racial terror through the Ku Klux Klan (KKK), an aristocratic invention, romanticized in D.W. Griffith’s *Birth of a Nation*, aligning poorer whites with the economic interests of the plantocracy. The government and its deputized civil society, enforced the institutionalization of Black Codes (formerly Slave Codes) to recreate dead bodies—those denied political electoral power, and those bodies subjected to ritualized and routinized violence.<sup>14</sup>

Following the end of Reconstruction and large scale black (male) voter disenfranchisement, began the massive growth of the convict prison lease system. In that system, primarily blacks, arrested in “sweeps” of streets and communities, were worked to death in mining, agriculture, and forestry in joint ventures between the state and private industry, essentially, dying at higher rates than they had during enslavement on plantations.

Coexisting with the convict prison lease system was the racial-sexual terror and policing of lynchings (largely to prevent black political and economic gains) that dominated the land from 1880s to 1920s.<sup>15</sup> Although reform movements were initiated, they were met largely with general indifference by the general society and by Congress (which refused to pass any anti-lynching legislation).

Apparently, terror directed against the captive (black body) appeared as “routine.” Normalization of terror and the invisibility of racially fashioned bodies rendered state and master social violence key obstacles for abolitionists searching for narratives to expose the dehumanizing continuation of enslavement in the “post-slavery” era. The narratives of the prisoners themselves would mark and reveal the continuation of violence and degradation and the arguments that legitimized captivity and abuse. Although reform and penitence were ideological and moral motivations for early penitentiary life, the mass introduction of the “slave” body into prisons following the legislative “abolition” of slavery, altered the “reformatory” aspects of incarceration.

#### Insurgency: Prison-Slave Narratives and the New Abolitionists

John Edgar Wideman’s introduction to Mumia Abu-Jamal’s *Live from Death Row*<sup>16</sup> cautions the reader and seeks to protect the imprisoned author by demystifying the “reading” of former Black Panther Abu-Jamal as spectacle and entertainment.<sup>17</sup> In his introduction, Wideman argues that many Americans encounter the trials and trauma of black life and political struggles through the “(neo)slave narrative.” Here he limits the definition of (neo)slave narrative to that authored only by the captive black woman or man. Traceable to the nineteenth century, this particular narrative is marked by key characteristics connected to enslavement, abolitionism, and consumerism. It is marketed through literature accessible to and desired by (curious or moral) readers. In addition, according to Wideman, such (neo)slave narratives identify fixed sites of freedom and enslavement. They juxtapose the southern plantation with the northern city in the “free” or nonslave state. In these narratives, the triumphal slave must engage in flight—from captivity, penal or plantation misery—in order to triumph through an exchange of social death for civil life. Coded as “north vs. south,” this assertion of identifiable sites of freedom and democracy suggests a continual path of warfare or flight. (Neo)Slave narratives can provide illusory landscapes. Romantic evasions assume that the duality is real; that there is a “free zone” in a democratic slave state, that the “north” as haven in fact exists.<sup>18</sup>

In the prison narrative, the successful escape or emancipation and liberation manifest as physical and metaphysical fleeing from the penal site through parole, exoneration, disappearance into fugitive status, or abolitionism. In conventional (neo)slave narratives, or a subcategory, prison narratives, the state, despite its abusive excesses, provides the possibility of emancipation and redemption.<sup>19</sup> According to such narratives, the state cannot therefore be considered or constructed as inherently and completely corrupt; for the state enables and maintains the sites of freedom (open society), as well as those of enslavement (prison). As the sympathetic reader lives vicariously through the dangerous risk-taking that typifies the life of slave-as-prison-rebel and fugitive, these narratives reassure her of reconciliation with prevailing power structures that allow for or provide emancipation and democratic culture. These structures then must be maintained if not revered despite the “dead zones” within which democracy is made incompatible with the life of specific subcultures. The dead zones, such as the penal site, the immigrant detention center, the military camp, the police station, the foreign prison in Cuba or Iraq or Afghanistan—all deny the possibility of “new life” or rebirth. All are manifestations of institutional and rational and irrational violence; all are anti-democratic.

Although terror functions as entertainment, disciplinary performance, and incitement to abolitionist activity, some abolitionist texts fail to record or comprehend such terror inflicted on racially marked bodies and thus erase racist violence. Yet any narrator not (racially) blinded recognizes the body in penal sites, sees its trauma and scarring.<sup>20</sup> The visual sparks reform and revolution—lynchings of personal friends mobilized Ida B. Wells in 1892 to initiate abolitionism. In 1955, months before Rosa Parks sat down and would not voluntarily rise, the Mississippi lynching of fourteen-year-old Emmett Till ignited the Civil Rights movement, not only because he was murdered but because his mutilated corpse was viewed in an open casket in a Chicago funeral that drew thousands; and the image of that tortured body was disseminated to tens of thousands through photographs published in the black magazine *Jet*.<sup>21</sup> Whether expressed in the popular nineteenth- and twentieth-century black-and-white paper postcards depicting lynchings of blacks by whites, as preserved in the exhibit “Without Sanctuary,”<sup>22</sup> or illustrated in the twenty-first century color digital postcards depicting the torture and rape of Iraqi prisoners by their U.S. captors, the violent (racial-sexual) dehumanization and dismemberment of the captive have proven how memorable terror and sexual violence are.<sup>23</sup> This suggests that textual (neo)slave narratives have been buttressed (and may at times be supplanted) in their evocative power to affect civil society and mobilize resistance) by visual or pictorial (neo)slave narratives.

Prison narratives as (neo)slave narratives represent border crossings; just as did Charon,<sup>24</sup> they ferry the dead and the living. The lingua franca of (neo)slave narratives is all discourse that posits distinct worlds: that of criminal and civil, that of outlaw and law abiding, that of slave and freeman or freewoman.

Rhetoric instructs that there are contained sites of nonfreedom and freedom. Yet, enslavement is manufactured in the “free” world; “freedom” is imagined and created in the slave world. When the two worlds meet, as they do incessantly and creatively and violently, there is a border crossing, an intermingling of subordinate and dominant narratives. In narratives—of the master race, the state, the slave, the prisoner, the abolitionist, the advocate—redemption and safety continue to appear as a variation of prison success stories tied to “rehabilitation” rather than to rebellion. For instance, in contemporary parole hearings for self-identified political prisoners, supporters are asked to “tone down” their political rhetoric, to emphasize that the individual on trial or up for parole poses no “threat” to general society; and that their contributions to “social service” were exemplary.<sup>25</sup> Advocates are asked to make their letters for clemency and parole abolitionist texts that harmonize with master-state (neo)slave narratives.

Contemporary insurrectionist penal-slave narratives, such as Abu-Jamal’s *Live from Death Row* or Assata Shakur’s *Assata: An Autobiography*, can question the very premise of rehabilitation, indicting the state and society, contextualizing or dismissing individual acts of criminality by nonelites, the poor and racialized, to emphasize state criminality or the crimes of elites. Some prison narratives issue calls for dissent for a greater democracy. Dual narratives—those of the petitioners and those of the antagonists to state authority—shape political discourse. The narratives are in dialogue. As they debate with each other, they are differently weighted—some abolitionist (neo)slave narratives are considered more “respectable” and more “valued.” Yet, when they emanate from the site of the noncitizen, from men and women in cages, regardless of their outlaw and disreputable status, they illuminate past, present, and future possibilities for the reinvention of democracy.

### Contemporary Policing and Political Repression

Through their narratives, imprisoned writers can function as progressive abolitionists and register as “people’s historians.” They become the storytellers of the political histories of the captives *and* their captors. These narratives are generally the “unauthorized” versions of political life, often focusing on dissent and policing and repression. The more contemporary

political activists represented in this volume have intimately interwoven their own autobiographical resistance and subsequent capture into their (neo)slave narratives.

Those currently incarcerated were largely politicized either in pacifist activism during World War II, or more recently in the 1960s and the following decades marked by political dissent and unrest. In the 1960s, in response to radical and progressive social movements, the “law and order” rhetoric and campaigns fed the contemporary imprisonment crisis fueled by resistance and backlash to the turbulent decades of protest against the prevailing order. A rapid review of that history will be useful to situate some of the essays and chapters that follow and help us to better understand the writing of incarcerated radicals.

The year of 1963 proved to be a pivotal one. Martin Luther King Jr.’s “Letter from Birmingham Jail”<sup>26</sup> and the triumph of the March on Washington transformed civil rights “troublemakers” and “criminals” into respectable citizens seeking to contribute to a democratic culture. Turmoil and tragedy ensued throughout the year which witnessed: the murder of civil rights leader Medgar Evers; the bombing of a black church in Birmingham, Alabama, which resulted in the deaths of four girls; and the assassination of President John F. Kennedy. President Lyndon Johnson used the national mourning for Kennedy to shepherd civil rights legislation through Congress, ostensibly to abolish the social death of blacks. In 1964, the Voting Rights Act was passed as another emancipatory gesture, part of the state’s expanding abolitionist narrative. Yet riots followed in urban communities. That year, GOP (Grand Old Party) presidential candidate Senator Barry Goldwater (R-Arizona), who influenced Richard Nixon’s and Ronald Reagan’s positions on policing and imprisonment, stated in his acceptance speech at the Republican National Convention: “Security from domestic violence, no less than from foreign aggression, is the most elementary form and fundamental purpose of any government.”

By 1966, segregation abolitionism in the Civil Rights movement was being replaced in popular culture by the militancy of younger antiracists in the Student Nonviolent Coordinating Committee and the Black Panther Party. FBI Director J. Edgar Hoover’s 1966 Memorandum on COINTELPRO established the parameters for social and political containment, reserving the harshest punishment for rebels who militantly resisted social death: “The purpose of this new counterintelligence endeavor is to expose, disrupt, misdirect, discredit, or otherwise neutralize the activities of black nationalist organizations and groupings, their leadership, spokesmen, membership, and supporters.” Hoover’s fear that the militancy of black emancipators would “infect” white America was also shared by elected officials.<sup>27</sup> In 1968, the assassination of Robert Kennedy during his

presidential campaign was followed several months later by the assassination of Martin Luther King Jr. In the wake of those killings, with a national heightened sense of fear and uncertainty, Congress passed and President Lyndon Johnson signed the "Omnibus Crime and Safe Streets Act." This act led to the Law Enforcement Assistance Administration and created SWAT (Special Weapons and Tactics) teams, setting the stage for Richard Nixon's "law and order" campaigns.

In the 1980s, during the administrations of Ronald Reagan and his former vice president George Bush, the war on drugs,<sup>28</sup> contra wars, and "constructive engagement" with apartheid along with the funding of contra or counterrevolutionary terrorists-insurgents in Latin America and Africa would be normative. These domestic and foreign policies would lead to a growth of both social and political prisoners.<sup>29</sup> The former were/are largely incarcerated for crimes tied to drug use or sale (and poverty); the latter were/are incarcerated for their rebellion against U.S. domestic and foreign policies.<sup>30</sup> In the 1990s, prisons saw an exponential growth in incarceration, largely from drug sale and consumption. During the Clinton administration, the 1996 "Anti-Terrorism and Effective Death Penalty Act" broadened the use of the death penalty and diminished federal habeas corpus; and the 1996 "Immigration Reform and Immigrant Responsibility Act" abolished due process for undocumented persons.<sup>31</sup> Both laws were passed the year after the Oklahoma City Bombing.

The diminishment of free acts—acts that can be engaged in without fear of surveillance or reprisal—signals the shrinkage of free democratic space. The penal state grows not because of the proliferation of prisons per se, but because "free" space diminishes or disappears. Part of this diminishment stems from legislation. The state shrinks, and alternatively can expand, democratic space through its criminal/civil codes. Currently, it has chosen shrinkage as evidenced in the passage of legislation such as the 1996 Omnibus Crime Bill and the 2001 USA Patriot Act.

Despite increasing police powers, and prison, police, and military violence, the narratives and agency of imprisoned political dissidents continue to redefine and revitalize struggles for a greater democracy. In movements influenced by prisoners, gays/lesbians, feminists, antiracists, and peace activists express insurgent desire and discourse; whether pacifist or militarist, they have refashioned (neo)slave narratives. Out of antiwar and social justice movements, insurgency has produced and will continue to produce imprisoned abolitionists and political icons.

However, the state continues to provide the midwifery to rebirth disenfranchisement despite the civil, human rights, and liberation movements of the twentieth century. The status of felon is used to strip tens of thousands of people (from mostly poor or black and brown communities) of

the vote. In the 2000 Presidential election, Florida voters, overwhelmingly registered with the Democratic Party, in low-income, high-minority districts were over three times more likely to have their votes discarded than voters in high-income, low-minority districts; and voters in some low-income, high-minority districts were twenty times more likely to have their votes discarded than voters in other districts.<sup>32</sup> In 2004, similar controversy emerged concerning Ohio. Yet to focus on Florida or Ohio and the role of the Republican Party in the disenfranchisement of black voters would miss a crucial point: *Both national parties, Republican and Democrat, routinely undercount African American votes nationwide, jettisoning some one in seven according to a 2004 study.*<sup>33</sup> Hence "voting while black/brown" suggests a rupture with the civic body—some form of non-being interjected into restrictive democratic processes. That is, the black body shares a proximity of positionality with the felon/prisoner—that of the suspect or noncitizen. Consequently, contemporary radical penal narratives as (neo)slave narratives denounce the State for manufacturing slavery on both sides of prison walls.

## Conclusion

In previous centuries, forging a new language, the modern antislavery movement marked a significant awakening of the public moral conscience in the Western world. In this century, antiprison movements offer the same possibilities: to struggle by dismantling mechanisms of incarceration and dehumanization.

These writings by prisoner-abolitionists (some identify as "slaves," all as former or current captives) focus on the captured rebel, visionary or insurrectionist. New abolitionists shape and contest (neo)slave narratives, and penal democracy. Their projects suggest that in America, as in its Athenian progenitor, there is no free space, as we know it, without penal or slave space, as we fear it.

*The New Abolitionists'* chapters are organized into four sections interconnecting issues of activism, gender, resistance, dialogue. The narratives presented here depict progressive politics. At times, social inequality is reproduced in this volume through an author's language of class, sexual, or ethnic chauvinism. Yet these pieces reflect humanity struggling to reinvent and assert itself. Such writings and narratives reveal social life amid social death with the urgency and power of the political speech of prisoner and fugitive abolitionists representing historical and contemporary struggles. Often referencing a political present inextricably linked to the past, captives frame a future for abolitionism, emancipation, and freedom.