

## The Public Secret: Information and Social Knowledge

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### Prologue

As the number of prisons increases, so does the level of secrecy about what goes on inside them. Stories of the secret abuses perpetrated by the Criminal Justice System and Prison Industrial Complex can be told by many narrators, but only if they are allowed to speak. After a series of news stories and lawsuits documenting egregious mistreatment of prisoners in 1993, the California Department of Corrections imposed a media ban on all of its facilities. This ongoing ban prohibits journalists from face-to-face interviews, eliminates prisoners' right to confidential correspondence with media representatives, and bars the use of cameras, recording devices, and writing instruments in interviews with media representatives. Women incarcerated in California are allowed visits only from family members and legal representatives. Inmates are not allowed access to computers, cameras, tape recorders or media equipment of any kind. Such restrictions preserve the public secret.

Four years ago, on visiting day, I walked through a metal detector and into the Central California Women's Facility. It changed my life. The stories I heard inside challenged my most basic perceptions - of our system of justice, of freedom and of responsibility. I visit the Central California Women's Facility [CCWF], the largest female correctional facility in the United States, as a legal advocate. I work with a non-profit, human rights organization, Justice Now <<http://jnow.org>> in an effort to unmask the well known, yet still secret injustices that result from our society's reliance on prisons to solve social problems. Given the ban on conversations with the media, I would not have had access to women at CCWF without the support of Justice Now. As a "legal advocate" I am allowed to record my conversations with the women and solicit their stories, ideas, and opinions.

The visits require adherence to Kafkaesque regulations and acceptance of invasive search and surveillance procedures. I am registered for each visit in advance and searched on entry. I am allowed to bring in only a clear plastic baggie with a clear ink pen, my drivers license, a blank legal pad and my mini-disc recorder. The recorder has to be approved weeks in advance (the serial number is registered and checked) and the device is inspected on entry and exit. Only factory-sealed discs are permitted in.

After our interviews the women are subject to strip search and visual body cavity searches that may be performed by male guards.

Clearly, the women I work with are highly politicized and are seriously committed to this endeavor. For these women our conversations are acts of ethical and political testimony - testimony that challenges the underlying principles of distributive justice and the dehumanizing mechanisms of the prison system. They are quite literally historians and theorists who speak out in an effort of collective resistance. I collaborate with them first as a witness and then as a "context provider." After soliciting their opinions and collecting their stories, it is my responsibility to create a context in which their voices can be heard across social, cultural and economic boundaries. My conversations with these women form the basis of *Public Secrets* <http://vectorsjournal.org/index.php?page=7&projectId=57> an interactive interface to an audio archive of hundreds of statements made by current and former prisoners which unmask the secret injustices of the war on drugs, the criminal justice system and the prison industrial complex. Visitors to Public Secrets, and readers of this essay alike, will navigate a multi-vocal narrative that brings the voices of these women into dialogue with other legal, political and social theorists such as Giorgio Agamben, Michael Taussig, Walter Benjamin, Fredric Jameson, Catherine MacKinnon, and Angela Davis. While this is a dialogue that I have constructed between interlocutors whose perspectives originate from very diverse social locations, for me all of their voices emerge out of a shared ethos and converge in critical resistance. Together, these

voices testify to the unimpeded violation of human rights within the prison industrial complex, and the power of the *public secret*.<sup>1</sup>

*A three million dollar razor wire fence separates California Correctional Women's Facility from the middle of nowhere - its site is an agri-business desert between Los Banos and Chowchilla, where there are three prisons within 30 square miles. Past the metal detector, through two electronic gates, under the gaze of the gun towers, there is an uncannily suburban, perfectly manicured, lawn. Between the fence and the visiting room I follow a rose lined path surrounded by razor wire glinting in the relentless heat – this space is a counter-site intended to reinscribe the symbolic order of the space of the prison as safe, calm, domesticated.*

*The lawn and rose garden are only visible to those who come to the visiting room from the outside – an orientation that is both physical and political. Despite the razor wire border inside and outside "indetermine" each other. This is apparent in the way the prison "acts back on" the space outside it.*

*Inside, beyond the visiting room, the sun-baked yards are bare, treeless, there are no roses. Outside, beyond the edge of agri-desert impoverished communities of color are eviscerated, and the prison industrial complex expands. Anyone, prisoner or police, who enters the space of the prison, moves about in a 'zone of indistinction' between outside and inside, exception and rule, licit and illicit, public and secret.*

## **The Public Secret**

*Truth is not a matter of exposure, which destroys the secret, but a revelation that does justice to it.*

Walter Benjamin, *The Origin of German Tragic Drama*<sup>2</sup>

*If secrecy is fascinating, still more so is the public secret into which all secrets secrete ...*

Michael Taussig, *Defacement*<sup>3</sup>

*Don't ask, don't tell*

Bill Clinton, Public Law 103-160 prohibiting openly gay people from serving in the United States armed forces.

## *What is Known*

Secrets are the opposite of information.

There are secrets that are kept from the public and then there are "public secrets" – secrets that the public chooses to keep safe from itself, like, "don't ask, don't tell." The injustices of the war on drugs, the criminal justice system, and the Prison Industrial Complex are "public secrets".

The public perception of justice - the figure of its appearance - relies on the public not acknowledging that, which is generally known. When faced with massive sociological phenomena such as racism, poverty, addiction, abuse, it is easy to slip into denial. This is the ideological work that the prison does. It allows us to avoid the ethical by relying on the juridical.

The trick to the public secret is in knowing what not to know. This is the most powerful form of social knowledge. Such shared secrets sustain social and political institutions. "[K]nowing what not to know lies at the heart of a vast range of social powers ...the clumsy hybrid of power/knowledge comes at last into meaningful focus, it being not that knowledge is power but rather that active not-knowing makes it so."<sup>4</sup> We fall silent, slip into denial, when faced with

massive sociological phenomenon such as racism, poverty, addiction, abuse, torture, or economic and political forces like globalization, privatization, and militarization.

We are troubled by our own complicity but we do not speak because we know that “without such shared secrets any and all social institutions – workplace, marketplace, state and family – would founder. [...] Where ever there is power there is secrecy, except it is not only secrecy that lies at the core of power, but public secrecy.”<sup>5</sup> The public perception of justice – the figure of its appearance – relies on the public not acknowledging that, which is generally known. Stolen elections, illegal wars, and state violence could be described as “unknown knowns” – the unstated fourth term of Donald Rumsfeld's “redundant formulations.”<sup>6</sup>

*As we know,  
There are known knowns.  
There are things we know we know.  
We also know  
There are known unknowns.  
That is to say  
We know there are some things  
We do not know.  
But there are also unknown unknowns,  
The ones we don't know  
We don't know.*

Donald Rumsfeld – Feb. 12, 2002, Department of Defense news briefing

Logically, Rumsfeld failed to mention “unknown knowns” – the things we know but *won't* know we know, the public secrets.

### *Perception Management*

Knowledge, subordinated to the logic of capitalism, is commodified, manipulated, and exploited, as information. In a globalized, “information” society, like that of the contemporary first-world, the creation, distribution and manipulation of information is a significant, if not *the most* significant, economic activity. Politics, which is located at the intersection of information and interpretation, is essentially perception management.

“Perception management” is actually an official term originated by the U. S. military. The U.S. Department of Defense (DOD) gives this definition:

*Perception management – Actions to convey and/or deny selected information and indicators to foreign audiences to influence their emotions, motives, and objective reasoning as well as to intelligence systems and leaders at all levels to influence official estimates, ultimately resulting in foreign behaviors and official actions favorable to the originator's objectives. In various ways, perception management combines truth projection, operations security, cover and deception, and psychological operations.<sup>7</sup>*

As the United States continues to send terror suspects to be interrogated in countries known to practice torture, George W. Bush refuses to repatriate Guantánamo detainees (who he has unceremoniously stripped of their civil and human rights, tortured and abused) until he can be certain they will be “treated humanely in their home countries.”<sup>8</sup>

There have been 41 suicide attempts by 25 detainees since the Guantánamo facility opened in 2002. Tragically, on June 10, 2006, three prisoners succeeded. They hanged themselves in their cells with nooses made of sheets and clothing. In late 2003, military officials at Guantánamo

began to re-classify many of the suicide attempts as "manipulative, self-injurious behavior." Military officials have suggested that the three suicides were a form of a coordinated protest. "They are smart, they are creative, they are committed." Rear Adm. Harry B. Harris, Jr., the commander of the detention camp at Guantánamo, told reporters "They have no regard for life, neither ours nor their own. I believe this was not an act of desperation, but an act of asymmetrical warfare waged against us."<sup>9</sup>

Up is down. Black is white. If the suicide of a torture victim can be characterized as an act of "asymmetrical" warfare against the torturer then it is clear that, as Giorgio Agamben says, "State power today is no longer founded on the monopoly of the legitimate use of violence – a monopoly that states share increasingly willingly with other non-sovereign organizations,"<sup>10</sup> (for example, multi-national corporations) but on the control of appearance and on terror.

There is a secret to Perception Management; if you tell a lie over and over again it is eventually seen as fact.

Ronald Reagan successfully destroyed public perception of the program previously known as *Aid to Families with Dependent Children* by conjuring the tainted image of the "welfare queen."

Governor Arnold Schwarzenegger changed the name of the California Department of Corrections to the "Department of Corrections *and* Rehabilitation", yet denied clemency to reformed death row inmate Stanley "Tookie" Williams. Schwarzenegger has accepted campaign contributions from the prison guard's union and proposed further expansion of the prison system.

*"And unfortunately, the—the media campaign that—that our wonderful governor has put out has smeared us so bad. I mean, I—I'm the first one to admit, I committed a serious felony. That's why I'm doing this sentence. But people do change and people can rehabilitate themselves. There is no rehabilitation in here. There is none to speak of. We have to rehabilitate ourselves and help each other. But we can do that and we have done it. Most of us have come a—come up above so much what we were when we came into the system. But the people, because of the media, just—I mean, you'd think that we were just like crazed—crazed, craven criminals and if one of us get released, we're going to be in your backyard kidnapping your children and poisoning your dog and robbing your house. And that's not true. That's not true. There may be a few isolated cases like that but they're probably never going to get out. Most of us that want to get out have families and things out there that we want to rejoin and be part of. And so when they—when the public reads about medical malpractice and stuff in prison, I think a lot of times they have that attitude too. Oh well, they're just—they're convicted felons, you know, at least it's not us. You know. But what they don't understand is there but for the grace of God, go maybe somebody in their family. And—and—and it happens. More and more people—I just read statistics, um, in an article somewhere that one out of every—it was—it was amazing—I couldn't believe—like one out of every eight families in United States is affected with someone in prison."*

*Linda Rodriguez --- Interview at CCWF 7/08/05*

Incarceration is so common, and prisons are so full, in part because Don Novey, president of the California Correctional Peace Officers Association (the prison guards union), successfully exploited the public's horror at the abduction of young Polly Klaas from her white, middle class suburban home to produce the political hysteria and paranoia behind California's "three strikes and your out" legislation. Kelly Turner is serving a life sentence for forgery under the "three strikes" law. She is an activist and advocate for three-strikes reform like Prop. 66 which was defeated by a narrow margin due to a media campaign launched by Schwarzenegger and supported by the CCPOA.

*"I remember how I felt the day that I came to this institution... at that time I had braids and you can't take pictures in braids so they make you take your hair down, so, I mean, I don't have a comb so you just take your hair down so of course your hair is all over your head. Uh, I also felt like oh my gosh it was a, a major culture shock, I was depressed that here I'm sitting in prison with a life sentence, you know, I mean just the feeling and when I look at my picture, I think, yeah, I can see why my picture looked like that because of the way I felt that I was getting booked in, well those are the same mug shots that they used in the 66 campaign [against Three Strikes], Arnold did, the mug shots of them as they're getting booked in, you know and if you was to use a recent picture, you know, they wouldn't look so, so brutefish] and just, 'I'm, I'm gonna get you,' if they even would have used women, 'the monster picture' wouldn't have been in society, you know..."*  
Kelly Turner - Interview at CCWF 7/08/05

"Three strikes" mandates a sentence of 25 years to life for any third felony conviction, not only kidnapping and murder, but crimes as minor as growing a marijuana plant or shoplifting a pair of boxer shorts.

Down is up. White is black. The secret is public. But we close our eyes, accepting the situation as normal, *"until the normality of the abnormal is shown for what it is. Then it passes away, terror as usual, in a staggering of position that lends itself to survival as well as despair."*<sup>11</sup> The public secret is an aporia – an irresolvable internal contradiction – between power and knowledge, between information and denial, between the task of politics "to cause appearance itself to appear"<sup>12</sup> and the goals of an open society, one in which the state is expected to act for *the people* as guarantor of human and civil rights.

## **The Public**

*When their rights are no longer the rights of the citizen, that is when human beings are truly sacred, in the sense that this term used to have in the Roman law of the archaic period; doomed to death.*

Giorgio Agamben, *Means Without End: Notes on Politics*

*Big "P" People and little "p" people*

*Any interpretation of the political meaning of the term 'people' ought to start from the peculiar fact that in modern European languages this term always indicated also the poor, the underprivileged and the excluded. The same term names the constitutive political subject as well as the class that is excluded – defacto, if not de jure – from politics... naked life (people) and political existence (People), exclusion and inclusion, zoë and bios.<sup>13</sup>*

Where, traditionally, we have understood the political subject through the figure of the citizen of a sovereign nation-state, in our world at this moment the figure of the citizen is eclipsed by that of the consumer – the most powerful minority in a world population dominated by other figures,

the refugee  
the homeless  
the hiv positive  
the addict  
the squatter  
the internally displaced  
the impoverished  
the queer  
the black

the prisoner  
the other

These figures – regarded as marginal – have become, as Giorgio Agamben says, “ the decisive factor of the modern nation-state by breaking the nexus between human being and citizen.”<sup>14</sup>

Outside the status of citizen the human-being is subject to the rule of the state without enjoying its protections.

*"I know my personal story, and I know you could probably find so many people like me... who at one point or another before they ever committed a crime, said, 'Help.' I can think of numerous times. When the cops would pick me up and take me home when I was a teenager, I said, 'Help. I'm being abused here.' ... Even before I caught this case, back in '96 I had a drug relapse - gee, why would I be a drug addict? Maybe it's for escape reasons. My husband went to jail for beating me up. I caught a drug-related case, and they immediately dropped charges on him - I guess I wasn't worthy of protecting. They were going to give him three years based on his criminal record and as soon as I picked up that drug-related case, suddenly I wasn't worthy of being protected. They dropped all charges. ... It's not an excuse for what I did - it doesn't make what I did right, but had I had that safety and protection, I would have never gotten to a point of where I felt somebody needed to be harmed in order for somebody to hear me. And I got hurt and I got convicted. There are so many other women that have different stories, but there was always a point - you can always remember a point where somebody said, 'I need help,' and they didn't get it."*

*Misty Rojo - Interview at CCWF 2/20/04*

“Because of the persistent power of racism, 'criminals' are, in the collective imagination, fantasized as people of color.”<sup>15</sup> In poor communities of color, prison sentences – especially for young people – are an inevitable fact of life. For poor persons and persons of color, the violation of their human rights – to economic security, personal safety, education, housing, privacy, adequate medical care – leads to crimes of poverty, frequent engagement with regimes of enforcement, and subsequent high rates of incarceration.

*"I'm saying that people do commit wrong - I know that. I know that, but the majority of the women that are in here - it was survival - just survival - you know survival -- for whatever reason they had to survive like that they just survived like that - they haven't done anything horrific - they haven't been on TV or anything like that - they're just nobodies - that have committed a nobody's crime and ended up in a nobody's prison, ok, its stupid - they had a 'rock' in their hand so they're doing 25 to life - come on - you know - I mean it doesn't deter them from smoking rock 'cause people are still out there doing it - so what is the point of taking a mother, a woman, somebody's child and putting them away because they had a nickel rock - when you really look at it and you go to everybody's cases three percent of the people here should really be --- helped - not so much as locked up but helped because there is definitely something wrong - they need professional help."*

*Zundre Johnson – interview at CCWF*

The term “Nation-state” is derived from *nascita* – meaning “nativity” or birth. The trinity of nation–state–territory is founded on the principle of nativity or birth as pre-requisite for citizenship and justification of sovereignty. The poor, the addict, the refugee, the undocumented worker, the immigrant, the racial other, and now the prisoner, all of the small “p” *people* who are oppressed and excluded, produce a fundamental “bio-political fracture” - they fall outside the circle of *nascita* – and thus bring the originary fiction of sovereignty into crisis.<sup>16</sup> Like the “final solution,” the prison industrial complex (successor to the institution of slavery) attempts to resolve this crisis by

disenfranchising, de-nationalizing, de-subjectifying, enslaving and essentially 'disappearing' the unassimilable and unrepresentable other – the secret third world within the first world that exemplifies inclusive exclusion.

This excluded, impoverished and racialized other is reduced to what Agamben calls “bare” or “naked” life. In Agamben's analysis, the state can only assert its power and affirm itself by separating “naked life” or biological life from its “forms-of-life” or social and political agency – reducing the subject to a biological entity – a bare life preserved only as an expression of sovereign power.

### *Homo Sacre*

The prisoner is the quintessential example of “naked life” who is de-subjectified – in every sense of the word ‘subject’ – political, psychological, and philosophical. The prisoner is denied agency, stripped of her individuality, subjected to cruel and inhumane treatment, and quite literally objectified.

Regardless of the severity of their sentence, no matter how minor their legal infraction, prisoners are reduced from political life to biological life. The prisoner is kept alive, but barely, and for what? Essentially de-subjectified by law – A prisoner's life becomes naked-life – a status that is tautologous with the deprivation of their human rights. Prisoners are thus ideologically acceptable victims of mal-treatment, neglect and abuse.

Josephine Moore, CCWF has been in prison on a sentence of 15-to-life since 1977:

*My family and children have gone on about their lives. I don't blame them after three decades – but I still cannot conceive of my life, of living, without the possibility of parole – I never thought I would be in prison this long – I took a plea bargain and the judge said I would be out in seven years... part of it is my own fault – I've learned everything negative, using drugs, everything, in prison – everything... but then again, I've been clean and straight since 1991 – 15 years – and I've been found suitable [for parole] twice [by the parole board] – but in 2003 [Governor] Davis said “no” and in 2004 Arnold [Governor Schwarzenegger] said “no” – I don't know what they want from me – its like, I give up, I don't know what they want... people doing life have nothing... its like they put us in an empty room and say here, just sit, forever, with nothing...*

The prisoner's body is kept alive to represent state power – to both absorb and reflect state violence – proving that the state has the power to force the prisoner to live under any conditions. A prisoner's body becomes the property of the state. In California, a prisoner who attempts suicide unsuccessfully can actually be charged with destruction of state property.

Jane Dorotik was a medical professional in the field of mental health before her incarceration...

*"they will charge you if—I mean it's a mental health diagnoses. But if you self-abuse, you are destroying state property. And it's a very clear message that your body, any part of you, is state property. I mean it's very ugly. There's no acknowledgement that it's your body, it's state property. They—I've—I have actually known women who have inadvertently become severely sunburned out in the sun, and they have been given a 115 for damaging state property. Yeah. I could name names. Yes. A 115 is—that's the title of it. It's a disciplinary action. It can net you loss of time, thirty days longer here."*  
*Jane Dorotik - Interview at CCWF 2/24/05*

Genea Scott has been the victim of medical malpractice while at CCWF and works despite the chronic pain caused by an unnecessary and unresolved surgical procedure.

*"I work here, I work PIA Fabric—the Prison Industry, it's not private. The prison—the CDC still owns it. We make uniforms for inmates, make boxers for the men—male inmates. Get paid thirty cent a hour and I think my pay slide is maybe thirteen hours a month. Yeah. Yeah. We work eight hours a day, five days a week. And I—had—we have to complete up to six bundles a day. Six bundles consists of fifty boxes... It's definitely a sweatshop—and yesterday, before I went to the doctor, I had to go to work. And since I can't lift my arm up, it became hideous. So...your body does belong to the state. Yes. And legally we belong to the state. If we die right here, the state has to bury us. Not bury us, shall I say cremate us. Yeah. We do. We belong to the state. I do for now. If I cut myself. If did any—if I over-medicated myself. You know... But if they do it, it's okay, because you're their property. I'm their property. Do as you will, do as you want, I belong to them."*

*Genea Scott - Interview at CCWF 2/24/05*

### *Biomedical subjects*

When universal access to adequate health care does not exist outside prisons – medical malpractice and neglect are easily justified inside them. An investigation of the California Department of Corrections in 2005 determined that the prison medical service was killing an average of one inmate a week through malpractice or neglect. The federal judge who, in June 2005, ordered the system into receivership was so shocked by testimony that he characterized the attitude and behavior of medical staff toward prisoners as "at times outright depravity."<sup>17</sup>

Prison Doctors and medical staff regularly mis-treat or ignore prisoners' medical needs because they choose not to believe prisoners' accounts of their own symptoms. Doctors and staff consistently characterize prisoners as "drug-seeking,"<sup>18</sup> "malingering," or simply not worthy of attention. In many cases a minor condition, which goes untreated escalates into a tragic loss. Medical malpractice and malfeasance can result in the defacto conversion of a prison sentence to a sentence of death.

*"In 2000 we had nine people die in six weeks. The first lady was 32 years old - her name was Jody Fitzgerald. I was a peer counselor then, and her little roommates were coming in and saying she can't even get up and eat, she can't swallow, she can't get to the bathroom by herself. And we went to the sergeant about her, and the sergeant said, 'Oh, I know about her, she's just trying to stay in the yard with her lover, and they keep taking her out to medical,' which was true, and medical was saying nothing was wrong with her. They said they were going to evaluate her for the enhanced-out patient unit, which is a lock-down psychiatric unit. And they evaluated her and they moved her to EOP, and she died in her cell three days later. They rolled her dead body out, and upon autopsy, they found that she had AIDS, and that she had thrush in her esophagus, which is life-threatening. So that little baby - 32 years old - died in pain by herself, by motherfuckers who said, 'There's nothing wrong with you, you're just a crazy bitch. It's all in your head.' I've got a problem with that. Then, a girl who was 30 something years old died right here in the visiting room. One of the legal people, Judy Greenspan, saw her die through that window over there. She went to the bathroom, her asthma inhaler was in here, the police had it or something, and she just said she didn't feel good, and she collapsed and they couldn't get to her asthma inhaler and she died right there. Nine deaths in six weeks. Then a woman in 508, her name was Pamela Coffey - this MTA responded to her room. Her tongue was hanging out, it was swollen up, her stomach was real distended, she couldn't speak. He started laughing at her - he told her roommates, 'You can understand her better than me,' and he left. Well, she died. She had congestive heart failure, arterial sclerosis, or whatever. She shit on herself, her roommates cleaned her up because they didn't know she was dying, they just wanted her to have some dignity. They knew she'd be embarrassed if she went to the bathroom on herself. He had to come back in 45*

*minutes for the body. I was telling you about the lady who was paralyzed in 805 that used to cry. This guy would mock her. After he punished her by turning her TV around and closing up her curtain, he'd stand outside her door and crow just like she did. And if somebody asked him why he did that, he says, "Cause she can't tell."*  
*Interview with Judy Ricci at CCWF 10/2/03*

At least one Doctor in the CDC system is currently under investigation for performing unnecessary surgery on a number of women prisoners over a period of several years. Genea Scott was a victim of one such unnecessary procedure (removal of a lymph gland) and suffered complications. She is a type 1 diabetic. Diabetes is a serious, degenerative disease that can affect every organ in the body. A diabetic must keep her blood sugar in balance to avoid or delay the onset of severe complications such as kidney failure, heart disease, blindness, nerve damage, and loss of circulation. The balance of blood sugar can only be controlled by measured and timely use of insulin in relation to a strictly controlled diet. In California, diabetics in prison are not offered a diabetic diet and insulin doses are frequently delayed or withheld. Diabetic prisoners are not allowed to handle needles to inject themselves so they must wait for medical staff. There are approximately 100 insulin dependent diabetics at CCWF.

Genea's prison job, cutting cloth strips that are sewn into American Flags, requires her to stand in place all day on a concrete floor. A diabetic's circulatory system deteriorates when the blood sugar spikes and drops leaving the extremities vulnerable to sores, injury and infection. Genea's blood sugar level is extremely volatile given the prison diet and lack of control over her own insulin doses. She has developed sores on her feet, diabetic ulcers, and has been advised by medical staff to purchase special protective and ventilated shoes for diabetics. The \$55.00 price of the shoes (which must be ordered through the prison industries catalogue) is more than three months worth her total salary in the flag factory.

*I'm getting calluses and sores standing in the med line so long – an hour and 15 minutes waiting for my insulin – a guard told me I can go for a day without my insulin and survive, he doesn't know – by then my sugar would be dropped all the way down and I'd be comatose – I still haven't gotten my special shoes .... They told me I'd have to buy them myself – I have no money – how the hell am I going to get myself those special shoes...I have a diabetic ulcer on my toe. The same thing F\_\_\_\_\_ had. So, yes, I'm scared. Right now it's getting to the point that I don't even tie my shoes up its hurting so bad... They told me I have neuropathy... I don't have enough circulation points in my toes – that's why I have this sore on my toe. I don't want my leg to end up like F\_\_\_\_\_ 's. I was in the infirmary with her when they did that to her. Yeah, they cut off her toe. It didn't heal. Then they said they would have to cut off her foot. She said "no." Then he talked her into it – he told her they would just take another small part of her foot. And when she woke up they had cut off her leg. They cut off her leg. Then they told her it was her fault...*

Because the prisoner does not have the status of "human-life" even in the eyes of the medical professionals who are paid to treat them, neglect and abuse become, by default, the rule and the force of law. F\_\_\_\_\_, was convicted for theft and possession. Genea, serving two years for check fraud might also have lost a limb. Does the ideological, social and economic status of these women allow them, in effect to be subjected to a form of Sharia, an Islamic law under which theft is punished by amputation? Is this the result of an ethical and democratic system of jurisprudence? Such a system reduces the prisoner to Bare-life -a form of life that is only survival. The prisoner, as bare-life, has no agency and the state is free to ignore its ethical responsibility to her as human-life. This freedom from ethical responsibility is the ultimate expression of the power of the state.

## The Secret

### *States of Exception*

Walter Benjamin wrote, "The tradition of the oppressed teaches us that the 'state of emergency' in which we live is not the exception but the rule." *The state of exception is the temporary suspension of the rule of law that is revealed instead to constitute the fundamental structure of the legal system itself.*

Giorgio Agamben, *Means Without End: Notes on Politics*

One of our most common cultural mistakes is the tacit confusion of the ethical and the juridical "... law is not directed toward the establishment of justice. Nor is it directed toward the verification of truth. Law is solely directed toward judgment, independent of truth and justice."<sup>19</sup> Prisons in the United States are monuments to the criminalization of poverty, and human repositories where the public secrets of economic and political power are kept safe. The "prison industrial complex," like its namesake – the military industrial complex – is collaboration between the state and multi-national corporations, the corporate-state. While the military industrial complex promotes imperialist aggression for the purpose of financial gain, the prison industrial complex is designed to profit from the incarceration of marginalized communities on a massive scale, and to enforce their continual political disenfranchisement by law – thus assuming the role historically played by the institution of slavery.

State violence of every possible variety is enacted within the space of the prison – where *anything* is possible. Consider, Guantánamo, "rendition," the "Detainee Treatment Act," the "secure boarder initiative," and the permanent "global war on terror" but also consider corruption and exploitation in post-Katrina "reconstruction," as well as emergency measures in the domestic "war on crime" like "three strikes and your out" sentencing legislation and the California state prison media ban – all are emergency exceptions to the legal protection of human and civil rights, primarily those of people of color. Although blacks account for only 12 percent of the U.S. population, 44 percent of all prisoners in the United States are black. One in four prisoners in the United States is serving time for a non-violent drug law violation. These are prisoners of war – the US war on drugs – which is essentially a war on race, a war on gender, a war against the socio-economic "other."

In the US, there is little or no difference between violence and right, the prison and the camp - the arbitrary enforcement of the state of exception is the only rule.

The state of exception has become a permanent arrangement through which the state can insure its pure nativity and sovereignty. This addresses so-called "problems" of immigration *and* so-called "problems" of race and class – "problems" that have to do with inside and outside, identification and transgression. "It is in jurisdiction – the doctrine governing who has power to decide what and where – that the public/private distinction finds its natural home."<sup>20</sup> This is the line that includes by excluding. "A state is a sovereign. This means that it is defined by a public / private line at its border, which is principally territorial, such that what happens within is private, meaning that it is the exclusive domain of the patriarchal order called government."<sup>21</sup>

Within the border that defines the sovereign territory there are other boundaries that identify and separate the socio-economic and cultural 'inside' from the 'other' outside. These internal borders circumscribe a legal, political, ideological and material state - the state of exception. The prison is the space that opens up when the state of exception becomes the rule.

### *The ideological space of the prison*

*... where the arbitrariness of power butts the legitimation of authority, where reason and violence do their little duet.*

Michael Taussig, *The Nervous System*<sup>22</sup>

The prison is the "materialization" of the state of exception that can only be understood as a "topological perforation" like a mobius strip or a Klien bottle where exterior and interior "in-determine" each other.<sup>23</sup> The prison as a "political space" is both a hole – like a sinkhole – and a mobius-like protrusion. Experiencing this doubleness of perception is much like encountering an anamorphosis, for example, the "memento mori" in Holbein's painting *The Ambassadors*, in which a smear, or "blot"<sup>24</sup> mars or perforates the illusion of three-dimensional space. Yet, when seen from the *proper* perspective – a specific physical location *outside* the space depicted in the painting – this "blot," or smear (hole or protrusion) resolves into the image of a skull. Recognition of the blot-as-skull skews the symbolic order of the painting (exposing the nullity of the objects of art and knowledge represented therein) unmasking its truth "in a manner that does justice to it."<sup>25</sup>

The space of the prison is the space of emptiness and exile – sinkhole and protrusion – a no-man's land that perforates the space of the state, acting back into it. Anyone, prisoner or police, who enters the space of the prison "moves about in a zone of indistinction between outside and inside, exception and rule, licit and illicit, in which every juridical protection has disappeared."<sup>26</sup> It is the space of the state of exception where anything or nothing is possible depending on where you stand.

*In as much as its inhabitants have been stripped of every political status and reduced completely to naked life, the [prison] is also the most absolute biopolitical space that has ever been realized – a space in which power confronts nothing other than pure biological life without any mediation.*<sup>27</sup>

A three-million-dollar razor wire fence separates California Correctional Women's Facility from the middle of nowhere – its site is an agri-business desert. "The State bought devalued rural land – mostly formerly irrigated agricultural land and assured small depressed towns now shadowed by prisons that the new recession proof, non-polluting industry would jump-start local redevelopment."<sup>28</sup> Between the metal detector at the fence and the visiting room there is an uncannily suburban, perfectly manicured, lawn complete with a rose-lined path and built in sprinkler system – it is like a mirage surrounded by razor wire glinting in the relentless heat, a perforation, an anamorphic image intended to reinscribe the symbolic order of the space of the prison as a safe, calm, domesticated space. You can only see it if you are coming in from the outside – a specific political location as well as a physical one – like that necessary to interpret the anamorphosis in the Holbein painting. Inside, beyond the visiting room, where visitors never go, the yards are treeless; there are no roses, no grass or shade, no sprinkler system. Despite the razor wire inside and outside "indetermine" each other. This is apparent in the way the prison "acts back on" the space outside it – beyond the edge of agri-desert impoverished communities of color are eviscerated, and the prison industrial complex expands.

*... the police – contrary to public opinion – are not merely an administrative function of law enforcement; rather, the police are perhaps the place where the proximity [...] between violence and right that characterizes the figure of the sovereign is shown more nakedly and clearly than anywhere else. [...] The rationales of "public order and "security" on which the police have to decide on a case-by-case basis define an area of indistinction between violence and right that is exactly symmetrical to that of sovereignty.*<sup>29</sup>

In a letter written from CCWF Jane Dorotik describes how guards and prisoners alike are brutalized in the space of the prison.

*"Here in this geographic location defining the twin prisons of Valley State Prison (VSP) and Central California Women's Facility (CCWF) exists the largest concentration of incarcerated women in the world: more than 7,000 women in a few square miles. We are packed in, eight women to each small cell, originally built to hold four. The enormous*

*range in age, race, and temperament exacerbates the stress of this constant crowding, noise, and regimentation. Most incarcerated women smoke, so although smoking is supposedly forbidden in the building, non-smokers must constantly choke on secondhand smoke. The correctional officers (COs) tell us they don't care, nor will they group non-smokers together in one cell. There is never any privacy, no solitude; every day is filled with constant bickering, screaming, and racial agitation just from the severe overcrowding. We have to endure frequent and pointless cell searches for contraband, which includes scotch tape, paper clips, an extra state towel, etc. We are subject to 'lockdowns' on the slightest pretext (like valley fog). We are lined up and marched over to the dining hall for meals, and four armed COs stand guard outside the door to make sure we don't take an extra 8-oz. carton of milk or exit with ice in our cups. We are treated like cattle, or worse, because cattle are generally well fed...*

*We are definitely not succeeding at keeping society safe; instead, we are creating an environment of fear and conflict, hatred and power. This prison industry is an industry gone awry -- gravely compromised, rampant with abuses and hatred. It is a terrifying breeding ground for racism, sexism, homophobia, and dominating exploitation of other human beings. We are warehousing people, punishing them and returning them to society worse off than when they entered the system. The violence that then comes out of these prisons is a much greater threat than terrorism. Keep things quiet, don't talk about the abuses, the special treatment granted for sexual favors, the drugs supplied by the COs. I know an inmate who for six months could get any kind of liquor she wanted -- not even repackaged to hide it. COs covertly supply inmates with a wide array of contraband from cigarette lighters to heroin in exchange for favors or payoffs. I know of COs who literally reek of booze all day long, often stumbling, slurring through their work hours. Then they are 'on leave' for several weeks. They return to work and the cycle starts all over.*

*Many of the COs (and most are male in this female prison) openly humiliate and denigrate these women and then laugh about it:*

*'Keep moving; you're attracting flies.'*

*'Get your ass back in here and stop slutting around.'*

*'Now what do you want? To put your mouth on my cigar?'*

*But to speak out against any of this guarantees retaliation in the ugliest of ways. One inmate was actually brave enough to report a sexual assault on her by staff. The incident was 'investigated' and reasons were found to issue her a "115" (disciplinary action). Her telephone privileges were rescinded, cutting her off from her family, effectively preventing her from seeking legal help outside the prison for the assault she suffered. This is a horrifyingly difficult environment to try to survive in; many compromise a great deal to assure survival."*

Jane's story is far from unique. A recent headline in *The New York Times* "US agent dies in shootout with Prison Guard" tops the story of a federal grand jury indictment against five prison guards accused of engaging in a "sex ring" – in which the guards traded drugs, alcohol and money for sex with female inmates. These guards threatened to plant contraband in inmates' belongings if they did not participate or have them sent to other institutions farther from their families. They monitored inmates' telephone calls in order to identify and then intimidate anyone who attempted to report their conduct; showed prisoners information about themselves and other prisoners on Bureau of Prison computers to prove that they could be tracked anywhere within the BOP system; and used what the indictment called "cleaning products" to destroy evidence of sexual contact.<sup>30</sup> The story in *The Times* focused on a shootout between the guards and Federal agents at the prison. When federal agents attempted to arrest the indicted guards one of them

pulled a "personal weapon," shot, and killed one of the arresting agents. A federal agent then killed the shooter and another prison guard was wounded in the crossfire – high noon at the OK corral. These deaths are certainly shocking and tragic. The offenses detailed in the indictment are equally shocking and tragically common in prisons and detention centers across the nation, and rarely revealed.

During a prison visit at CCWF two days after the Florida shootout made headlines an inmate laughed ironically, "maybe that will slow the guys here down a little ... they may start to think they actually need to watch their backs." The story is so common, the details so atrocious. Guards bring in drugs and alcohol, sneak in cell phones cameras, and take surreptitious photos of female prisoners, coerce prisoners into sexual slavery, and promote violence for their own amusement. Prisoners who are subjected to such treatment have little recourse. A woman at CCWF recounted that for months she was forced to have sex with a guard under threat of a false accusation, which would have resulted in an extension of her sentence. First he accused her of hitting him. Then he told her he would drop the charge in exchange for sex. It was his word against hers. As the frequency and brutality of the guard's sexual demands increased the woman collected physical evidence, what she hoped would prove to be DNA evidence to support a complaint. As a prisoner she was forced to first file a complaint through the prison administration. Once the paper work was filed, her abuser knew that she had physical evidence. Guards have the option of searching and destroying any prisoner's personal belongings at any time. Her room and her locker were searched and all of her evidence was destroyed. As Benjamin puts it,

*The assertion that the ends of police violence are always identical or even connected to those of general law is entirely untrue. Rather, the "law" of the police really marks the point at which the state ... can no longer guarantee through the legal system the empirical ends that it desires at any price to attain.<sup>31</sup>*

The regulation of prisoners, their rights, and their living conditions is left to state governments who appoint governing boards to oversee prison administrations. Prisoners' lives are in the hands of politicians, prison administrators and guards – "interested parties" who are economically dependent upon the growth of the prison industrial complex. Both inside and outside the prison, the fox is guarding the hen house.

A market economy for prisons has led to a market demand for prisoners (a strong lobby for ever-tougher sentencing to satisfy the need for more cheap labour and maintain the corrections economy):

*Companies that service the criminal justices system need sufficient quantities of raw materials to guarantee long-term growth. [...] In the criminal justice field the raw material is prisoners, and industry will do what is necessary to guarantee a steady supply. For the supply of prisoners to grow, criminal justice policies must ensure a sufficient number of incarcerated Americans regardless of whether crime is rising or the incarceration is necessary.<sup>32</sup>*

Coincident with the boom in prison construction in the 1980s, there was a dramatic shift in attitude toward crime and punishment in the US. Despite an overall decrease in crime, crime became an emergency and victims' rights were seen as justification for emergency measures. Lawmakers dismantled programs designed to help rehabilitate criminals and passed new sentencing laws that put more people in prison for lesser crimes and for longer periods of time.

As a result of California's "three strikes and your out" law, inmate populations have expanded exponentially and so has the prison industrial complex.<sup>33</sup> Prisons are "serviced" by giant corporations, like MCI and Marriott, with monopoly contracts for catering, telephone service and medical care. For example, families of prisoners in California must have MCI as their long-distance carrier if they want to receive collect

calls. If they have MCI available in their neighbourhood and have the credit rating required for account activation their calls are interrupted every 15 seconds by a recording reminding them that they are speaking to a prisoner of the CDC. MCI's rates for collect calls from prisons are 7 times the normal cost of a collect call from anywhere else in the state.

### *Symbolic Labor*

The fundamental premises and goals of the institution of slavery are now realized though the prison industrial complex. Inmates in state and federal prisons are often employed by private corporations for extremely low pay. In California, many inmates are employed by the Prison Industry Authority. PIA operates over 60 industries at 22 of California's prisons. PIA's revenue comes from the sale of its products and services. At CCWF PIA operates a textile factory for the production of California and United States flags. On January 1, the 254th anniversary of Betsy Ross's birth, Beverly Henry, who works in the PIA flag factory, wrote the following:

*Like Betsy Ross, I sew American flags. But I do my work for 55 cents an hour in an assembly line inside the Central California Women's Facility, one of the largest women's prisons in the world. I was sentenced to prison for 15 years after being convicted of selling \$20 worth of heroin to an undercover cop. I sew flags to buy toiletries and food. From the time I was a little girl, I was taught to put my hand over my heart when pledging allegiance to the flag. I emphatically believed in the values of independence, freedom and equality the flag represents. But as time went on and I grew older, I learned that these values do not apply equally to all Americans. As a black girl, I attended segregated schools without enough resources to provide a quality education. As an adult, I struggled continuously with drug addiction, but there were no resources available for me to get help. Instead, I was sent to prison. [...] America has become a country that imprisons those it fails, blaming poverty, drug addiction or homelessness on individuals rather than recognizing and addressing the conditions that give rise to them. In California, more than 70 percent of women in prison are serving time for nonviolent, property or drug-related offenses. The 3,000 women in my prison are disproportionately poor and minority. Prison marks the separation in our society between the haves and the have-nots, between those who walk free and those of us held captive.... Betsy Ross sewed a flag that represented a vision of an equal and just society. And we, as Americans, pledge allegiance to a flag I sew, dedicating ourselves to "one nation, under God, indivisible, with liberty and justice for all." To honor this flag we must resolve to make America a country where all people can thrive.*

Despite the slave-labor conditions under which Beverly sews the flag, it still symbolizes, for her and many others, something beyond (or perhaps, above) the sovereignty of the nation-state, "liberty and justice for all" – *all*. Beverly does not enjoy the status of a citizen, like many others who work for slave wages in textile "sweatshops" around the world. Her status is alien, "illegal," un-representable in the symbolic order depicted by the flag she sews – outside the lines of "justice for all."

The symbolic order of the flag (sovereignty), "status" (the legality or illegality of persons), and labor are inextricably bound together as an aporia.

Recently on NPR's "Talk of the Nation" the topic was the previous day's national demonstrations against pending immigration legislation:

*"We have a caller on the line, Tara (from Las Vegas, Nevada) –*

*"I was just calling because I used to support the immigrants who are here now becoming legalized – after these demonstrations – if they want to flash Mexican – carry Mexican flags – flash gang signs – they can take the proper steps to become legal immigrants – I'd have respected them more if they had burned the American flag because at least they're exercising*

*their right of free speech – our government and the corporations have allowed them to be here for the last 25 years without taking action – and if they want to be Americans fine it was the American constitution that gives them the right to protest – their act is so disrespectful – and I'm not alone – a lot of folks – I told my senator, yeah, I want the tough restrictions – I want them to be sent back – if they are going to keep doing it without becoming legal – they can go to jail."*

On the same day the AP reported:

*"House conservatives said ... that prisoners rather than illegal farm workers should pick America's crops and denounced the use of Mexican flags by protesters. 'I say let the prisoners pick the fruits,' said Rep. Dana Rohrabacher of California, one of more than a dozen Republicans who took turns condemning a Senate bill that offers an estimated 11 million illegal immigrants an opportunity for citizenship."*

Rohrabacher later claimed his suggestion was serious, not sardonic. "It is not in the interest of our country to legalize the status of anyone who is in the country illegally," he said. "We have a massive resource with prisoners. Prisons quite often are near agricultural areas." Even Democrats, like Diane Feinstein, who rejected the proposal because she claimed that farmers do not want "rapists and murderers" in their fields, near their families, did not bother to register alarm at the image it evokes and the historical parallel – the disproportionately high black prisoner population forced to pick the crops, black men and women in chains, under guard, laboring in the fields.

The paradoxical doubleness, the aporia of the public secret, is embodied in this anecdotal evidence. Such stories produce a montage of contradictions and connections between labor, the flag, prisoners, and immigrants; between symbolic labor and slave labor; between small "p" people and big "P" people. What sort of symbolic economy is required to sustain the status quo of the sovereign state of emergency? It seems to come down to a question of "security." The suffering and mental breakdown (and subsequent suicides) of tortured detainees in Guantánamo, the transformation of poor and racially dominated individuals into imprisoned bodies-for-profit, the exploitation and criminalization of immigrants, are all traded in the balance against the "security" and sovereignty of the state and a false image of safety and well-being in middle-and-corporate America.<sup>34</sup>

How could we not think that a system that can no longer function at all except on the basis of emergency would not also be interested in preserving such an emergency at any price?<sup>35</sup> The emergency requires that the poor, the prisoner, the immigrant, the refugee must be pushed outside the law and polity and thus reduced to the barest biological existence—"one that can be ignored and neglected, or extinguished with impunity precisely because it is the law that renders it expendable."<sup>36</sup> In her introduction to *Are Women Human?*, Catherine MacKinnon sums up, with razor sharp precision, the process by which the law and perception management collude in the public secret:

*Before atrocities are recognized as such, they are authoritatively regarded as either too extraordinary to be believable or too ordinary to be atrocious. If the events are socially considered unusual, the fact that they happened is denied in specific instances; if they are regarded as usual the fact that they are violating is denied: if it's happening, it's not so bad, and if it's really bad, it isn't happening. The given status of certain people is seen as tautologous with, even justified by the deprivations of their human rights. Law often collaborates by making an unusual or extreme form of a common violation illegal, so that what is illegal almost never happens, yet the law appears to stand against the violation. Victims are thereby ideologically rendered appropriate to their treatment, the unequal treatment serving to confirm their ontological status as lesser humans. When nothing is done, the treatment and social status accordingly, confirm and create who one is. [...]* While disbelief and associated impunity rein, the violated are – systemically and

*effectively speaking – rendered not fully human legally or socially. When and where this denial is overcome and rights against the extreme and the normal are recognized, the treatment is defined as inhuman and the victims human.*<sup>37</sup>

The public secret masks an oscillation between denial and amazement – amazement that such atrocities are “still” possible and denial of that which is apparently impossible to address. The injustices of the justice system, the existence of the prison industrial complex – its pervasive network of monopolies and its human rights abuses – are extremely well documented yet wholly submerged and repressed. Everyone knows, and knows they know, but then, “How could things be otherwise?”

### **Utopias**

*Utopias are non-fictional even though they are non-existent.*

Fredric Jameson, “Politics of Utopia”

Jameson points out that, if utopia no longer has a social function, it is because of the

*extraordinary historical dissociation into two distinct worlds, which characterizes globalization today. In one of these worlds the disintegration of the social is so absolute – misery, poverty, unemployment, starvation, squalor, violence, and death – that the intricately elaborated social schemes of utopian thinkers become as frivolous as they are irrelevant. In the other unparalleled wealth, computerized production, scientific and medical discoveries unimaginable a century ago as well as an endless variety of commercial and cultural pleasures, seem to have rendered utopian fantasy and speculation as boring and antiquated as pre-technological narratives of space flight.*<sup>38</sup>

In his recent essay on the “Politics of Utopia” for the *New Left Review*, Frederick Jameson claims, “the system’ at its most stable is the best context for the imaginative speculation of the most powerless in resistance to it.”<sup>39</sup> This certainly describes the relation of the prison industrial complex and its inmates. How, then, can prisoners, their families resist? How can we imagine a world without prisons? How can we imagine “a system in which punishment is not allowed to become the source of corporate profit? How can we imagine a society in which race and class are not primary determinants of punishment? Or one in which punishment itself is no longer the central concern in the making of justice?”<sup>40</sup>

Jane Dorotik, a prisoner at CCWF wrote,

*A world that doesn't rely on prisons would require a culture shift and social, behavior changes. Our society is pretty much choked by fear and domination – and this mindset is simply magnified in prison. We need to shift toward an underlying culture of partnership and trust and away from a culture of domination. [...] It's well documented that the incidence of violence is significantly decreased in countries that have highly developed social support systems – welfare, health care, etc. – until we as a society give up the idea of 'judge and punish' for a more humanitarian 'support, nurture and rehabilitate' [approach] we'll continue to build prisons. I think every member of society needs to be helped to have his or her needs met so that he or she can make a contribution that will be judged worthy by society. So... I think that we have to ... help people to understand that there is a big difference between keeping society safe and locking up people who might have made a mistake – a lot of the mistakes that we lock people up for are societal mistakes. That is what we have to change.*

Jane Dorotik's suggested shift from a “culture of domination” to a “culture of participation” opens up a utopian imaginary. The fundamental premise of systems is that the one thing that cannot be challenged or changed is the system itself. The function of a utopian imaginary is to “reveal the ideological closure of the system in which we are somehow trapped and confined and thus

prompt us to *make the most radical demands we can possibly make on our own system.*<sup>41</sup> To fulfill this demand for a culture of participation would transform "the system" beyond recognition and engender "a society structurally distinct from this one in every conceivable way, from the psychological to the sociological, from the cultural to the political."<sup>42</sup>

Our most radical demand should be decarceration. Decarceration means:

- disarticulating crime and punishment, race and punishment and gender and punishment;
- decriminalizing poverty, addiction, sex-work, and autonomous immigration;
- demilitarizing schools and neighborhoods;
- developing a justice system based on reparation and reconciliation instead of retribution and punishment, and a constellation of free community based drug, alcohol, mental health and domestic violence treatment programs;
- using the funding currently spent on prisons to establish job, living wage and community recreations programs;
- contesting racial profiling and other practices of social domination that result in race and class based disparities in arrest and imprisonment rates - in other words,
- decriminalizing communities that have been criminalized because of their race and class;
- and finally, disallowing economic and for-profit relationships among policing and correction systems, transnational corporations, media conglomerates, guard's unions, the courts, and law-makers.

Decarceration means emptying the camps. Decarceration means re-imagining the topology of the state. The "topological perforation" which is the ideological space of the prison "acts back" on the state, twisting and turning inside out, background to foreground – like an anamorphosis – the thing that make sense of that which it ruptures or obscures. Reflecting upon the no-mans land of the "illegal" immigrant, the refugee, the prisoner, Giorgio Agamben wrote, "*Only in a world in which the spaces of states have been thus perforated and topologically deformed and in which the citizen has been able to recognize the refugee [or prisoner] that he or she is – only in such a world is the political survival of humankind today thinkable.*"<sup>43</sup>

*Visitation is called for the count at 3:30pm. The door opens – conversation stops. The guard comes in. I turn off the recorder and gather my things quickly. The woman I am speaking with is taken back inside. She may be forced to endure a pat search, a strip search, even a visual body cavity search which could be performed by a male guard. It is entirely up to the guard. I try not to think about this as I walk out into the afternoon heat. It angers and disgusts me. I feel guilty and relieved. I am free to go.*

*As I walk down the rose-lined path I try to think about my plans for the evening. I imagine going out for a drink, shopping, a movie – pleasure and choice. I actually started thinking about it early this morning – before I left the house. I always do - before a visit - in anticipation and hesitation - I recognize the refugee, the prisoner that I am.*

*There are wild rabbits on the lawn at this time of day. They must come in from the desert. They have no difficulty passing through the 3 million dollar razor wire fence.*

*The gates open for me, one after another. I pass through the metal detector and I'm outside - Released*

*On the black top parking lot the car has become a convection oven. We open the doors to let it air out but a voice over a loudspeaker from one of the guard towers insists we move on.*

*We speed down the farm road toward Los Banos and strip-mall fast-food – by the time we pull up at the dairy queen a Friday night high school foot ball game is beginning across the street – One of the legal advocates is interested in the game – her high school*

*played against Los Banos high – The marching band begins to play – I wonder... what sort of topological deformation makes it possible for these two spaces to exist in such proximity. Does this picture of middle class play and complacency depend on the existence of suffering and oppression at the prison?*

*While we stand and listen to the cheering across the street I try to remember a quote – it was...*

*"If you have come here to help - you are wasting your time -- if you have come because your liberation is bound up with mine, then...  
I can't recall the wording exactly -- but I know my life is bound to the lives of these women.*

*I can't be free until they are free. None of us can really be safe until they are safe. No citizen can honestly claim their inalienable rights until all people can share in them.*

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  - <sup>3</sup> Michael Taussig, *Defacement: Public Secrecy and the Labor of the Negative* (Stanford University Press: Stanford, 1999).
  - <sup>4</sup> *Ibid.*, p. 5.
  - <sup>5</sup> *Ibid.*, p. 5.
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  - <sup>11</sup> Michael Taussig, *The Nervous System* (Routledge: New York, NY, 1992), p. 18.
  - <sup>12</sup> *Ibid.* [12].
  - <sup>13</sup> *Ibid.*, pp. 31-32.
  - <sup>14</sup> *Ibid.*, p. X.
  - <sup>15</sup> Angela Y. Davis, *Are Prisons Obsolete?* (Seven Stories Press: New York, NY, 2003), p. 15.
  - <sup>16</sup> *Ibid.*, p. 21

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<sup>17</sup> James Sterngold, "U.S. seizes state prison health care. Judge cites preventable deaths of inmates, 'depravity' of system," *San Francisco Chronicle*, July 1, 2005, <http://www.sfgate.com/cgi-bin/article.cgi?file=/c/a/2005/07/01/MNGOCDHPP71.DTL>; accessed July 1, 2006.

<sup>18</sup> Psychotropic drugs, however, are readily available and dispensed liberally as means of controlling behavior. There is a significant increase in prisoners with mental health disorders but the use of psychotropic drugs exceeds this demand and has increased since the ban on smoking was put in place. These issues will be addressed in detail via statements made by women in the expanded audio database *Public Secrets in Vectors Journal of Culture and Technology in a Dynamic Vernacular* at <http://vectors.aml.annenberg.edu/>, which will launch in November 2006.

<sup>19</sup> Giorgio Agamben, *Remnants of Auschwitz: The Witness and the Archive*, trans. Daniel Heller-Roazen (Zone Books: New York, NY, 2002), p. 18.

<sup>20</sup> Catherine A. MacKinnon, *Are Women Human? And Other International Dialogues* (Harvard University Press: Cambridge, 2006).

<sup>21</sup> *Ibid.*

<sup>22</sup> Michael Taussig, *The Nervous System* (Routledge: New York, NY, 1992), p. 9.

<sup>23</sup> Giorgio Agamben, *Means Without End: Notes on Politics*, trans. Vincenzo Binetti and Cesare Casarino (University of Minnesota Press: Minneapolis, MN, 2000), p. 25.

<sup>24</sup> The use of the term "blot" for anamorphosis comes from Slavoj Žižek, "The Hitchcockian Blot" in *Looking Awry: An Introduction to Jacques Lacan Through Popular Culture* (The MIT Press: Cambridge, 1992), pp. 89-91.

<sup>25</sup> Walter Benjamin, *The Origin of German Tragic Drama*, trans. John Osborn (New Left Books: London, 1977), p. 31.

<sup>26</sup> Giorgio Agamben, *Means Without End: Notes on Politics*, trans. Vincenzo Binetti and Cesare Casarino (University of Minnesota Press: Minneapolis, MN, 2000), pp. 40-41.

<sup>27</sup> *Ibid.*, p. 41.

<sup>28</sup> Gilmore, qtd. in Angela Y. Davis, *Are Prisons Obsolete?* (Seven Stories Press: New York, NY, 2003), p. 14.

<sup>29</sup> *Ibid.* [31], pp. 104-5.

<sup>30</sup> Details come from the Indictment filed in US District Court for the Northern District of Florida, Tallahassee Division, Case 4:06-cr-00036-RH-WCS, Document 1 Filed 06/20/2006, <http://www.cbsnews.com/htdocs/pdf/062106indictment.pdf>

<sup>31</sup> Walter Benjamin, *Reflections*, trans. Edmund Jephcott (Schocken Books: New York, NY, 1986), p. 312.

<sup>32</sup> Steven Donziger, qtd. in Angela Y. Davis, *Are Prisons Obsolete?* (Seven Stories Press: New York, NY, 2003), p. 94.

<sup>33</sup> Under "three strikes," a person who commits a felony and has one previous "violent" or "serious" felony conviction (which includes burglary of an unoccupied dwelling, possession of a controlled substance, solicitation for prostitution, check-kiting etc.) is sentenced to twice the term prescribed by law for each new felony. If the person has two previous violent or serious felony convictions, he or she is sentenced to life.

<sup>34</sup> See Susan Willis, "Logics of Guantánamo," *New Left Review* 39 (May /June 2006), pp. 123-131, for discussion of "intelligence" as prison labor and the "symbolic economy" of Guantánamo.

<sup>35</sup> Giorgio Agamben, *Means Without End: Notes on Politics*, trans. Vincenzo Binetti and Cesare Casarino (University of Minnesota Press: Minneapolis, MN, 2000), p. 6.

<sup>36</sup> Eduardo Mendieta, Introduction to Angela Y. Davis, *Abolition Democracy: Beyond Empire, Prisons, and Torture* (Seven Stories Press: New York, NY, 2005).

<sup>37</sup> Catherine A. MacKinnon, *Are Women Human? And Other International Dialogues* (Harvard University Press: Cambridge, 2006), p. 3.

<sup>38</sup> Fredric Jameson, "Politics of Utopia," *New Left Review* 25 (Jan/Feb 2004), p. 35.

<sup>39</sup> *Ibid.*, p. 46.

<sup>40</sup> Angela Y. Davis, *Are Prisons Obsolete?* (Seven Stories Press: New York, NY, 2003), p. 107.

<sup>41</sup> *Ibid.* [43], p. 37.

<sup>42</sup> *Ibid.*

<sup>43</sup> Giorgio Agamben, *Means Without End: Notes on Politics*, trans. Vincenzo Binetti and Cesare Casarino (University of Minnesota Press: Minneapolis, MN, 2000), p. 26.