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(2006)

“Too Many Chiefs”

-Robert Gaucher

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In his response to my article 'Organizing Inside: Prison Justice Day. A Non-violent Response to Penal Repression' (Gaucher 1991a) Professor Ratner takes issue with my view of Canadian academics' praxis generally and with my footnote reference to his article, particularly. Claiming that I have a personal axe to grind with him, he descends to the level of the personal by suggesting that not only were my views an 'ill-considered attack' on Canadian social scientists, but also a 'complete misinterpretation of our article'. His explanation for this 'misrepresentation' is two-fold. First, he claims that my critique was 'designed to highlight his [i.e. my] own contribution;' and second, that the truth of their position 'disappears from view for acutely personal reasons.' Ratner's charges deflect us from the issues at hand and serve to mask the intellectual and political inadequacy of his own research and praxis.

Starting at the beginning, what is one to make of their title: 'Political Prisoners: From Class Warriors to Faded Rhetoric?' Or, of their lamentation over the passing of politicized prisoners:¹

But while serious prison disturbances continue to occur the political consciousness of prison inmates in both the U.S. and Canada has plainly eroded (Ratner and Cartwright 1990: 86).

And their instruction:

... to lay to rest the faded rhetoric of prison protest in the 1980s (ibid.: 87).

Furthermore, their consideration of Marxist debates on the 'lumpenproletariat' trivializes the theoretical and material base of this concept. This is puzzling in an article Ratner claims is designed to inform and encourage radical political activity in and outside prisons. Though insisting that their article was based upon '10 years of cumulative research' including 'an informative conversation with Gaucher himself,' there is little evidence in their essay to support this claim. If this is indeed the case, then their

article is a much greater indictment of Canadian social science than any I have made.

An essential problem with their thesis is their reliance on an inadequate survey of an exceptional moment (1968-72) of protest captured in the writing of a few publicly celebrated Black American prisoners to define all prisoner politicization, political ideology, and *praxis*. This results in an *ahistorical* account that fails to locate the 1968-72 period itself in the history of North American prison struggles.² In ignoring the past they also fail to acknowledge the present. For example, there is *absolutely no reference* to either First Nations or women in Canada or the USA. These two groups in particular have exhibited considerable activity and advance throughout the 1970s and 1980s. In short, the authors' elitist stance results in a myopic view of what has actually occurred since the 1968-72 period of public and academic attention they judge as the hallmark of politicized prison struggles. In this context, their dismissal of later prison struggles and their pronouncement

[t]he important lesson that can be drawn from the past thirty years of prison protest is that if prisoner movements are to succeed, they cannot be separate and parochial, but must be joined to other groups and social movements (ibid.: 87)

illustrates their ignorance of, and dislocation from, ongoing prison struggles.

Since the mid-1970s, prisoners' struggles have taken new forms³ and have been connected to outside support with considerable results. One way this extension into the outside community is exemplified is in the resurrection of traditional penal press type publications *by outside* prisoner support and grassroots political groups.⁴ Focusing on the plight of political prisoners and more general prison issues, these groups in their publications have integrated a theorized analysis of the state with prisoners' analyses of the prison as a major vehicle for state suppression of dissent.⁵ Since the mid-1970s, groups such as the Prisoners Rights' Office of Montreal, the Vancouver Prisoners' Rights Committee; the Wimmin Prisoners' Survival Network and the Canadian Alliance in Solidarity with Native People, in Toronto; and numerous U.S. based groups such as Freedom Now, the American Indian Movement, and Anarchist Black Cross have all publicized and supported prisoners' initiatives in resisting state repression. In addition, there has been a proliferation of issue-

centred organizations that provide support and publicity for politicized prisoners and prisoners' struggles. This includes well known political cases like the Conspiracy Resistance Case, the Ohio Seven, Puerto Rican Prisoners of War, Leonard Peltier and Mumia Abu-Jamal; and issues such as the Marion Lockdown and Prison Justice Day.

Ratner's and Cartwright's dismissal of these developments as 'faded rhetoric' is most aggravating, particularly in light of the major gains and advances of Canada's First Nations prisoners since the 1960s, and more recently federally incarcerated women (see Gaucher 1991 b). The development of Native Brotherhoods and Sisterhoods in Canadian prisons is related to the general strengthening of aboriginal communities and involves close ties between the two groups. This has led to major changes for Native prisoners, including access to elders and spiritual advisers, and the development of Native-organized and culturally appropriate programs.⁶ The use of the state criminal-justice apparatus to suppress aboriginal dissent;⁷ to mask social disorganization consequent on past state policies of ethnocide; and continuing over-representation of indigenous people in Canadian prisons is not to be denied. However, the First Nations Prisoners' advance in developing a politically conscious understanding and stance towards their situation must also be acknowledged.

Another post-1960s development which denies Ratner's and Cartwright's thesis is the use of the courts to challenge state authority and control. In 'The Dialectics of Prison Litigation: Reformist Idealism or Social Praxis,' Harry Mika and Jim Thomas (1988) log the development of prisoners' legal challenge in the United States. Locating the start of this initiative in the civil rights movement of the 1960s they argue:

The first significant victory challenging prison conditions and policies did not occur until the early 1970s with *Wolff v. McDonnell* (418 U.S. 539/1974). Since then prisoners have increasingly used civil-rights litigation as a means to alleviate some of the worst aspects of staff and state abuse.

Whatever else prisoner litigation might mean, it above all else signifies resistance. Some prisoners may sue seeking release, but most do not. They generally challenge the conditions of their captivity. (ibid.: 56)

Their analysis indicates significant advances resulting from this nonviolent response to oppressive prison conditions and regimes, indicating that:

Through the courts, prisoners have transformed privileges into expected rights, and the courts have generally upheld these rights. (ibid.: 59)

This has produced a legal recognition of 'established minimal standards.' These legal forms of resistance have also resulted in changes in the ideology and practice of American courts *vis-a-vis* penal regimes (ibid.). Though I do not know of any similar study regarding Canada, my experiences suggest that litigation has also dramatically increased here, albeit with less pronounced results.

Mika and Thomas provide empirical information which indicates a resultant structural and contextual change. From this type of analysis alone it is not possible to evaluate the interpersonal impact of litigation activities on prisoners (especially politicized prisoners), staff and administration, and on the dialectics of their (power) relationships. However, the authors suggest:

.. litigation has contributed, albeit sporadically, to prisoner identity formation, a key requisite for social action (Lukacs, 1971). Like the legal struggles of other indigenous peoples, even if the immediate material impact of law IS not dramatic, the broader impact may create a group identity that simulates subsequent action. Inmates, as subjects of law, derive a rhetoric for an increased power to resist. This resistance, especially in the past decade, has come from prisoners themselves, and not from the intrusion of liberal civil rights reformers or radical activists. (Mika and Thomas 1988: 62)

In my experience this is supported by the activities of prisoner groups such as Native Brotherhoods, Odyssey (Millhaven 1976-82), Stony Mountain University Students Association (1987) and Infinity Lifers (Collins Bay 1986-89).

In short, Ratner and Cartwright have recast the post-1960s situation in an inverted form. Rather than prisoners needing to reach out to the outside community - which they have continued to do in Canada since 1945 - it is necessary for members of the general public to support prisoners' initiatives. This has already occurred to an extent *vis-a-vis* Canada's First Nations communities, and current feminist attention to the situation of women prisoners holds similar

promise. By and large academics, professionals and liberal civil rights reformers in Canada have been prone to either take an elitist position by first defining the issues and then soliciting prisoner support, or alternatively, they are too concerned about maintaining their tap lines to the state to engage in support of prisoners' resistance and struggles. There are of course laudatory exceptions such as academics like Michael Jackson, and the professionals working with the prisoners' rights groups in Vancouver and Montreal. Rather than armchair posturing, the current situation demands long-term commitment to supporting the initiatives and issues as defined by prisoners and their groups. If, as Professor Ratner charges, this is an 'ill-considered attack' on Canadian social scientists, I can only suggest that 'if the shoe fits... .

Finally, since Professor Ratner sees fit to charge me with what is essentially bad faith and intellectual dishonesty, I reluctantly address his personal charges. As he well knows, in the summer of 1990 I was asked to evaluate his essay for *The Journal of Human Justice*. At the time I did not know who the authors were, discovering (much to my surprise) that he was one when he sent me the article shortly before it was published. After overcoming my initial surprise, I wrote him, confessing that I was indeed the 'critical reviewer' and stating that the rewrite had marginally improved the text. His response was a short note ending with 'academics phew!' My review ends on the following note which I still hold:

In summary, this article is an uninformed mishmash which is not suitable for publication in the J.H.J. and requires much more than a major revision to be taken seriously.

Furthermore, rather than attacking me as self-serving and acting on 'acutely personal reasons' (yet to be specified) he should come forward and honestly vent his anger on the article in the *Journal of Prisoners on Prisons* (Autumn 1990/ Spring 1991) which most directly concerns him; namely 'Master Status, Stigma, Termination and Beyond' by Dr. Brian D. MacLean.

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¹At this point one must inquire if Ratner and Cartwright have ever heard of the Puerto Rican Prisoners of War Committee; The Resistance Conspiracy Case; The Ohio Seven; the Squamish Five; Leonard Peltier; The American Indian Movement, the Mohawk Warriors Society, or any number of Canadian First Nations politicized prisoners?

²For a full account of the history of Black American prison struggles see Franklin (1978).

³For a discussion of one such movement, Prison Justice Day (1976-1991) see Gaucher (1991a). For a broader discussion of changing forms of struggle and Canadian First Nations and women prisoners, see Gaucher (1991b)

⁴The international phenomenon of the penal press peaked in the 1950s and early 1960s before being suppressed by prison censorship and control. During the 1970s (in Canada), prison writers tried to revitalize it via prison group (as opposed to the whole prison population) publications such as *Odyssey*. It has been reformed through outside published magazines which, by representing prisoners' writing and analysis, have kept the tradition alive. This indicates the adaptability and continued involvement of prison-based writers in the ongoing struggle against penal repression and degradation.

⁵To note a few, in Canada these outside publications include: *BullDozer*, *Anarchist Black Cross*, *Prison News*, *Wimmin Prisoners' Survival Network*, *Prisoners Right*, *Inside Out*, and *Journal of Prisoners on Prisons*

⁶For example, Drumheller Institute has a wide range of programs which are the result of Native prisoners' and their supporters' agitation. See *Arrow to Freedom*, The Native Brotherhood prison publication.

⁷The use of the Canadian armed forces to suppress Mohawk resistance at Kenesatake (Oka) and Kaneawake in the summer of 1990 and the continued police occupation of these Native communities attests to this.