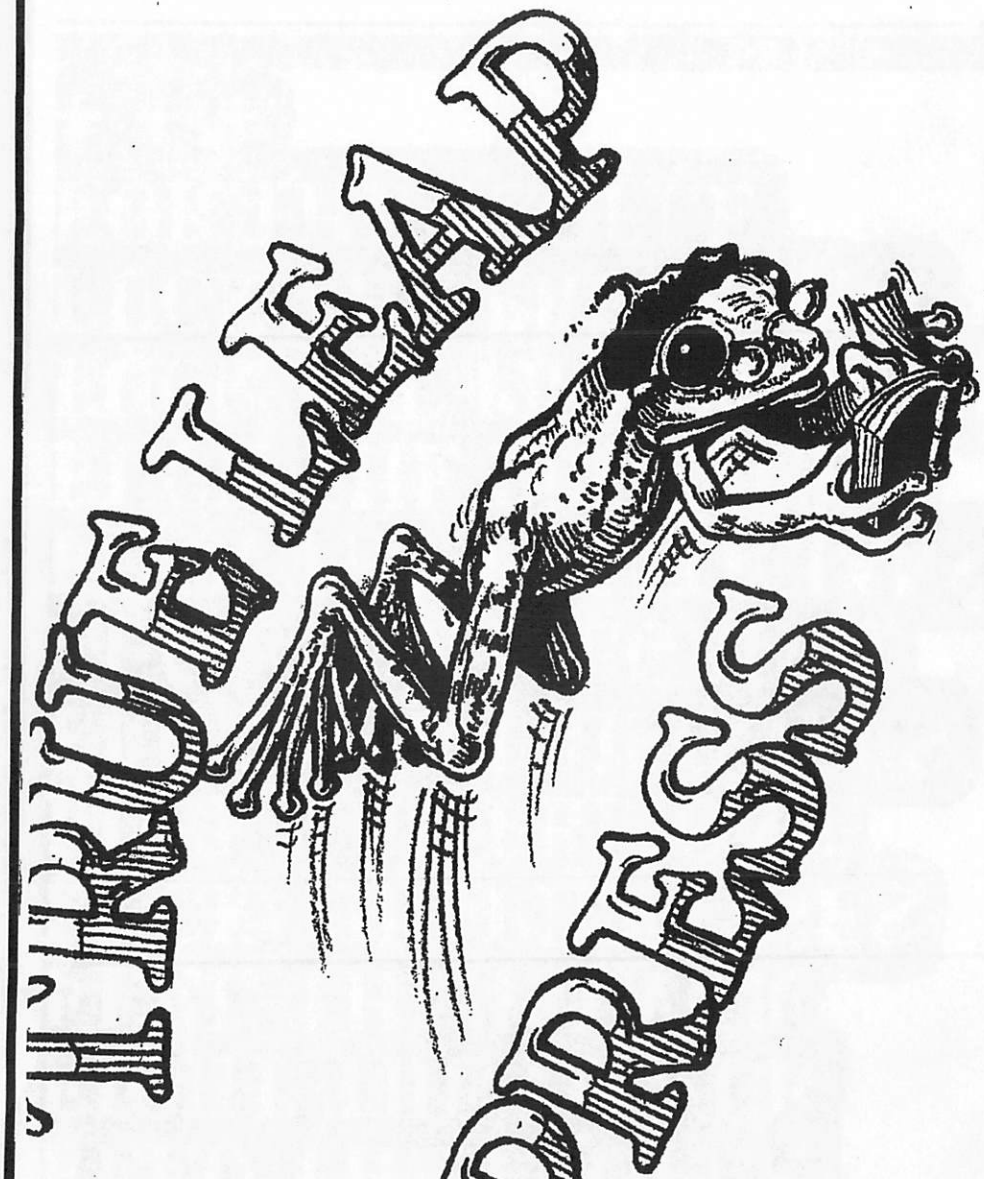
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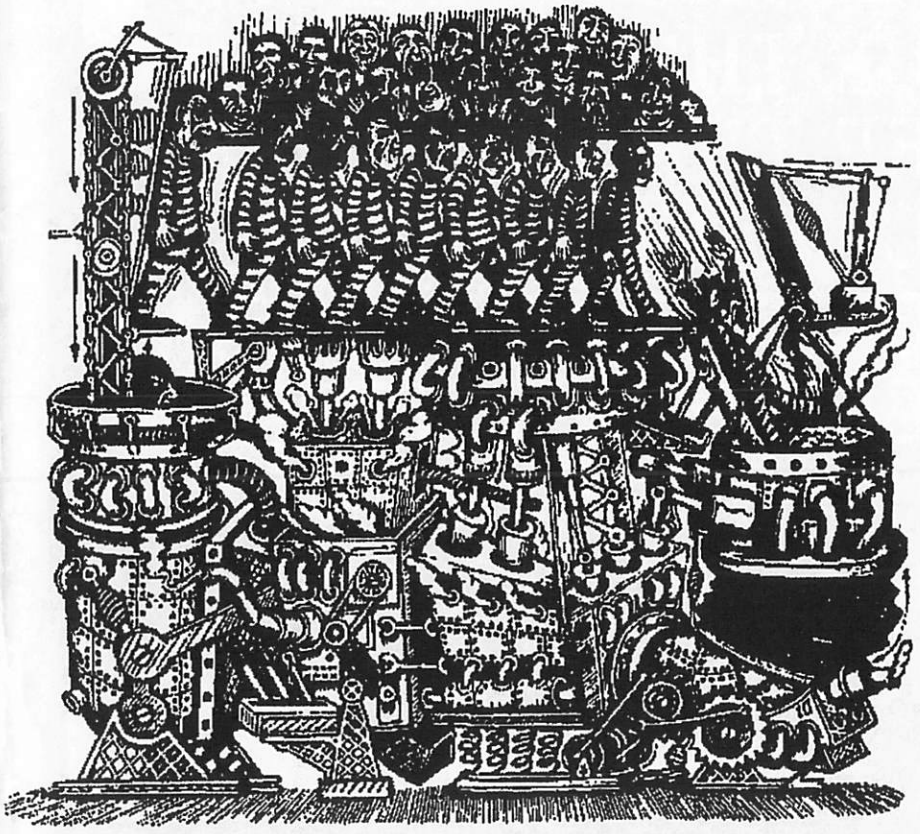
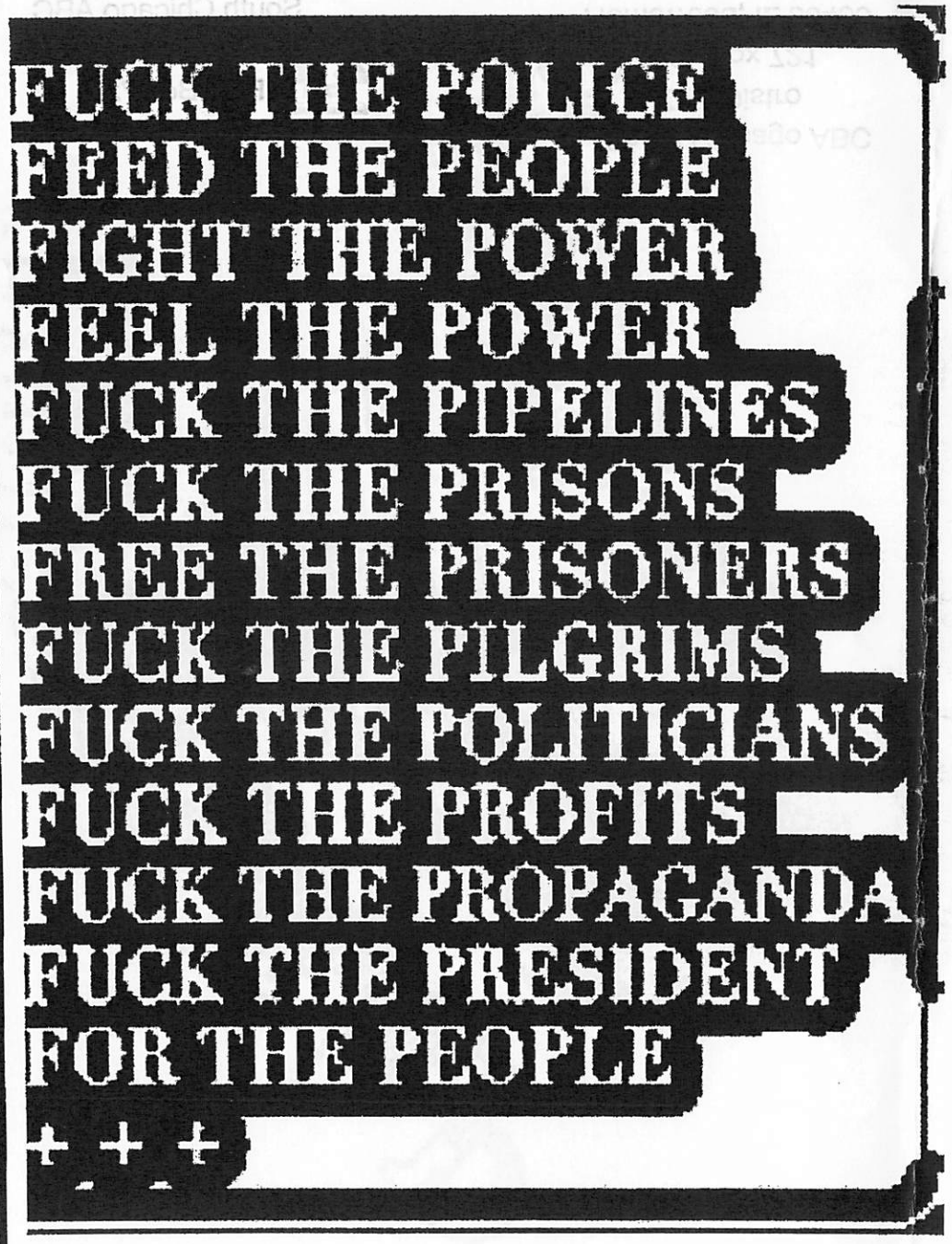
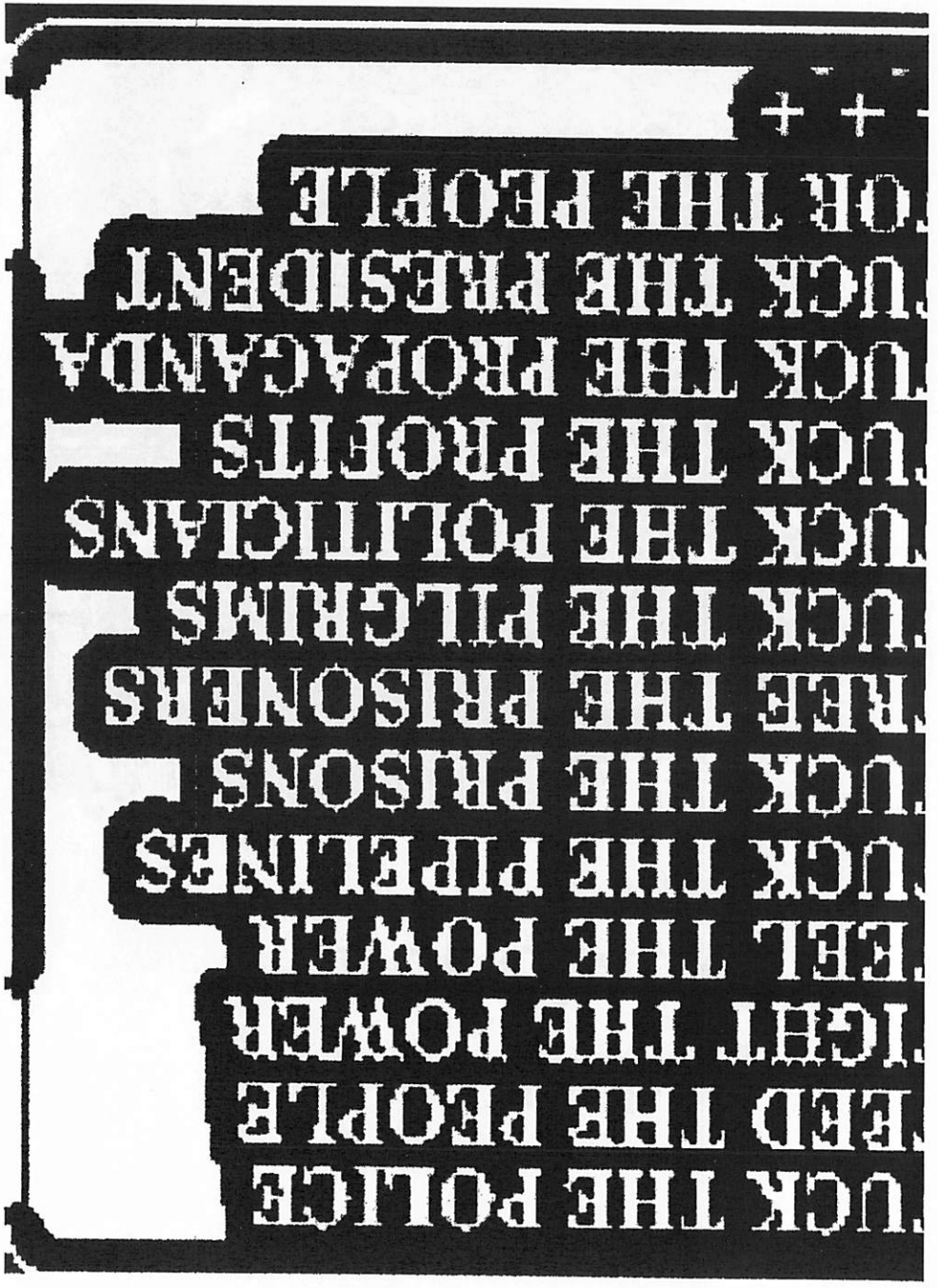
Not Worker, But Chattel

Ivan Kilgore




FUCK THE POLICE
FEED THE PEOPLE
FIGHT THE POWER
FEEL THE POWER
FUCK THE PIPELINES
FUCK THE PRISONS
FREE THE PRISONERS
FUCK THE PILGRIMS
FUCK THE POLITICIANS
FUCK THE PROFITS
FUCK THE PROPAGANDA
FUCK THE PRESIDENT
FOR THE PEOPLE



power that can be unleashed in the domino effect of the revolting slave. This is how Black political consciousness is formed—from the everyday to the extraordinary, in the anti-dialectic between master and slave, we continue to build the grounds upon which the former's disintegration becomes imperative. The chattel convict is thus from the moment of arrest positioned in such a way as to develop Black politics, as imprisoned people are all subjected to the gratuitous terror of the state. We are not workers for the most part. We are enslaved. Captive. Captured. Property of the U.S. nation state. The raw materials disappeared to give shape to white democracy's freedom. Free world abolitionists will you join in the dance with social death?[5]

Endnotes

1. Frank B. Wilderson III, "The Prison Slave as Hegemony's (Silent) Scandal," *Social Justice* vol. 30, no. 2 (2003): 26.
2. Hortense J. Spillers, "Mama's Baby, Papa's Maybe: An American Grammar Book," *diacritics* 1987, pp.
3. For more on the concept of "logic of extermination," See: Dylan Rodriguez, *Forced Passages: Imprisoned Radical Intellectuals in the U.S. Prison Regime.* Minneapolis: University of Minnesota Press, 2006.
4. Ruth Wilson Gilmore, *Golden Gulags: Prisons, Surplus, Crisis, and Opposition in Globalizing California.* Berkeley: University of California Press, 2007.
5. Frank B. Wilderson III, *Red, White and Black: Cinema and the Structure of U.S. Antagonisms*, Durham; Duke University Press, 2010.

Not Worker, But Chattel

BY IVAN KILGORE 2019

Whereas the positionality of the worker (whether a factory worker demanding a monetary wage, an immigrant, or a white woman demanding a social wage) gestures toward the reconfiguration of civil society, the positionality of the Black subject (whether a prison-slave or a prison-slave-in-waiting) gestures toward the disconfiguration of civil society. From the coherence of civil society, the Black subject beckons with the incoherence of civil war, a war that reclaims Blackness not as a positive value, but as a politically enabling site, to quote Fanon, of "absolute dereliction." It is a "scandal" that rends civil society asunder. Civil war, then, becomes the unthought, but never forgotten, understudy of hegemony. It is a Black specter waiting in the wings, an endless antagonism that cannot be satisfied (via reform or reparation), but must nonetheless be pursued to the death.

—Frank B. Wilderson III

One of the most overlooked contradictions that imprisoned abolitionists face today is not merely the issue of our resistance meeting a master's repression, nor is it a matter of fending off the Democratic Party's attempt to co-opt—to steal and covertly misdirect—our efforts into the legal machine of Civil Rights reform. What we prison slaves and millions of other "prison-slaves-in-waiting"[1] have yet to comprehend is the extent to which an internal ideological struggle must be waged among ourselves, within a segregated prison population, as well as in our neighborhoods and communities, if we are ever to realize our potential as revolutionary class.

What I convey in the following essay is a particular lesson regarding what Hortense J. Spillers calls "the intramural,"[2] derived from my experience organizing side-by-side with fellow U.S. prison slaves. It is a story about the white supremacist state's use of deprivation, terror, seduction, and organized treachery as tactics to

maintain compliance and 'order' among the imprisoned masses. It is a story of the past and an analysis of the present, to clarify the trajectory for our struggle moving forward—without promise, without confirmation of an eventual justice, drawing only upon our collective abolitionist faith. In what follows, I argue that a Black abolitionist politic—a set of beliefs and practices formed in opposition to the white supremacist state; struggles for life and death initiated by and for those inhabiting the social position of chattel property—must both be definitively against "work" and against defining ourselves as "workers." As a number of Black Studies scholars write, there are fundamental differences between the political category of the "worker" and that of the "slave."

Rendered civilly dead by U.S. law, I am to the State as the slave was to the plantation Master. The same relation of coercive racist violence applies: my Black body is always vulnerable, open to an enveloping State terror. As property of the State, I exist in direct confrontation with the punitive core of capitalist relations of force. Every movement I make carries with it the possibility of authority's lash. I am the bodily raw material that gives the prison industrial complex purpose and social meaning. Beyond recognizing the structure of violence that I inhabit, it should also be noted how the very act of naming myself—a slave held captive by the State—as "worker" enables various tactics of seduction which operate to displace the gravity of the situation. Because job assignments are seen as a relative privilege behind these walls, we are lured into conformity and compliance to work, often merely out of a need to survive. While I discuss this latter dilemma for the majority of this essay, I would first like to begin by unpacking the former, clarifying the structural position of the (prison) slave.

I.

There are two essential dilemmas that prisoners face when organizing as the worker-on-strike instead of the slave-in-revolt. One is that a prison strike must be organized differently, its operations conducted differently, and requires a level of active solidarity (from

> *complicated, and therefore open to more hopeful action. People can and do make power through, for example, developing capacities in organizations. But that's not enough, because all an individual organization can do on its own is tweak Armageddon. When the capacities resulting from purposeful action are combined toward ends greater than mission statements or other provisional limits, powerful alignments begin to shake the ground. In other words, movement happens.*[4]

As emblematic as the hunger strikes were in demonstrating how counter-state forms of power are fortified, which Gilmore argues succinctly in the above passage, we still have our work cut out for us. The entire structure of prison slavery/genocide must be challenged as a whole. I believe it is important that we acknowledge the policing and imprisonment regime as the central target we rally around and develop the capacities of "power" that reside—dormant, always—within our communities. Just as it took slaves refusing trays, street protestors, progressive lawyers, university workers, and many others to build the 2011/13 resistance and provide documented evidence that long term solitary confinement is psychologically damaging and "cruel and unusual punishment," so too will the same effort be required to demonstrate that prison slavery in fact is programmatic, low-intensity Black genocide more generally.

Notably, the recent 2016 and 2018 nationwide prison strikes show promise. But we need more. We need to build a mass movement that wages an offensive for genocide abolition. What is needed is not merely slavery abolition, but the abolition of the prison as a lethal mechanism of social death. We must resist the seductions of work in an environment of forced isolation and (the always-present-potential for) extermination. In turn, we must not misconstrue our status as mere exploited workers, or model our operations on the lessons of striking wage workers. The position of the (prison) slave is a structural juncture of improvised unity with which we can all rally behind, whether locked in the gulag already, or as peoples struggling together on the outside to avoid/defend-against/abolish the possibility of capture. There is a power that we can utilize, a

To my dismay, I had to explain to them that the hunger strikes were a gradualist reform movement, not a militant abolitionist movement; that they had nothing to do with abolishing prison slavery or genocide more generally; that the majority of prisoners in California would view a general strike as counter-productive to their own selfish reasons for working in a prison setting, and like prisoners anywhere many simply lacked the necessary vision, discipline, knowledge, and willingness to sacrifice those crumbs for the bigger picture.

Having said that, I've noticed a slight change of disposition amongst many prisoners in California. Before and during the hunger strikes, many were doubtful, if not pessimistic, as to our ability to bring about change and abolish many of the oppressive and inhumane aspects of prison. However, after the hunger strikes lead to the 2015 settlement in "Ashker v. Brown," which supposedly abolished indefinite SHU terms, the conversation on the yard has been somewhat optimistic. That said, the most significant result of the hunger strikes was not forcing CDCR to reform its bogus gang validation process and indeterminate SHU scheme, rather it was the cultivation of faith that we as prisoners—as a collective and enslaved political body—have the power to dismantle the oppressive and inhumane circumstances we find ourselves in.

In essence, the hunger strikes exemplified what abolitionist Ruthie Gilmore describes as the mobilization of the forms of dual power already latent in colonized and oppressed communities; the disruptive potential of organizing ourselves as rebel slaves. She explains:

> *Power is not a thing but rather a capacity composed of active and changing relationships enabling a person, group, or institution to compel others to do things they would not do on their own (such as be happy, or pay taxes, or go to war). Ordinarily, activists focus on taking power, as though the entire political setup were really a matter of 'it' (structure) versus 'us' (agency). But if the structure-agency opposition isn't actually how things really work, then perhaps politics is more*

others not in our position, non-imprisoned people) far greater than any other united workplace action. Many on the outside need to take up more of the risk. For example, there are numerous ways that free-world people can participate in a prison strike that does not mistake symbolic action for direct, disruptive tactics. We need mass civil disobedience, not more civic performance. If our goal is to clog the arteries of the prison regime from within, it might be more effective to choose methods that interrupt the prison's reproduction from without. While we are staging sit-ins, boycotts, stoppages, and refusing trays inside, free-world activists could occupy the offices of a Department of Corrections, stage protests at a prison warden's private house, or stage sit-ins in the buildings of government institutions and corporations that benefit from the smooth functioning of the prisoncrat's political-industrial machine. As an outside comrade once pointed out, "phone zaps" are effective in certain historical situations, but disrupting this fascist regime requires a whole lot more.

As Frank B. Wilderson argues, the worker is exploited at best, yet only shot, brutalized, or imprisoned because they engage in sabotage or forceful strike. The slave however is rendered the object of gratuitous violence as a perpetual structural constant. By missing this point and defining ourselves as imprisoned "workers," we open ourselves up to the public's misrecognition of the levels of risk involved with organizing on the inside. The universalist category of the worker also fails to grasp the centrality of our captivity to the making of U.S. society's sense of (racial) freedom and (white) civilizational ascendency over the wretched of the earth. This, in fact, brings me to my second point, a thing much more complex to explain. That is, the fact that our enslavement by the State holds a culturally specific purpose for the society that appears driven to physically disappear us.

In the antebellum South, plantation slavery was not only an institution for the production of material goods at a cheap cost for the ruling class. Slavery established the very structure through which white freedom was, and is, made legible. The machinery of slavery was foundational to the non-slave's experience of freedom at a

psycho-social level. In fact, there would be no need to use the word "freedom" at all had there not first been the creation of a structural position called the Slave. It has always been white freedom and life produced in opposition to Black unfreedom and death.

State power is not only repressive but productive of social relations. It creates traps that lure us into complicity and participation whether it is for our own benefit or not. We need to understand work in prisons as such, and promote an abolitionist politic that is profoundly anti-work. We can't see the struggle as merely a fight for better wages, because the majority of us don't have wages at all. We have to abolish the apparatus that cages us, separates us from our families, and disappears us from our communities. We need a movement that thinks not only in terms of labor/economics, but a movement that challenges the carceral foundations of the white supremacist state.

Often when I tell fellow prisoners of my reluctance to work in one of the many prison factories or so-called "job assignments," I am looked upon as if I have said something foolish. They always defer to the question of "Why?" As if being exploited for pennies on the dollar or no wage at all for our labor is an acceptable situation. In answering their question, I explain to them my experience in the Seminole County Jail in Wewoka, Oklahoma.

For twenty-three months, I was trapped in that Barney Fife of a hellhole, fighting for my life on a capital murder charge. It had no commissary. No TV or radio. No outside cell activity. No library. Nothing. We were housed six to a cell, and all we had were our bunks, a few card games, and what few books we could get our hands on. Lunch was reheated for dinner and, needless to say, the food was terrible. So terrible that almost twenty-five years later I still can taste that stale Thursday morning breakfast. It was degrading; an army ration of dehydrated ham and egg. Mixed with a little hot water it swelled up like dry dog shit on a rainy summer day. After flushing it down the toilet for about six months I finally relented. When you lose thirty pounds from starvation you begin to acquire a taste for this sort of shit.

also a basis for the white settler's entire conception of himself as "free," as the proper subject of "rights," as the allegedly peaceful guardian a "democratic" social order. It is the removal of criminalized populations from white civil space that enables the U.S. settler to think they are free. The structural violence of prison slavery is thus modeled on the master-over-slave relation, yet in the present era it has been transfigured into the state-over-convict relation. The latter figure is effectively eviscerated of all "rights" under law and placed in a position of government-imposed civil/social death.

In 2014, Free Alabama Movement co-founders Melvin Ray, Kinetic Justice, and I were discussing the prospect of kicking off a "Free California Movement" in which California prisoners would join the international movement to abolish prison slavery. My initial response was, "It'll never work in Cali." Why? To be clear, in no way was my response a reflection of my own disposition, but rather it was a reflection of the many conversations I have had on the subject over the years with fellow prisoners.

Time and time again, what they say is, "Man... I ain't got not outside support. I can't risk losing my job. That $10, $50 and, in some cases $200 pay number, counts!"" or it's "I'm trying to 'come up'!" And I can't forget the chowhall workers. They like to eat! It's *that* simple. (And that's not to mention how all the recent changes in law that now provide earned time credits and parole consideration have impacted them in such a way that "protesting" anything is the last thing they're concerned about). For them the inducement to work is simply too strong. Then, of course, there are those who honestly believe they owe a debt to society. Therefore, they see nothing wrong with their enslavement.

All this Melvin and Kinetic Justice couldn't believe. They were simply astonished and under the impression that there would be a strong resistance to injustice within California's prison population, on account of George Jackson's legacy and the 2011/2013 hunger strikes in which a reported 30,000 prisoners protested the renegade administrative process that landed countless people in the SHU indefinitely.

of prison administrators, the intent remains to maintain oppressive conditions that, in effect, aim to keep us impoverished, dependent and, thus, powerless. Consequently, this has given life to the culture that we subscribe to where, for example, pushing a broom on the tier for 20 years with little to no compensation is accepted as a norm so long as we may entertain the illusion of a "come up."

II.

> *"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."*
>
> —13th Amendment *of the United States Constitution*

"Prison slavery" over the past decade has gained traction as a keyword in activist vocabularies and progressive popular culture. Some people use the term to describe the conditions of cheap or literal indentured labor that I discuss above. Yet over time, it has taken on a new and more adequate meaning referring to the generalized condition of a prisoner's social death. Slavery in this theoretical context is the legally-sanctioned and state-condoned project of containing and disappearing certain targeted and criminalized populations—the social condition that animates the machinery of the U.S. Prison-Industrial Complex; a white supremacist regime with its own separate drives that exceed the demands of wealth accumulation. Of course, punishment has been industrialized as a means to manage various (criminalized) surplus populations, those deemed unqualified or ineligible for even the most exploitative of waged occupation. Yet at its core modern prison slavery is also predicated on a distinctly white supremacist *logic of extermination.*[3]

The Thirteenth Amendment, according to this argument, is a legal technology that has anchored U.S. geopolitical power in a foundation of Black genocide. This mass of white supremacist violence is not confined only to the physical site of the prison/jail itself, but is

Of course, the trustees (i.e. slaves with "work privileges") were allowed to watch TV, listen to radio, and to use the soda machine upstairs in the courthouse. Every now and then, the jailor would also allow one of them to go across the street to the Dollar General to purchase candy, underwear, deodorant, or some other miscellaneous item that seemed to make life in that shit-hole that much more tolerable. (In case you're wondering, the only clothing the jail provided were the oversized, bright orange jumpsuits; no coats, underwear, etc.). They also were allowed a hug and kiss from their visitors and, on the weekends, they worked maintenance on the courtyard.

As for the rest of us, we were allowed nothing. No commissary, no TV, no outside cell activity. Nothing. Old cornbread, wrapped in some toilet paper wrapper, was the only the thing we had to eat that kept our stomachs from growling at night. Man, how I wished to be a "trustee" during those days. The "perks" alone made it to where nobody in that situation, including myself, cared that we were in fact being paid nothing for our labor.

For twenty-three months, I was forced to live under the foregoing conditions, wanting nothing besides freedom, and willing to slave just to get a small taste of it. Yet because I was charged with a M1 (i.e., 1st-degreee-murder-charge) and would later face a death penalty trial, there would be no listening to country music or enjoying the sliver of mobility awarded to a trustee.

Looking back on that situation today, I cannot help but think of how unfreedom and "gut" starvation conditioned me. I internalized so much stress, fear, and anger that it tempered my spirit. I failed to even realize how profoundly it suspended my reluctance to work in a carceral setting. Essentially, I was disciplined to withstand the taunting effects of my incarceration which prompt so many of us slaves to relent to the illusive "perks" associated with prison labor and a life of hardscrabble.

Eventually, I was able to place those so-called perks in their proper perspective: They were but a distraction, misplaced values and desires I had yet to conquer; things that I had been manipulated to hold in esteem that, with exception of food and exercise, were not

necessarily needed to sustain life. They were but a carrot-on-a-stick, an inducement used to exercise power over my being by misleading me to believe they were privileges.

Yet because I could not value a privilege I did not have, or be made content by it, the power my captors sought to exercise over me was ineffective. Little did I realize at the time how this enabled me to see my situation for what it truly was—a grave injustice—and respond accordingly. Instead of submitting to the distraction and attempting to ameliorate the harsh conditions of my incarceration with an illusive perk, I learned how to use those conditions as a source of motivation to fight for my freedom and just treatment.

In short, *I TURNED UP!*

Food trays were thrown at the jailors and trustees. Mattresses burned. The entire jail flooded, and the power short-circuited. I fired attorneys left and right, and began the processes of learning how to represent myself in court. Ultimately, I won and was back on the streets in 36 months.

In time, I was to discover my experience in Oklahoma was not typical compared with most county jails and prison systems created by this settler colonial nation. To put it mildly, the Seminole County Jail was a relic of the Old South, where doing time was and still is, in many aspects, harsh and unbearable.

Years later, when I was committed to the California Department of Corrections and Rehabilitation (CDCR), one of the first of many cellies I was to have over the years called himself schooling me on the hustle and perks of prison work assignments. The perks, he explained, ranged from something as simple as stealing extra food from the kitchen, to manipulating staff for sex and other "contraband." Indeed, the inducement to work seemed to have its advantages.

However, as he explained all of this, I could not help but think that while he meant no harm with his advice, he was thinking ass-backwards. At this point, he had done almost twenty calendar years. And what he was kickin' to me was hustling to be content with his life in prison and being "penitentiary rich." As time passed and we became better aquatinted with one another, I eventually pointed out to him that neither the "perks" or anything he had hustled for in almost 20 years of being incarcerated has purchased his freedom, or created any kind of financial stability either inside or outside these walls. I explained that hustling in prison, moreso than hustling on the bricks, is short-lived. It's corner hustling at its worst, dealing with shifty-ass scavengers, opportunists and scalawags—REAL LIFE DOPE FIEND SHIT! Where snitching is at an all-time high and it's a hit-and-miss inconsistent game where the hustlers, often more than not, wind up in the "hole" with more time, restrictions, and most defeating, giving their hustle stacks back to the canteen or their own habits.

Despite having explained all this, none of it seemed to register with him or countless other prisoners who, because of a lack of productive opportunities, confidence, knowledge, discipline, and plausibility of instant gratification, disregard the odds and relent to the bullshit.

In time, I observed that it wasn't even about the hustle and perks for most prisoners. Many were simply looking for an escape from the daily monotony of an otherwise drab existence. Prisons, we know, are idle and mundane places. They are isolating. And the majority of us do not have the fortune of frequent, or any, interaction with the outside world. Therefore, to be able to get out of the cell to work—especially in a maximum security setting—and to be able to fraternize with other inmates or staff—especially those staff who are comfortable sharing their life experiences, which many prisoners have yet to have, if ever they will—is vicariously and psychologically rewarding in and of itself.

Having observed the foregoing, it became abundantly clear that while the majority of us are conscious of the fact that our labor is being exploited, the value we have come to place on a work assignment has been manipulated by the structural environment created by prison officials. To this end, we know prisons are purposefully designed to be cruel and unusual places. And despite countless court rulings ameliorating the abuse we frequently encounter at the hands