

the new abolitionists are confused  
searching artists dancers musicians poets  
teachers organizers from San Francisco

Miami New York Ann Arbor Duluth  
Austin every neighborhood of every town  
across America where children are lonely

and wives are beaten and lost men  
simmer in another drunken stew  
of frustration and violence born of

500 years of mass-produced fear  
Karina recalling her grandparents'  
flight from the Holocaust

asks for the cream please  
and begins breakfast  
with the observation

We're imperfect people  
and we don't know  
what to do

but something must  
be done what will  
our grandchildren say?

## NOTES

### Introduction

1. From the preface to the original, 1855 version of Whitman's *Leaves of Grass* (New York: n.p., 1855), vi; for critical commentary see Stephen Hartnett, *Democratic Dissent & The Cultural Fictions of Anebellum America* (Champaign: University of Illinois Press, 2002), 132-172; for a similar call for a return to a Whitmanesque ethos in political poetry see June Jordan, "For the Sake of a People's Poetry: Walt Whitman and The Rest of Us," in *Poetry and Politics: An Anthology of Essays*, ed. Richard Jones (New York: Quill, 1985), 188-199.

2. Ralph Waldo Emerson, "The Poet" (1884), in *Ralph Waldo Emerson: Selected Essays*, ed. Larzer Ziff (New York: Penguin, 1982), 202; for an example of how far contemporary poetry has strayed from Emerson's vision, lumbering ever closer to tenured cynicism and polished obscenism, see the second half of Jerome Rothenberg and Pierre Joris, eds., *Poems of the Millennium, The University of California Book of Modern and Postmodern Poetry, Volume Two: From Postwar to Millennium* (Berkeley: University of California Press, 1998).

3. Sven Birkerts, "'Poetry' and 'Politics,'" *Margin* 4 (Autumn 1987): 55, where Birkerts demonstrates his allegiance to a traditional version of the former and an emaciated version of the latter; for more empowering responses to this question, see the essays collected in Jones, *Poetry and Politics*; for more experimental responses see the works in Charles Bernstein, ed., *The Politics of Poetic Form: Poetry and Public Policy* (New York: Roof, 1990), and in Jonathan Monroe, ed., "Poetry, Community, Movement," a special issue of *diacritics* 26:3 & 4 (fall-winter 1996).

4. From Mario Rocha's "Four Years Down Today," *Broken Chains* (Summer 2001): 11; these lines were written on the anniversary of Mario's wrongful incarceration, while doing time in the Salinas Valley State Prison. For details on his case see "Visiting Mario," included

herein; to contact him, write to Mario Rocha, #K91379, Calipatria State Prison, P.O. Box 5002, Calipatria, CA 92233.

5. See Dwight Conquergood, "Homeboys and Hoods: Gang Communication and Cultural Spaces," in *Group Communication in Context: Studies of Natural Groups*, ed. Larry Frey (Hillsdale, N.J.: Erlbaum, 1994), 23-55, and "Between Rigor and Relevance: Rethinking Applied Communication," in *Applied Communication in the 21st Century*, ed. Kenneth Cissna (Mahwah, N.J.: Erlbaum, 1995), 79-96; Larry Frey, Barnett Pearce, Mark Pollock, Lee Artz, and Bren Murphy, "Looking for Justice in All the Wrong Places: On a Communication Approach to Social Justice," *Communication Studies* 47 (1996): 117, 111; for an example of Frey's work pursuing these imperatives see Mara Adelman and Frey, *The Fragile Community: Living Together with AIDS* (Mahwah, N.J.: Erlbaum, 1997); for my own contribution to this dialogue, see "Lincoln and Douglas Engage the Abolitionist David Walker in Prison Debate: Empowering Education, Applied Communication, and Social Justice," *The Journal of Applied Communication Research* 26 (1998): 232-253.

6. Pierre Bourdieu, "For a Scholarship with Commitment," in *Profession 2000*, ed. Phyllis Franklin (New York: Modern Language Association, 2000), 42; Elaine Scary, "Beauty and the Scholar's Duty to Justice," *Ibid.*, 21; for aligned arguments see the essays collected in Carol Becker, ed., *The Subversive Imagination: Artists, Society, & Social Responsibility* (New York: Routledge, 1994) and in the special issue of *Rhetoric & Public Affairs* 5:2 (Summer 2002) dedicated to deliberative democracy.

7. Dwight Conquergood, "Beyond the Text: Toward a Performative Cultural Politics," in *The Future of Performance Studies: Visions and Revisions*, ed. Sheron Dailey (Annandale, Va.: National Communication Association, 1998), 26, 27; and see Conquergood, "Ethnography, Rhetoric, and Performance," *Quarterly Journal of Speech* 78 (1992): 80-97, for examples of this turn toward ethnography and performance (with mixed results), see the work over the past fifteen years in *Text and Performance Quarterly*, one of the National Communication Association's journals; one of the many touchstones for this turn toward ethnography and performance is Michel de Certeau, *The Practice of Everyday Life*, trans. Steven Rendell (1975; Berkeley: University of California Press, 1984);

and see the encyclopedic collection of essays in Norman Denzin and Yvonna Lincoln, eds., *Handbook of Qualitative Research, Second Edition* (Thousand Oaks, Calif.: Sage, 2000).

8. From Ed Lipman, "Matrix III," in *The Light From Another Country: Poetry from American Prisons*, ed. Joseph Bruchac (Greenfield, N.Y.: Greenfield Review Press, 1984), 194; Lipman wrote these lines in 1971, while in Folsom Prison.

9. From David Bowman, "Untitled 1," *Correction(s)* 1:1 (Fall 2001), 5; Bowman wrote these lines in 2000 while incarcerated in the Brown Creek Correctional Facility in Polk County, North Carolina.

10. From "Tetrina," by the Bedford Hills Writing Workshop, 1996, in *Doing Time: 25 Years of Prison Writing—A PEN American Center Prize Anthology*, ed. Bell Gale Chevigny (New York: Arcade, 1999), 113.

11. H. Bruce Franklin, ed., *Prison Writing in 20th-Century America* (New York: Penguin, 1998), 1; for an internationalist collection of prisoner writings see Siobhan Dowd, ed., *This Prison Where I Live: The PEN Anthology of Imprisoned Writers* (London: Cassell, 1996).

12. Raylene Hinz-Penner, *Out of The Blue Book* (Hutchinson, Kans.: n.p., 2001), first unnumbered leaf; on Franklin's work see notes 11 and 14; on Chevigny see note 9; Marilla Arguelles, ed., *Extracts from Pelican Bay* (Berkeley: Pantograph, 1995); Wilbert Rideau and Ron Wilberg, eds., *Life Sentences: Rage and Survival Behind Bars* (New York: Times Books, 1992), and see *The Farm*, Rideau's award-winning 1998 documentary about Angola Prison; to find Adams and *Correction(s)* go to [www.prisonerswrite.org](http://www.prisonerswrite.org); contact Dick Shelton and *Walking Rain Review* at P.O. Box 85462, Tucson AZ 85754-5462; contact Tory Samartino and *Voices Unbroken* at [voicesunbroken@yahoo.com](mailto:voicesunbroken@yahoo.com); contact Raylene Hinz-Penner and *Out of The Blue Book* at [Rhpenner@bethelks.edu](mailto:Rhpenner@bethelks.edu).

13. Carolyn Forché, "Ourselves or Nothing," in *The Country Between Us* (New York: Perennial, 1981), 59.

14. See H. Bruce Franklin, *Prison Literature in America: The Victim as Criminal and Artist* (New York: Oxford University Press, 1989); see the catalogue of Bruchac's works available at [www.josephbruchac.com](http://www.josephbruchac.com); Sister Helen Prejean, from the Foreword to *Doing Time*, xi; Judith Tanenbaum, *Disguised as a Poem: My Years Teaching Poetry at San Quentin* (Boston: Northeastern University Press, 2000), 91—and see the

catalogue of chapbooks produced by Tannenbaum's prison students at [www.chapbooks-prisonwall.org](http://www.chapbooks-prisonwall.org).

15. See David Rothman, *The Discovery of the Asylum: Social Order and Disorder in the New Republic* (Boston: Little, Brown, 1971); Michel Foucault, *Discipline & Punish: The Birth of the Prison* (1975; New York: Vintage, 1995); Karen Halttunen, *Murder Most Foul: The Killer and the American Gothic Imagination* (Cambridge: Harvard University Press, 1998); Marie Christine Leys, *Apprehending the Criminal: The Production of Deviance in Nineteenth Century Discourse* (Durham, N.C.: Duke University Press, 1992); John Sloop, *The Cultural Prison: Discourse, Prisoners, and Punishment* (Tuscaloosa, Ala.: University of Alabama Press, 1996); Nils Christie, *Crime Control as Industry: Towards Gulags, Western Style, Second Edition* (London: Routledge, 1994); Jeffrey Reiman, *The Rich Get Richer and the Poor Get Prison: Ideology, Class, and Criminal Justice, Third Edition* (New York: Macmillan, 1990); David Shichor, *Punishment for Profit: Private Prisons/Public Concerns* (Thousand Oaks, Calif.: Sage, 1995); Daniel Burton-Rose, ed., *The Cell of America: An Inside Look at the U.S. Prison Industry* (Monroe, Maine: Common Courage, 1998); Steven Donziger, ed., *The Real War on Crime: The Report of the National Criminal Justice Commission* (New York: Harper Perennial, 1996); Christian Parenti, *Lockdown America: Police and Prisons in the Age of Crisis* (London: Verso, 1999).

16. There are many schools of thought regarding these questions; for introductions from a variety of perspectives see Stephen Bronner and Douglas Kellner, eds., *Passion and Rebellion: The Expressionist Heritage* (South Hadley, Mass.: Bergin, 1983); Dailey, *The Future of Performance Studies*; Hal Foster, ed., *The Anti-Aesthetic: Essays on Postmodern Culture* (Port Townsend, Wash.: Bay Press, 1983); Frederic Jameson, ed., *Aesthetics & Politics: Debates Between Bloch, Lukacs, Brecht, Benjamin, Adorno* (London: Verso, 1977); and Herbert Marcuse, *The Aesthetic Dimension: Toward a Critique of Marxist Aesthetics* (Boston: Beacon Press, 1978).

17. All further Dos Passos references are cited in the text and refer to *Nineteen Nineteen* (1932; New York: Signet, 1969); for a glowing reading see Jean-Paul Sartre, "John Dos Passos and 1919" (1938), in *Literary Essays* (New York: Wisdom Library, 1957), 88-96.

18. Dos Passos's moving tribute to Bourne is in 1919, 119-121; the phrase "war is the health of the state" is probably familiar to many readers as the title to chapter fourteen of Howard Zinn's *A People's History of the United States* (New York: Perennial, 1980), 350-367; for more in-

formation on Bourne see Leslie Vaughan, *Randolph Bourne and the Politics of Cultural Radicalism* (Lawrence: University of Kansas Press, 1997).

19. The literature on historical methods is vast and could fill an entire book on its own; for recent contributions see, on rhetorical history, Hartnett, *Democratic Dissent*, 1-39; on music, Robert Branham and Stephen Hartnett, *Sweet Freedom's Song: "My Country 'Tis of Thee" and Democracy in America* (Oxford: Oxford University Press, 2002); on poetry, Edward Sanders, *America: A History in Verse, Volume 1: 1900-1939* (Santa Rosa, Calif.: Black Sparrow, 2000); and on photography, Cara Finnegan, *Picturing Poverty: Print Culture and FSA Photography* (Washington, D.C.: Smithsonian, 2003).

20. Forché, *The Country Between Us*, 17, 20.

21. Carolyn Forché, *The Angel of History* (New York: Harper Perennial, 1994); for Benjamin's version of the angel of history see thesis IX of his "Theses on the Philosophy of History" (1940), in *Illuminations*, ed. and trans. Hannah Arendt (New York: Schocken Books, 1969), 257-258.

22. The four excerpts are from Joshua Weiner's review of Scott's *Crossing Borders: Selected Shorter Poems*, *Boston Review* (February/March 1995): 31; Thom Gunn, "Appetite for Power," *Times Literary Supplement* (1 February 1991): 19; Mary Campbell, "Disaster, or The Scream of Juno's Peacock," *Parnassus* 17.2 & 18.1 (1993): 395; and Robert Hass, "Some Notes on Coming to Jakarta," *AGNI* 31/32 (Winter 1990): 335; and see the collection of six short essays addressing Scott's work in *The Chicago Review* (Winter 1999), 17-50. All further references to Scott's *Coming to Jakarta: A Poem About Terror* (New York: New Directions, 1988) are made within the text.

23. For analyses of Suharto's domination of Indonesia, his brutal 1975 invasion of East Timor, and Jakarta's place in the new global economy, see Benedict Anderson, "Gravel in Jakarta's Shoes," *London Review of Books* (2 November 1995): 2-5; Mark Curtis, "Hawks Over East Timor: Britain Arms Indonesia," *Cover Action Quarterly* 55 (Winter 1995/96): 52-56; and Geraldine Fabrikant, "Family Ties that Bind Growth: Corrupt Leaders in Indonesia Threaten Its Future," *New York Times* (9 April 1996), C1 & 2. The United States was complicit with Suharto's occupation of East Timor and his bloody repression of oppositional groups in Indonesia. In fact, since Suharto's December 1975 invasion of East Timor, in which over 200,000 people—more than 25% of the population—were slaughtered, the U.S. has sold Indonesia over \$1.1 billion worth of weapons. The Clinton administration alone sold close to \$270 million worth of arms to Suharto; see Jennifer Washburn, "Twist-

ing Arms: The U.S. Weapons Industry Gets Its Way," *The Progressive* (May 1997): 26-27, and Michel Klare, "License to Kill: How the U.S. is Building Up Military-Industrial-Complexes in the Third World," *In These Times* (10 January 1994): 14-19. Suharto was finally forced from power in the spring of 1998. For coverage of his departure see Seth Mydans, "Suharto Steps Down After 32 Years in Power," *New York Times* (21 May 1998), A1 & 8, and any major newspaper during the spring of 1998.

24. Orlando Letelier, the Chilean Ambassador to the United States, was killed by a car bomb in Washington, D.C., in September 1976. Right-wing Cuban expatriates trained by DINA, the Chilean Secret Service, and funded through CIA connections, claimed responsibility for the blast; see Scott's comments in his ground-breaking study, co-authored with Jonathan Marshall, *Cocaine Politics: Drugs, Armies, and the CIA in Central America* (Berkeley: University of California Press, 1991), 30-34.

25. The impulse here is reminiscent of Robert Hass's lament that "There are times/ I wish my ignorance were/ more complete" (from section three of "In Weather," from Hass's *Field Guide* [New Haven, Conn.: Yale University Press, 1973], 61). In fact, Scott later wrote of his "growing self-flattened for carrying around a head full of horrors which most people were less and less willing to hear about"; see his comments in "How I Came to Jakarta," *AGNI* 31/32 (Winter 1990): 300.

26. Edward Sanders, *Investigative Poetry* (San Francisco: City Lights, 1976), 9; like Sanders, Scott is fascinated by Pound and the historiographical possibilities of his *Cantos*—for a cautionary note on Pound see Stephen Hartnett, "The Ideologies and Semiotics of Fascism: Analyzing Pound's *Cantos* 12-15," *boundary 2* 20 (1993): 65-93.

27. See Eyal Press, "The Suharto Lobby," *The Progressive* (May 1997): 19-21; and Anderson, Curtis, Fabrikant, Klare, and Washburn as cited in note 23.

28. Peter Dale Scott, *Listening to the Candle: A Poem on Impulse* (New York: New Directions, 1992), 94; for additional thoughts on this notion of grace see Stephen Hartnett, "Four Meditations on the Search for Grace Amidst Terror," *Text and Performance Quarterly* 19:3 (July 1999): 196-216 and Theresa Carilli, "Verbal Promiscuity or Healing Art? Writing the Creative/Performative Personal Narrative," in *The Future of Performance Studies*, 232-236.

29. Peter Dale Scott, *Minding the Darkness: A Poem for the Year 2000* (New York: New Directions, 2000), the retreat sections are 72-80, 140-148, 221-229, and 244; Scott, "How I Came to Jakarta," 303.

30. Terrence Des Pres, "Poetry and Politics," *TriQuarterly* 65 (Winter 1986): 21; this special issue of *TriQuarterly* is now available as Reginald Gibbons, ed., *The Writer in Our World* (New York: Atlantic Monthly, 1986); for a loving tribute to Des Pres, see Forché's "Ourselves or Nothing," the final poem of *The Country Between Us*, 55-59.

31. Daniel Berrigan, "Rehabilitative Report: We Can Still Laugh," from his *Prison Poems* (Boston: Unicorn Press, 1973), 97; these lines were written while Berrigan was serving a sentence for his activism against the Vietnam War.

32. Carolyn Forché, *Against Forgetting: Twentieth-Century Poetry of Witness* (New York: W. W. Norton, 1993), 40.

33. Sanders, *Investigative Poetry*, 24; Berrigan, "This is About Prayer," *Prison Poems*, 101; for a prose version of these thoughts see Berrigan's conversations with Thich Nhat Hanh, collected as *The Raft Is Not the Shore: Conversations Toward a Buddhist-Christian Awareness* (1975; Maryknoll, N.Y.: Orbis, 2001).

#### *Pendleton Poems*

1. James Gilligan, "Reflections from A Life Behind Bars: Build Colleges, Not Prisons," *Chronicle of Higher Education* (16 October 1998), B7, 9.

2. Mahdi, quoted in 1994 Indiana Reformatory interview for *Jail-birds*, video documentary by Jon Rutter and Stephen Hartnett.

3. "Trotsky" (*nom de guerre* of Wolfy), "Open Letter from the Pendleton Lockdown," *Prison News Service* 42 (September 1993), 10. This essay was written for one of our classes together in the Indiana Reformatory; Wolfy soon thereafter died of leukemia.

4. Trotsky, *Ibid.*, 10.

5. Kris Wise, "Time to Change," *Kombat* 12 (1995): 27. This poem was performed in one of our classes together in the Indiana Correctional Facility.

6. Iorie Graham, *The Errancy* (Hopewell, N.J.: Ecco Press, 1997), 86.

7. James Stewart, "Conception," in *Extracts from Pelican Bay: An Anthology of Prisoner Poetry, Drawings, and Essays*, ed. Marilla Arguelles (Berkeley: Pantograph, 1995), 14.

8. Daniel Berrigan, "Strip Mining," in *Prison Poems* (Boston: Unicorn, 1973), 110.

9. Hannah Arendt, *On Revolution* (New York: Penguin, 1963), 110.

10. Hannah Arendt, "On Violence," in *Crises of the Republic* (New York: Harcourt, Brace, Jovanovich, 1969), 153.
11. Louis Rodriguez, *Trochemoche* (Willimantic, Conn.: Curbstone, 1998), 79.
12. Tino Villanueva, *Scene from The Movie Giant* (Willimantic, Conn.: Curbstone, 1993), 29.
13. Gilligan, "Reflections from A Life Behind Bars," B9.
14. From Michael Hogan's "Spring," in *Prison Writing in 20<sup>th</sup> Century America*, ed. H. Bruce Franklin (New York: Penguin, 1998), 246; these lines were written while Hogan was imprisoned in San Quentin. Since his release in 1976, Hogan has cofounded (with Dick Shelton) the Arizona State Prison Writers Workshop and published a number of highly regarded works.
15. James Marquart, "Prison Guards and The Use of Physical Coercion as a Mechanism of Prison Control," *Criminology* 24 (1986): 348, 363.
16. Abraham Lincoln, "The Seventh Joint Debate with Steven Douglas, 15 October 1858," in *The Lincoln-Douglas Debate: The First Complete, Unexpurgated Text*, ed. Harold Holzer (New York: Harper Perennial, 1993), 356.
17. Billy Mason, interview for *Jailbirds*.
18. Lincoln, *Lincoln-Douglas Debate*, 356.
19. Susan Howe, "Encloser," in *The Politics of Poetic Form*, ed. Charles Bernstein (New York: Roof, 1990), 175, 194.
20. Peter Dale Scott and Jonathan Marshall, *Cocaine Politics: Drugs, Armies, and The CIA in Central America* (Berkeley: University of California Press, 1991), viii.
21. Avital Ronell, *Crack Wars: Literature, Addiction, Mania* (Lincoln: University of Nebraska, 1992), 42.
22. Peter Dale Scott, *Listening to the Candle: A Poem on Impulse* (New York: New Directions, 1992), 186.
23. William Bennett, John Dilulio, and John Walters, *Body Count: Moral Poverty and How to Win America's War Against Crime and Drugs* (New York: Simon and Schuster, 1996), 27.
24. Bennett, *Ibid.*, 28, 56, 51.
25. Alice Morse Earle, *Curious Punishments of Bygone Days* (1896; Bedford, Mass.: Applewood, 1995), 143.
26. Sarah Grimké testimony in *American Slavery As It Is: Testimony of A Thousand Witnesses*, ed. Theodore D. Weld (New York: American Anti-Slavery Society, 1839), 23.

27. Paulo Freire, *Pedagogy of the Oppressed*, trans. Myra Bergman Ramos (1970; New York: Continuum, 1994), 62, 71.
  28. Anne Greene, "Teaching in Prison is Like Being A Late Night Talk Show Host," *Haight Ashbury Literary Journal* (Winter 1997/98): 12.
- "Do Right and Fear Not": Five Meditations on San Quentin
1. Lionel Ashcroft, "San Quentin Prison: Its Early History and Origins," *Marin County Historical Society* 17 (Spring 1993): 1.
  2. James Wilkins, *The Evolution of A State Prison: Historical Narrative of the Ten Years from 1851 to 1861, During the Period when the Care and Employment of Convicts was turned Over to Lessess* (sic), printed in *The San Francisco Bulletin*, from 13 June 1918 through 10 July 1918, and cited here from a typed manuscript prepared by Clinton Duffy, Warden, California State Prison, San Quentin; held in the archives of The Bancroft Library, University of California, Berkeley, 7.
  3. Ashcroft, "San Quentin Prison," 2.
  4. From William Wantling, "Sestina for San Quentin," in *Prison Writing in 20th-Century America*, ed. H. Bruce Franklin (New York: Penguin, 1998), 242-43. Unknown in the United States, Wantling enjoyed some international renown for his prison poems; these lines were written while he was serving time in San Quentin from 1958-1964.
  5. Umberto Eco, *Foucault's Pendulum*, trans. William Weaver (New York: Harcourt Brace Jovanovich, 1989), 95.
  6. Ernst Bloch, *Essays on The Philosophy of Music*, trans. Peter Palmer (1918; Cambridge, UK: Cambridge University Press, 1985), 102, 113, 42.
  7. Woody Guthrie, "Do Re Mi," track five on *The Very Best of Woody Guthrie* (Music Collection International, 1992).
  8. Shelley Bookspan, *A Germ of Goodness: The California State Prison System, 1851-1944* (Lincoln: University of Nebraska Press, 1991), 2.
  9. Malcolm Rohrbough, *Days of Gold: The California Gold Rush and The American Nation* (Berkeley: University of California Press, 1997), 219.
  10. Josiah Royce, *California: From the Conquest in 1846 to The Second Vigilance Committee in San Francisco* (New York: Knopf, 1948), 219, 220.
  11. Rohrbough, *Days of Gold*, 220.

12. Wilkins, *Evolution of a State Prison*, 60.
13. Milo Goss quoted in Rohrbach, *Days of Gold*, 159.
14. *Alla* quoted in George Stewart, *Committee of Vigilance: Revolution in San Francisco, 1851* (New York: Houghton Mifflin, 1964), 89.
15. Brannan quoted in Royce, *California*, 323.
16. *Courier* quoted in Stewart, *Committee of Vigilance*, 94.
17. *Papers of the San Francisco Committee of Vigilance of 1851*, edited by Mary Floyd Williams for *Publications of the Academy of Pacific Coast History*, Volume Four (1919); held in the archives of The Bancroft Library, University of California, Berkeley, 1.
18. *Ibid.*, 1.
19. The banner may be seen in *Papers*, 438.
20. Royce, *California*, 331.
21. Wilkins, *Evolution of a State Prison*, 1.
22. *Papers*, 1, 825-827.
23. *Proclamation!* Poster printed by Governor John McDougal, 20 August 1851; held in the archives of The Bancroft Library, University of California, Berkeley. The original poster is roughly 17" x 24".
24. Ashcroft, "San Quentin Prison," 4.
25. Sailing story from Ward McAfee, "San Quentin: The Forgotten Issue of California's Political History in the 1850s," *Southern California Quarterly* 62 (1990): 238; quotation from Ashcroft, "San Quentin Prison," 6.
26. Wilkins, *Evolution of a State Prison*, 8.
27. Bookspan, *Germ of Goodness*, 5.
28. McAfee, "San Quentin," 237.
29. James Estell, "Speech of General James M. Estell, Delivered in The Hall of Representatives, Sacramento City, California, To a Question of Privilege in Connections with the Vigilance Committee" (1857); held in the archives of The Bancroft Library, University of California, Berkeley, 5.
30. Wilkins, *Evolution of a State Prison*, 22.
31. Ashcroft, "San Quentin Prison," 10.
32. Charles Nordhoff, *California for Travelers and Settlers* (1873; Berkeley: Ten Speed Press, 1974), 100.
33. Wilkins, *Evolution of a State Prison*, 32, 33, 37, 84, 89.
34. McAfee, "San Quentin," 244.
35. The references here, reflecting our class readings, are to Cesare Beccaria, *On Crimes and Punishments and Other Writings*, trans. Richard Davies (1764; Cambridge, UK: Cambridge University Press, 1995), Jeremy Bentham, *The Panopticon Writings* (1787; London: Verso,

1995); Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (1975; New York: Random House, 1995); and Peter Linebaugh, *The London Hanged: Crime and Civil Society in the Eighteenth Century* (Cambridge, UK: Cambridge University Press, 1995).

### *Perhaps Some Grace*

1. Mack Jones, "The Black Underclass as Systemic Phenomenon," in *Race, Politics, and Economic Development*, ed. James Jennings (London: Verso, 1992), 59, 53, 59.
2. The Wabash Valley Correctional Facility is in Carlisle, Indiana. When it opened in 1992, it included supermax facilities, hence the protest march depicted here; as of December 2002, the WVCF includes minimum, medium, and maximum security wings. For more information go to the Indiana Department of Corrections Web page: [www.in.gov/ind-correction/facil/wabval.html](http://www.in.gov/ind-correction/facil/wabval.html).
3. Herbert Marcuse, *One-Dimensional Man* (Boston: Beacon Press, 1964), 68.
4. Quotation from Julio Rosado, "Political Prisoners in the United States—The Puerto Rican Charade," in *Cages of Steel: The Politics of Imprisonment in the United States*, ed. Ward Churchill (Washington, D.C.: Maisonnewe, 1992): 383; and see the statements by Nelson Ramirez, Filberto Ojeda Rios, Lucy Berríos, and Carmin Valentin, in *Ibid.*, 386-399; on the Fourth World see Ward Churchill, "I am Indigenist: Notes on the Ideology of the Fourth World," in *Struggle for the Land: Indigenous Resistance to Genocide, Ecocide, and Expropriation in Contemporary North America* (Monroe, Maine: Common Courage Press, 1993), 403-451.
5. Eugene Victor Debs, 16 June 1917 "Canton Speech," from *The Debs White Book* (Girard, Kans.: Appeal to Reason, n.d.), 5, 4; on Wilson's wartime repression measures see "An Act to Punish Acts of Interference. . ." (15 June 1917) and "An Act to Amend. . ." (16 April 1918), which together constitute the so called Espionage Acts, from *The Statutes at Large of the United States of America, April 1917–March 1919*, volume 50, part two (Washington, D.C.: Government Printing Office, 1919), 217-231, 531; and see "Chapter 75," the 16 May 1918 amendment regarding sedition to the Espionage Act, in *Statutes of the United States of America, Passed at the Second Session of the Sixty-Fifth Congress, 1917–1918, Part 1: Public Acts and Resolutions* (Washington, D.C.: Government Printing Office, 1918), 553-554.

6. Lincoln comparison from *New York Times*, 14 May 1920, cited in Bernard Brommel, "The Pacifist Speechmaking of Eugene Debs," *Quarterly Journal of Speech* 52 (1966): 153; on Debs running for president see Brommel, 152-154 and Nick Salvatore, *Eugene V. Debs: Citizen and Socialist* (Urbana: University of Illinois Press, 1982).
7. Shaka Shakur, January 1992 letter from the Westville Supermax Prison, reproduced in *The Coalition Against Indiana Control Units (CAICU), Human Rights Violations and Torture on the Rise at the Maximum Control Complex at Westville, IN: Profile of a Supermax* (Chicago: CAICU, 1994), 14.
8. Mike Davis, "Hell Factories in the Field: A Prison-Industrial Complex," *The Nation* (20 February 1995): 229.
9. Paul Wright, "Slaves of the State," *Z Magazine* (July/August 1994): 24; and see Stephen John Hartnett, "Prison Labor, Slavery, and Capitalism in Historical Perspective," *Dark Night Field Notes* 11 (Winter 1998): 25-29.
10. Robert Lilly and Paul Knepper, "The Corrections-Commercial Complex," *Crime and Delinquency* 39:2 (1993): 158; and see Stephen John Hartnett, "Prisons, Profit, Crime, and Social Control: A Hermeneutic of the Production of Violence," in *Race, Class, and Community Identity*, eds. Andrew Light and Meek Nagel (New York: The Humanities Press, 2000), 199-221, and David Shichor, *Punishment for Profit: Private Prisons/Public Concerns* (Thousand Oaks, Calif.: Sage, 1995).
11. Anonymous Campbell's Soup representative quoted in Jon Greenberg, "Building and Maintaining Prisons is a Growth Industry," transcript of report on *All Things Considered* (National Public Radio, 3 August 1994), 15.
12. Stephen Hartnett, "Behavior Modification or Rights Violation?" *Indianapolis Nuvo Newsweekly* (1 June 1994): 10; prison warden quoted from Charles Wright (Superintendent of the Westville Maximum Control Complex), letter to the author, 26 April 1994.
13. See The National Council on Crime and Delinquency, "NCCD Analysis Finds," *Corrections Digest* 25:5 (9 March 1994): 1-4.
14. See American Civil Liberties Union, *Human Rights Violations in the United States* (Washington, D.C.: ACLU, 1993), and CAICU, *Human Rights Violations and Torture on the Rise*.
15. See Jerome Miller, "Interview with Rick Szykowny," *The Humanist* (January/February 1994): 9-19.
16. Debs, "Canton Speech," 26; Debs's "insistent finger" as described by Upton Sinclair in *The Jungle* (1906; New York: New American Library, 1960), 322; and see Ray Ginger, *The Bending Cross: A Bi-*

- ography of Eugene Victor Debs* (New Brunswick, N.J.: Rutgers University Press, 1949), 357.
17. Wolfgang Haug, *Commodity Aesthetics, Ideology, and Culture* (New York: International General, 1987).
  18. From Judge Norton, "Arrival," in *Doing Time: 25 Years of Prison Writing—A PEN American Center Prize Anthology*, ed. Bell Gale Chevigny (New York: Arcade, 1999), 22; Judge wrote these lines in 1990, while doing time in in the Arizona State Prison Complex, Perryville, Arizona.
  19. Theodor Adorno and Max Horkheimer, *Dialectic of Enlightenment* (1944; New York: Continuum, 1972), 207.
- Emptiness Doesn't Take Notice: Supermax Poems*
1. The first half of the title of this poem is a quotation from Jorie Graham, *The Errancy* (Hopewell, N.J.: Ecco Press, 1997), 48; the supermax prison described in "The Tour" is The Maximum Control Complex (MCC) in Westville, Indiana. I have also included additional materials pertaining to the Federal Supermax in Florence, Colorado, and have marked those materials accordingly. For two damning reports on supermaxes see American Civil Liberties Union, *Human Rights Violations in the United States* (Washington, D.C.: ACLU, 1993) and Coalition Against Indiana Control Units, *Human Rights Violations and Torture on the Rise at The Maximum Control Complex at Westville* (Chicago: CAICU, 1994).
  2. Dennis Cauchon, "The Alcatraz of the Rockies" and "The 'Baddest of the Bad' Will be Housed Here," *USA Today* (16 November 1994), A6; and see Erica Thompson, "Supermax Prisons: Modern Day Torture in High-Tech Dungeons," *Supplement to Guild Notes* (Fall 1994), 12.
  3. William Bennett, John DiIulio, and John Walters, *Body Count: Moral Poverty and How to Win America's War Against Crime and Drugs* (New York: Simon and Schuster, 1996), 27.
  4. Graham, *The Errancy*, 36.
  5. Dr. Stuart Grassian, quoted in Bruce Porter, "Is Solitary Confinement Driving Charlie Chase Crazy?" *New York Times Magazine* (8 November 1998), 55-56.
  6. Porter, *Ibid.*, 58; and see Page Biernia, "Torture Behind Bars," *The Progressive* (July 1994), 21-27.
  7. Cauchon, "The Alcatraz of the Rockies," A6.

8. McWhorter quoted in Rick Bragg, "Prison Chief Encouraged Brutality, Witnesses Report," *New York Times* (1 July 1997), A12.
9. McWhorter quoted in Bob Herbert, "Brutality Behind Bars," *New York Times* (7 July 1997), A17.
10. Don Novey, President of The California Correctional Peace Officer's Association (CCPOA), testifying 28 November 1983 before The Joint Committee on Prison Construction and Operations, hearings entitled *California Institution for Men: Present Problems, Cooper Aftermath, Future Needs*; 28 November 1983 (Sacramento, Calif.: n.p., 1983), 61.
11. Pamela Podger, "Lawmakers Demand End to Abuse of Inmates at Prisons," *San Francisco Chronicle* (22 October 1998), A20.
12. Mark Arax and Mark Gladstone, "State Thwarted Brutality Probe at Corcoran, Investigation Says," *Los Angeles Times* (5 July 1998); I'm working here from a version downloaded from the *LAT* Website, and thus do not include page numbers.
13. Arax and Gladstone, "State Thwarted Brutality Probe."
14. *Ibid.*, and see Mark Arax and Mark Gladstone, "Prison Officials to Revise Policy on Deadly Force," *Los Angeles Times* (24 October 1998), A1 & 11.
15. Arax and Gladstone, "State Thwarted Brutality Probe."
16. Facts from California Department of Corrections Website: [www.cdccaus/factsht.htm](http://www.cdccaus/factsht.htm); accessed 12 November 2002.
17. Nils Christie, *Crime Control as Industry: Towards Gulags, Western Style, Second Edition* (London: Routledge, 1994), 112.
18. Mark Arax and Mark Gladstone, "Was Probe of Prison a White-wash?" *San Francisco Chronicle* (5 July 1998), B6.
19. Podger, "Lawmakers Demand End to Abuse," A16.
20. Common quoted in Arax and Gladstone, "State Thwarted Brutality Probe."
21. Hayden quoted in Robert Gunnison, "Corcoran Prison Report Doctored, Prober Admits," *San Francisco Chronicle* (31 July 1998), A21.
22. Arax and Gladstone, "State Thwarted Brutality Probe."
23. Corey Weinstein, "Brutality at Corcoran," *California Prison Focus* (Winter 1997): 4; for similar charges regarding brutality at Indiana's MCC Westville see Stephen Hartnett, "Behavior Modification or Rights Violation?" *Indianapolis Nuvo Newsweekly* (1 June 1994), 10.
24. John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1971), 12.
25. Arax and Gladstone, "State Thwarted Brutality Probe."
26. Weinstein, "Brutality at Corcoran," 4.

27. David Walker, *Appeal to the Coloured Citizens of the World* (1829; New York: Hill and Wang, 1992), 75.
28. Jean Jacques Rousseau, *Discourse on the Origins and Foundations of Inequality Among Men* (1754; New York: Penguin, 1984), 123.
29. Slaughter figures and Columbus quotation from Howard Zinn, *A People's History of the United States* (New York: Perennial, 1980), 4.
30. Wintrop Jordan, *White Over Black: American Attitudes toward The Negro, 1550-1812* (New York: Norton, 1968), 27.
31. Samuel Cartwright, "Diseases and Peculiarities of the Negro Race," *De Bow's Review* XI (July 1851), reprinted in *The Cause of the South: Selections from De Bow's Review, 1846-1867*, eds. Paul Paskoff and Daniel Wilson (Baton Rouge: Louisiana State University Press, 1982), 34-35.
32. Bennett, *Body Count*, 56.
33. Richard Bernstein and Charles Murray, *The Bell Curve: Intelligence and Class Structure in American Life* (New York: Free Press, 1994), 284.
34. Bennett, *Body Count*, 51.
35. Robert Buchanan, "Report on the Development of James Gordon, Executed at Dumfries, 6th June 1821, for the Murder of John Elliot, a Peddler Boy," *Transactions of the Phrenological Society* (Edinburgh, UK: John Anderson, 1824), 327-335.
36. BPDS quoted in George Fredrickson, *The Black Image in The White Mind: The Debate on Afro-American Character and Destiny, 1817-1914* (Hanover, N.H.: Wesleyan University Press, 1971), 5.
37. Walker, 53-54; on the history of proslavery rhetoric see Stephen J. Hartnett, *Democratic Dissent & The Cultural Fictions of Anebellum America* (Champaign: University of Illinois Press, 2002), 40-92.
38. Rousseau, *Discourse on the Origins*, 136.

#### *Transcending Schelling's Lament*

1. F.W.J. Schelling, *Philosophical Inquiries into the Nature of Human Freedom* (1809; LaSelle, Ill.: Open Court, 1936), 50, 69.
2. *Ibid.*, 79.
3. Thomas Paine, "The Age of Reason" (1794), in *The Thomas Paine Reader* (New York: Penguin, 1987), 400, 403, 421.
4. Schelling, *Philosophical Inquiries*, 29.
5. Georg Lukacs, "On the Romantic Philosophy of Life: Novalis," in *Soul and Form* (1910; Cambridge, Mass.: MIT Press, 1980), 44-45, 50.

23. Prisoner figure from California Department of Corrections (CDC) Web site, Pelican Bay State Prison page; available at [www.cdc.state.ca.us/facility/instbpb.htm](http://www.cdc.state.ca.us/facility/instbpb.htm).
24. Henderson quoted in "Report of February 1996 Investigation of Pelican Bay State Prison," *Pelican Bay Prison Express* 3:3 (April 1996), 2; available from The Pelican Bay Information Project, 2489 Mission St. #28, San Francisco, CA 94110.
25. From CDC Pelican Bay information; see note 23.
26. Cochran quoted in Christian Parenti, *Lockdown America: Police and Prisons in the Age of Crisis* (London: Verso, 1999), 212.
27. Debs, *Walls and Bars*, 135.
28. Shaka, "On Work," essay written in May 1996 for one of our classes in the Indiana Correctional Industrial Facility.
29. E.J. Riley, "Prison: The Labor Camp," essay written in May 1996 for one of our classes in the Indiana Correctional Industrial Facility.
30. James Burkhardt, "I Used to Love Work," essay written in May 1996 for one of our classes in the Indiana Correctional Industrial Facility.
31. Paul Wright, "Captive Labor: U.S. Business Goes to Jail," *Cover Action Quarterly* 60 (Spring 1997): 29; and see Stephen Harnett, "Prison Labor, Slavery, and Capitalism in Historical Perspective," *Dark Night Field Notes* 11 (Winter 1998): 25-29.
32. Burress, "In the Joint," 24.
33. Willie Wisely, "The Bottom Line: California's Prison Industry Authority," in Burton-Rose, *Celling of America*, 140.
34. David Shichor, *Punishment for Profit: Private Prisons/Public Concerns* (Thousand Oaks, Calif.: Sage, 1995), 160; the CCA is The Corrections Corporation of America, now part of a multinational corporation owned by Marriott and Sodexo and dedicated to building prisons, supplying existing prisons with equipment and labor, and sometimes running their own private prisons. For a stunning example of the banality of evil, log on to the CCA's Web site at [www.correctioncorp.com](http://www.correctioncorp.com).
35. Ron Jacobs, "The New Slave Ships," 5 June 2000; available at [www.netavt.com/left/jacobs21.html](http://www.netavt.com/left/jacobs21.html).
36. Naomi Ayala, *Wild Animals on the Moon* (Willimantic, Conn.: Curbstone, 1998), 36.

### *Love and Death in California*

1. From "Spoon" Jackson's "No Beauty in Cell Bars," in Judith Tanenbaum, *Disguised as a Poem: My Years Teaching Poetry at San*

- Quentin* (Boston: Northeastern University Press, 2000), 63; and see the information on Jackson at [www.spoonjackson.com](http://www.spoonjackson.com).
2. Ralph Waldo Emerson, "Love," *Collected Essays* (New York: Houghton and Mifflin, 1865), 137, 142.
  3. F.W.J. Schelling, *Philosophical Inquiries into the Nature of Human Freedom* (1809; LaSelle, Ill.: Open Court, 1936), 79.
  4. Walt Whitman, "I Cannot be Awake" (1899 fragment), in *The Collected Writings of Walt Whitman*, eds. Gay Wilson Allen and Scully Bradley (New York: New York University Press, 1965), 652.
  5. Julia Alvarez, *The Other Side/El Otro Lado* (New York: Plume, 1996), 73.
  6. Naomi Ayala, *Wild Animals on the Moon* (Willimantic, Conn.: Curbstone, 1997), 35.
  7. Calvin Schrag, *The Self after Postmodernity* (New Haven: Yale University Press, 1997), 143.
  8. Immanuel Kant, *Critique of Judgment*, trans. Werner Pluhar (1790; Indianapolis: Hackett, 1994), 129, 105.
  9. Carolyn Forché, *The Country Between Us* (New York: Perennial, 1981), 52.
  10. Peter Dale Scott, *Listening to the Candle: A Poem on Impulse* (New York: New Directions, 1992), 53.
  11. Webster quoted in Thomas Hietala, *Manifest Design: Anxious Aggrandizement in Late Jacksonian America* (Ithaca, N.Y.: Cornell University Press, 1985), 187.
  12. See Stephen Vincent Benet, *The Devil and Daniel Webster* (1937; New York: Aeonian Press, 1976).
  13. Webster quoted in Rush Welter, *The Mind of America, 1820-1860* (New York: Columbia University Press, 1975), 115.
  14. See Kenneth Stampp, *America in 1857: A Nation on the Brink* (New York: Oxford University Press, 1990), 30.
  15. "Making a Difference: Oakland's New YWCA at a Glance," pamphlet available at the Oakland YWCA, 1515 Webster Street, Oakland CA, 94612.
  16. "Visions of Life: Art Out of Death Row," exhibit of Jay Siripong's art at the Oakland YWCA, 20 January 1998-10 February 1999.
  17. R.A. Nelson, "History of Capital Punishment in California," typed ms., no date, 2, held by the Bancroft Library, University of California, Berkeley; Nelson is the retired Associate Warden of San Quentin Prison.
  18. Larry Hatfield, "Pope's Plea Can't Halt San Quentin Execution," *San Francisco Examiner* (9 February 1999, evening edition), A1.

19. Peter Dale Scott, *Minding the Darkness: A Poem for the Year 2000* (New York: New Directions, 2000), 20.
20. Karl Marx, "On Capital Punishment" (1853 editorial for *The New York Daily Tribune*), in *Crime and Capitalism*, ed. David Greenberg (Philadelphia: Temple University Press, 1993), 56.
21. Thomas Hobbes, *The Leviathan* (1651; Amherst, N.Y.: Prometheus, 1988), 79.
22. Susan Blaustein, "Witness to Another Execution" (1994), in *The Death Penalty in America*, ed. Hugo Adam Bedau (New York: Oxford University Press, 1997), 395.
23. Quotation from Ron Wikberg, "The Horror Show," in *Life Sentences: Rage and Survival Behind Bars*, eds. Wikberg and Wilbert Rideau (New York: Times Books, 1992), 284. In addition to the horror of his botched electrocution on 4 May 1990, Jesse Tafero was wrongfully executed. The 20 February 1976 double murder of Florida Highway Patrolman Phillip Black and Canadian Constable Donald Irwin, for which Tafero was executed, is now believed to have been committed by Walter Rhodes. Rhodes was the only witness to testify against Tafero; in return for his testimony, Rhodes, who was at the scene of the crime, was allowed to plea bargain for a second-degree murder charge, hence avoiding the death penalty. In essence, Rhodes saved his own life by offering false witness against the innocent Tafero. But Tafero's execution was not only wrongful in the legal sense, it was also politically motivated, as the Judge at Tafero's trial, Daniel Futch, was a recently retired Highway Patrolman who was known throughout the state as "Maximum Dan." His enthusiasm for the death penalty was so great that he kept a miniature electric chair on his desk. The prosecuting attorney in the case, Michael Satz, used his successful conviction of Tafero as a launching point for his candidacy for Broward County District Attorney. Satz won that election and has been in office since then. See "Jesse J. Tafero," in *The Grassroots Investigation Project's* 26 October 2000 Preliminary Report, *Reasonable Doubts: Is the US Executing Innocent People?*, 27-29 and 68-71. This important document is available from The Quixote Center, P.O. Box 5206, Hyattsville MD 20722; 301-699-0042; www.quixote.org.
24. Immanuel Kant, "Idea for a Universal History from A Cosmopolitan Point of View," in *Kant on History*, ed. Lewis White Beck, (1784; Indianapolis: Bobbs Merrill, 1963), 21-22, 16, 20.
25. Walt Whitman, "Song of the Open Road" (1856 version), in *Leaves of Grass: A Textual Variorum of the Printed Poems, Volume I: Poems, 1855-1856*, eds. Sculley Bradley, Harold Blodgett, Arthur

Golden, and William White (New York: New York University Press, 1980), 229.

#### Visiting Mario

1. From Kris Kristofferson, "Me and Bobby McGee," on Janis Joplin (with Full Tilt Boogie), *Pearl* (Columbia/Legacy, 1999 reissue)—this version of the song went to Billboard #1 in 1971.
2. From Dar Williams, "After All," track three of *The Green World* (Cooper Station, N.Y.: Razor & Tie Records, 2000).
3. Susan Ferris and Ricardo Sandoval, *The Fight in the Fields: Cesar Chavez and The Farmworkers Movement* (New York: Harcourt Brace, 1997), 82, 117.
4. Woody Guthrie, "Do Re Mi," on *The Limited Collectors Edition of The Very Best of Woody Guthrie* (Hertfordshire, UK: Music Collection International & Folkways, 1992), track five; and check out the gorgeous version of "Do Re Mi" on Nancy Griffith's *Other Voices/Other Rooms* (Los Angeles: Elektra, 1993), track nine.
5. Figures from Criminal Justice Consortium (CJC), *Facts for 1998* (Oakland, Calif.: CJC, 1999), 2, 3; available from the CJC, 1515 Webster Street, Oakland, CA 94612; (510) 836-6065.
6. Excluding the paraphrased dialogue on page 140, italicized passages in this section not attributed to other sources are quotations drawn from: 1) *Mario Rocha, Petitioner, v. C.A. Terhune, Bill Lockyer, Gray Davis, Gil Garcetti, and Does 1 through 10*, 20 October 2000 *Petition for Writ of Habeas Corpus* filed in Superior Court of the State of California for The County of Los Angeles; 2) *Mario Rocha, Petitioner, v. C.A. Terhune, Bill Lockyer, Gray Davis, Gil Garcetti, and Does 1 through 10*, 20 October 2000 *Declarations in Support of Petition for Writ of Habeas Corpus* filed in Superior Court of the State of California for The County of Los Angeles; and 3) *Mario Rocha, Petitioner, v. C.A. Terhune, Bill Lockyer, Gray Davis, Gil Garcetti, and Does 1 through 10*, 20 October 2000 *Memorandum of Points and Authorities in Support of Petition for Writ of Habeas Corpus* filed in Superior Court of the State of California for The County of Los Angeles. To protect witnesses in light of previous threats, Stephen Newman, the remarkable lawyer who filed these documents, has advised me to mask all proper names. Newman may be contacted at Lathan & Watkins, Attorneys at Law, 633 West Fifth Street, Suite 400, Los Angeles, CA 90071-2007; (213) 485-1234.
7. Joan Moore, *Homeboys: Gangs, Drugs, and Prison in the Barrios of Los Angeles* (Philadelphia: Temple University Press, 1978), 92, 24.