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## Using Critical Pedagogy to Connect Prison Education and Prison Abolitionism

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## USING CRITICAL PEDAGOGY TO CONNECT PRISON EDUCATION AND PRISON ABOLITIONISM

ROBERT SCOTT\*

### I. INTRODUCTION

Socio-political movements naturally develop divisions between various factions of activists.<sup>1</sup> I want to address what I consider to be an unfruitful schism between activists who organize education programs in prisons (prison educators) and those who oppose the prison system wholesale (prison abolitionists).<sup>2</sup> To the extent to which members of these two groups are part of a common movement to challenge the prison system, they have much to gain by working together even while they may differ in strategy.

A wide variety of political and ideological commitments exist within groups of prison educators and prison activists. This essay focuses on those projects that have a *radical* orientation—that is, those that challenge the premises of the prison system.<sup>3</sup> In a recent essay, I distinguished radical prison teaching from other educational programs that chiefly introduce the potential

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1. The rise and fall of movements in the 1960s provides many examples: the split between organizing political demonstrations on the street versus building a counterculture, civil disobedience versus armed struggle, civil rights and integration versus nationalism and separation. See TERRY H. ANDERSON, *THE MOVEMENT AND THE SIXTIES: PROTEST IN AMERICA FROM GREENSBORO TO WOUNDED KNEE*, at ix (1995).

2. See DYLAN RODRIGUEZ, *FORCED PASSAGES: IMPRISON RADICAL INTELLECTUALS AND THE U.S. PRISON REGIME* 75–112 (2006) (presenting a strongly worded attack on higher education in prison programs written by a prison abolitionist). I argue that Rodriguez and the college program he critiques might accomplish more as allies than as opponents. For instance, both supported the 2001 hunger strike in Pelican Bay. See Jody Lewen, *From the Executive Director*, PRISON UNIV. PROJECT NEWSL. (Prison Univ. Project, San Quentin, C.A.), Oct. 2011, at 1, available at <http://prisonuniversityproject.org/sites/default/files/newsletters/PUP%20News%20letter%20October%202011.pdf>; *Los Angeles Press Conference in Support of Pelican Bay Prisoners' Hunger Strike*, REVOLUTION (July 4, 2011), <http://revcom.us/a/238online/los-angeles-press-conference-support-pelican-bay-prisoners-en.html> (presenting Professor Dylan Rodriguez's statement).

3. The Latin origin of the word refers to “root.” This usage derives from activists of the 1960s. See SAUL D. ALINKSKY, *RULES FOR RADICALS* 9 (1971) (explaining that radical change leads to revolution as opposed to evolution of a given system).

for liberal thought inside the carceral institution.<sup>4</sup> Just as there are liberal and conservative prison educators, there are liberals and conservatives calling for a fundamental re-thinking of the U.S. prison system.<sup>5</sup> The focus of this essay is aimed outside of the existing set of potentialities. While prison systems do not encourage incarcerated men and women to challenge the existing social order, many college-in-prison programs facilitate their students becoming advocates of peace, justice, social engagement, taking action to challenge individual and institutional violence, becoming spokespersons for their communities, and succeeding where the system has told them they are failures.<sup>6</sup> These are not stories that prisons are generally proud of, but they are often cited by abolitionists and prison education programs as evidence that another world is possible.<sup>7</sup>

To be clear, the “prison education programs” I refer to in this essay are *independently-organized*, not to be confused with state-mandated programs such as Adult Basic Education (ABE) or the General Equivalence Degree (GED). Independently-organized prison education programs have the potential to be exploratory, constructive, and oriented toward growth and transformation. Punitive or juridical programs are not in the same category. “Classes” that are mandatory, disciplinary, or function to trade “classroom compliance” for “good time credit” are not education in the sense that I use the

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4. See Robert Scott, *Distinguishing Radical Teaching from Merely Having Intense Experiences While Teaching in Prison*, 95 RADICAL TCHR. 22, 23 (2012).

5. Many are surprised to learn that conservatives such as evangelist Pat Robertson, former house speaker Newt Gingrich, and conservative lobbyist Grover Norquist recommend a reduction in the use of incarceration and an end to the “war on drugs.” See Jesse McKinley, *Pat Robertson Says Marijuana Use Should be Legal*, N.Y. TIMES, Mar. 8, 2012, at A14; Chandra Thomas-Whitfield, *Newt Gingrich Among Conservatives Backing NAACP Prison Reform Report*, JUVENILE JUST. INFO. EXCHANGE (Apr. 27, 2011), <http://jjie.org/newt-gingrich-among-conservatives-backing-naacp-prison-reform-report/13991/?all=1>.

6. Mission statements of state correctional systems often mention re-integrating incarcerated people into society, but not of changing society. See ILL. DEP’T OF CORR., ILLINOIS DEPARTMENT OF CORRECTIONS: ANNUAL REPORT FY 2011, at 1 (Jaclyn O’Day & Dede Short eds., 2012). One of the most prominent advocates of changing the prison system in the United States to increase educational access would be Glenn Martin, vice president of public affairs and director of David Rothenberg Center for Public Policy at the Fortune Society, who was also formerly incarcerated. See Ken Stier, *Another By-Product of the Recession: Ex-Convicts*, TIME, Mar. 6, 2009, at 37.

7. One example would be the work of Eddie Ellie, a formerly incarcerated Black Panther (who maintains his innocence), who formed the Center for NuLeadership, which is run entirely by formerly incarcerated people. I have seen Ellis’ work cited by prison educators and abolitionists, but I cannot imagine a correctional system supporting his work. See Katti Gray, *The Run-On Sentence: Eddie Ellis On Life After Prison*, SUN, July 6, 2013, at 1, available at [http://thesunmagazine.org/issues/451/the\\_run\\_on\\_sentence](http://thesunmagazine.org/issues/451/the_run_on_sentence).

term.<sup>8</sup> Learning can happen anywhere (even alone with a book), but I reserve the use of the word “education” to refer to social contexts in which people are allowed to express their agency within a system of organized learning opportunities with others.

The phrase “prison abolitionism” refers to a movement to eliminate the use of prisons as a form of legal punishment.<sup>9</sup> Its rationale hinges on a critique of race, class, and gender oppressions found inside and outside of the criminal justice system. Looking more deeply at the question of “crime” in a stratified society, the abolitionist ideal is ultimately a world without capitalist constructions of scarcity and market competition such that prisons are no longer necessary.<sup>10</sup> In the absence of a presently available alternative to capitalism in the United States, abolitionists are unified in their opposition to prison.<sup>11</sup> The struggle against prisons takes diverse forms, but abolitionists are not often associated with going into prisons to organize educational programs.

It is logical to connect the project of prison abolitionism with the work of prison educators to the extent that the two efforts share values and goals. Where their interests do not overlap, the simmering discord between the two should be replaced by solidarity, sharing of information and resources, and mutual support. These two movements have much to learn from one another, and in this essay I will draw on my personal experiences with both groups to show ways in which their interests dovetail. Consider the following two anecdotes as an exposition of how each project could benefit from the perspective of the other.<sup>12</sup>

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8. For instance, many states have DUI School and other “courses” that result in a reduced or waived prison sentence if one merely shows up to a specified location at a specified time. They do not belong in the same category as the college-in-prison programs I am discussing in this essay.

9. A “fundamental requirement for the revitalization of democracy is the long-overdue abolition of the prison system.” See ANGELA DAVIS, ARE PRISONS OBSOLETE? 39 (Greg Ruggiero ed., 2003). For an instance of what non-policing, non-imprisoning response to violent crime looks like, see generally Mimi E. Kim, *Moving Beyond Critique: Creative Interventions and Reconstruction of Community Accountability*, 37 SOC. JUST., no. 4, Dec. 2010.

10. See DAVIS, *supra* note 9, at 105–08. For a discussion of prison as a means of destroying the Keynesian social compact in U.S. capitalism, see generally LOÏC WACQUANT, PRISONS OF POVERTY (2011).

11. Dylan Rodríguez, *The Disorientation of the Teaching Act: Abolition as Pedagogical Position*, 88 RADICAL TCHR. 7, 7 (2010) (explaining that one can still critique prison without revolution and “engage a historically situated abolitionist praxis that is, in this moment, *primarily pedagogical*”). See also Erica R. Meiners, *Building an Abolition Democracy; Or, the Fight Against Public Fears, Private Benefits, and Prison Expansion*, in CHALLENGING THE PRISON INDUSTRIAL COMPLEX: ACTIVISM, ARTS, & EDUCATIONAL ALTERNATIVES 15, 15–40 (Stephen John Hartnett ed., 2011).

12. The two anecdotes presented in this section are based on actual discussions I have participated in over a decade of activism around jail, prison, and criminal justice.

*Anecdote A: Prison Education without Abolitionism*

*A white friend tells me she has been building a volunteer-run program in a prison, but she describes the rough early going of the work. She mentions that most of the African-American participants no longer attend. Some received disciplinary removal related to prison security issues, others had a problem attending classes because of schedule conflicts within the prison, others seem to stop showing up without mentioning why. This is particularly problematic because 65 percent of the people incarcerated at the prison are African-American and the program was intended to be useful to them.*

This is an instance where the raced, classed, and gendered organization of prison has subverted a well-intended project, and it is not a moment to remain speechless. Exactly how this aspiring educator produced such negative results is a question that prison abolitionists have much to say about, particularly in understanding institutional racism and a prison system that has as one of its core functions the maintenance and reproduction of the essential binaries that reproduce inequalities of power based on racial inequality in capitalist America.<sup>13</sup> Abolitionists have a wealth of resources and proposals for action that deal with precisely this issue.<sup>14</sup>

Now consider a second anecdote, a case of an activist with an abolitionist agenda who could benefit from the perspective of prison educators.

*Anecdote B: Abolitionism without Prison Education*

*A friend of mine who has done activist work against police racial profiling tells me that he is working with a campaign to block a jail expansion project in my home county of Champaign, Illinois, where the county board is proposing to build a new \$20 million jail in spite of having built a new jail in 1980, a jail expansion in 1996, a new juvenile detention center in 2000, and additional cells at the new courthouse in 2003. Now there is an effort to build more jail cells in 2014 even while local incarceration rates are at a 15-year low according to local police data. My friend articulately argues that prisons are dehumanizing and in excess of the stated need for public safety, but when I ask him if he has ever visited the existing jail or spoken with people who are incarcerated there, he tells me that he has not (yet), though he has read several descriptions and talked to people who had been there in the past.<sup>15</sup>*

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13. From a sociological standpoint, schools have long been known to be reproductive of economic inequality. See SAMUEL BOWLES & HERBERT GINTIS, *SCHOOLING IN CAPITALIST AMERICA: EDUCATIONAL REFORM AND THE CONTRADICTIONS OF ECONOMIC LIFE* 102 (1976).

14. See DAVIS, *supra* note 9, at 105–08; VISIONS OF ABOLITION: FROM CRITICAL RESISTANCE TO A NEW WAY OF LIFE (PM Press 2011); *The Challenge of Prison Abolition: A Conversation*, HIST. IS A WEAPON, <http://www.historyisaweapon.com/defcon1/davisinterview.html> (last visited May 22, 2014) (publishing a conversation between Angela Davis and Dylan Rodríguez).

15. This anecdote is abstracted from an actual conversation; the construction dates for the Champaign County jails are accurate. Construction dates for jail facilities were verified using the

This is a case of an opponent of prison who has no interaction with people in prison. Whether he never knew an incarcerated person or never had occasion to enter a prison, the result is a disconnect between a political activist and the people affected by his activism. It might seem like a contradiction for an abolitionist to visit a prison in support of a program, but the prison classroom is perhaps one of the only spaces inside prison that is compatible with formulating critical discourse with diverse groups of incarcerated people.<sup>16</sup>

These anecdotes are simplified versions of the more complicated scenarios found in reality. At the same time they are based on real people who exist within the two political projects discussed in this essay. Though they arguably show inexperienced or poorly-rounded representatives of their respective organizations, they also epitomize the critiques that the two have of one another. The anecdotes also provide insight into what the two ultimately have to offer one another. Abolitionism can nourish prison educators with a broader political critique of the function of prisons, challenging the liberal colorblind language that recuperates attempts to change the system. The prison classroom can serve as a site for the consciousness-raising of people who have had no contact with prison, while simultaneously empowering incarcerated people and establishing connections that serve abolitionist aims. Of course, these connections are precisely what prison is designed to stop. Hence, I argue that critical pedagogy offers prison educators and abolitionists a language of connection.

## II. USING CRITICAL PEDAGOGY TO CONNECT HIGHER EDUCATION IN PRISON AND PRISON ABOLITIONISM

Critical pedagogy is a set of ideas about teaching practice in the context of understanding power: state power, economic power, social and cultural power, as well as the struggle between different groups for power.<sup>17</sup> Critical pedagogy combines elements of radical politics and educational theory.<sup>18</sup> Drawing

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local newspaper archive. See Mike Monson, *County Jail Overcrowded... Again*, NEWS-GAZETTE (Champaign, Ill.), Jan. 10, 1999, at A1; Mary Schenk, *New, Old Courthouse: Jury's Still Out*, NEWS-GAZETTE (Champaign, Ill.), May 11, 2003, <http://www.news-gazette.com/news/local/2003-05-11/new-old-courthouse-jurys-still-out.html>; Eric Schuster, *Jail Opening Now Set for March*, NEWS-GAZETTE (Champaign, Ill.), Oct. 14, 1979, at A2.

16. The potential for conversations inside prison to be co-opted by "correctional schooling" have been articulated by proponents of prison education. See Howard S. Davidson, *Possibilities for Participatory Education Through Prisoners' Own Educational Practices*, in PARTICIPATORY PRACTICES IN ADULT EDUCATION 237–64 (P. Campbell & B. Burnaby eds., 2001).

17. See PETER MCLAREN & RAMIN FARAHMANDPUR, *TEACHING AGAINST GLOBAL CAPITALISM AND THE NEW IMPERIALISM: A CRITICAL PEDAGOGY* 6–8 (2005).

18. See generally Antonia Darder et al., *Critical Pedagogy: An Introduction*, in THE CRITICAL PEDAGOGY READER 1–20 (2009); Peter McLaren, *Critical Pedagogy: A Look at the Major Concepts*, in THE CRITICAL PEDAGOGY READER 69–96 (2009).

inspiration and direction from twentieth century intellectuals including Paulo Freire, Antonio Gramsci, the Frankfurt School, and others, critical pedagogy consolidates ideas about teaching in response to socio-economic power relations linked to race, class, and gender.<sup>19</sup> Critical pedagogy breaks from liberal concepts of multiculturalism, and radical notions of “unschooling” in that it is committed to engaging the dialectical tensions of a stratified society in the dialogic process of the classroom.<sup>20</sup> Parallels between schools and prisons have been noted in critical pedagogy literature.<sup>21</sup> Here I want to extend the use of critical pedagogy to the work of prison educators and abolitionists.

#### A. *Rejection of sectarianism*

In *Pedagogy of the Oppressed*, Paulo Freire criticizes political struggle premised upon a division between “the masses” and a vanguard that leads people into “circles of certainty” such that the two sects “suffer from an absence of doubt” about their political positions in the movement for change.<sup>22</sup> Freire rejected the idea that party A can somehow liberate party B without party B’s involvement.<sup>23</sup> This idea was not only a critique of revolutionary politics but also a reformulation of the classroom as a site of struggle for freedom, dignity, and economic justice. I would argue that abolitionists and prison educators both have had to grapple with this issue of sectarianism. This is illustrated by the fact that the first book published by the group that went on to form the abolitionist organization “Critical Resistance” did not include many incarcerated authors.<sup>24</sup> Subsequent anthologies brought in more voices

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19. See generally PAULO FREIRE, *PEDAGOGY OF HOPE: RELIVING PEDAGOGY OF THE OPPRESSED* (1992); Henry A. Giroux, *Rethinking Cultural Politics and Radical Pedagogy in the Work of Antonio Gramsci*, 49 *EDUC. THEORY*, no. 1, Winter 1999, at 1. On the influence of the Frankfurt School on critical pedagogy, see Henry A. Giroux, *Critical Theory and Educational Practice*, in *THE CRITICAL PEDAGOGY READER* 27–51 (2009). See also ANTONIA DARDER, *CULTURE AND POWER IN THE CLASSROOM: A CRITICAL FOUNDATION FOR BICULTURAL EDUCATION* 30–40 (1995); Bell Hooks, *Confronting Class in the Classroom*, in *TEACHING TO TRANSGRESS: EDUCATION AS THE PRACTICE OF FREEDOM* 177–89 (1999).

20. Ivan Illich and Paulo Freire were colleagues, but the rejection of school was not used by Freire or critical pedagogy. See generally IVAN D. ILLICH, *DESCHOOLING SOCIETY* (1970). Their work grew apart over the years, and Freire, in fact, served as president of the Municipal Bureau of Education of São Paulo, Brazil during 1989–1991. See generally PAULO FREIRE, *PEDAGOGY OF THE CITY* (1993).

21. See Henry A. Giroux, *Locked Up: The Youth Crime Complex and Education in America*, 30 *J. ADVANCED COMPOSITION* 11 (2010).

22. PAULO FREIRE, *PEDAGOGY OF THE OPPRESSED* 38–39 (Myra Bergman Ramos trans., 1972). Paulo Freire “is considered by many to be the most influential educational philosopher in the development of critical pedagogical thought and practice.” Darder et al., *supra* note 18, at 5.

23. FREIRE, *supra* note 19, at 103.

24. See *STATES OF CONFINEMENT: POLICING, DETENTION, AND PRISONS*, at v–vii (Joy James ed., 2000).

from the inside.<sup>25</sup> I have observed a similar pattern with independently-organized prison education programs, which essentially begin with a group of outsiders (university faculty, staff, and administrators) planning to create a program at a prison—once the program comes into existence, the insiders begin to shape the direction of the program. Given the utterly sectarian nature of prison, this sequence of events should not be surprising.<sup>26</sup> Rather, it illustrates the principle that radical prison organizing includes more incarcerated voices over time as relationships become established.<sup>27</sup>

As a prison educator, I have had to confront my own prejudices in the quest to avoid sectarianism. When a local bible college began a college-level program at the prison where I had helped initiate a secular college program a few years earlier, I was skeptical.<sup>28</sup> I had heard stories of fire and brimstone preachers in the prison context, blasting already criminalized people with the Lord's condemnation of their "sins." When I saw white, rural men, sometimes wearing clothes with Evangelical slogans, sometimes wearing suits, sometimes wearing Harley-Davidson motorcycle gear, in a prison crowded with black and brown men wearing state issued uniforms, it looked like oppression.<sup>29</sup> When I looked honestly at the bible college, however, I saw much more. Over time I came to notice that many (if not most) of the students enrolling in the bible college were Latinos—I suspect the religious study became, for them, a means to fortify their identity.<sup>30</sup> The college became a new venue for them to explore and experience a part of their culture. Today I credit the bible college with creating a process of humanization with the men at the prison—I do not have to endorse Christian doctrine to recognize that people are being treated more

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25. See, e.g., *THE NEW ABOLOTINISTS: (NEO)SLAVE NARRATIVES AND CONTEMPORARY PRISON WRITINGS* (Joy James ed., 2005).

26. American prisons do not allow incarcerated people to self-organize—an apparent contradiction with the mission of critical pedagogy. Alternatively, one could say that implementation of critical pedagogy would be a radical transgression of prison regulation. See, e.g., Douglas Reeser, *Forced to Work: U.S. Prisons and the New Forced-Labor Camps*, RECYCLED MINDS (Jan. 30, 2013), <http://www.recycledminds.com/2013/01/US.forced.labor.html>.

27. The "Inside-Out" model developed by the Inside-Out Prison Exchange Program seems designed to achieve precisely this balance of voices and perspectives. See Lori Pompa, *Disturbing Where We are Comfortable: Notes from Behind the Walls*, 4 REFLECTIONS 24, 28–29 (2004).

28. DIVINE HOPE REFORMED BIBLE SEMINARY, <http://www.divinehopeseminary.org> (last visited May 22, 2014).

29. The author has had to apply the same skepticism to his own whiteness as a white representative of a predominantly-white university at a state prison.

30. I am borrowing this expression from Susan Rosenberg, who wrote about losing parts of herself to the experience of incarceration, and realizing that "fighting for my right to practice Judaism was a way to fortify my identity." SUSAN ROSENBERG, *AN AMERICAN RADICAL: POLITICAL PRISONER IN MY OWN COUNTRY* 65 (2011).

humanely by the bible college than the GED program.<sup>31</sup> In fact, I found that the bible college instructors and I shared the paradoxical view that we have to go into prison to move society away from prison.

Where is the boundary with implementing non-sectarianism? What about programs that educate correctional officers in addition to incarcerated students?<sup>32</sup> I have heard stories about the communication breakdown that occurs when officers become students in the prison classroom. To the best of my knowledge, there are no classrooms in which officers and inmates study together as equals. Is organizing education for correctional officers a politically misguided project that will not work, or does it reveal a form of non-sectarianism that is too radical to exist today? I will simply remark that my intention to avoid sectarianism has forced me to stop assuming I know how to avoid sectarianism.

Abolitionists need not be divided from prison educators who have similar critiques of the prison system. Furthermore, they may find that they share an uncompromising commitment to the disenfranchised: whether they are viewed as incarcerated scholars or political prisoners, the common denominator is opposition to the social order that views people only in terms of their criminal convictions (i.e. as “offenders”). Both movements share critiques of the racialized criminal justice system, the bottom-line approach to policing, and an absence of critical consciousness of the political economy of incarceration.<sup>33</sup> In the spirit of critical pedagogy, I am arguing that the two could find common expression in the rejection of sectarianism and an embrace of dialogue and solidarity in spite of their different tactics.

### B. *Rejection of Positivism*

“Positivism” is the idea that unbiased observation, rational analysis, and the scientific method will improve human understanding of the physical

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31. My own journey with this issue reminds me of the story Paulo Freire once told of how his father took him to be baptized. Freire’s father was not a practicing Christian, nevertheless he walked his son to the Catholic Church so that he could be baptized at his son’s request. *See* DVD: Meeting Freire: A Dialogue with Paulo Freire (Canadian Ass’n for Adult Educ. & the Media Ctr., Univ. of Toronto 1979).

32. Some college-in-prison programs that offer courses to correctional employees include St. Louis University, Goucher College, Cornell University, and Boston College. *See, e.g., Prison Program: Education, Research, Service*, ST. LOUIS UNIV. COLL. ARTS & SCI., <https://www.slu.edu/prison-program> (last visited May 22, 2014).

33. For a piece written by abolitionists, see generally Jane Hereth et al., *Restorative Justice Is Not Enough: School-Based Interventions in the Carceral State*, in *DISRUPTING THE SCHOOL-TO-PRISON PIPELINE* 240–64 (Sofia Bahena et al. eds., 2012). For a volume of work on prison education that addresses these issues, see generally *TURNING TEACHING INSIDE OUT: A PEDAGOGY OF TRANSFORMATION FOR COMMUNITY-BASED EDUCATION* (Simone W. Davis & Barbara S. Roswell eds., 2013).

world.<sup>34</sup> Premised upon the evaluative testing of formal hypotheses, positivism is difficult to challenge without claiming that another method of proceeding would work better. If one makes such a claim on the basis of measurably different outcomes, then one has used the paradigm of positivism. There are obviously legitimate applications of positivism in the hard sciences, but its uncritical application to “soft” areas of social life, such as the schooling of children, has made test score improvement the *modus operandi* of educational reform in American public schools.<sup>35</sup> School boards are hailed for raising student test scores, increasing the proportion of college-bound graduates, or (inversely) reducing the proportion of a given student body that receives low grades or does not attend college.<sup>36</sup> Positivist science has been used to engineer higher agricultural yields and to decrease the impact of pests on farm output, but in the context of schooling it treats students as objects detached from the context of their histories and their everyday lives.<sup>37</sup> Thus, I argue that positivist educational science is a reductionist framework that offers little to the political projects discussed in this essay.

When educational success is defined in terms of pre-determined outcomes, the scope of educational evaluation is narrowed to the measurable aspects of those outcomes. In prison this means defining educational success in terms of reduced recidivism rates or reduced number of staff assaults in prison. Thus, attention is directed away from student needs and reoriented toward “security.” Given that these are easy-to-document and measurable events, they are converted into the *raison d’être* of prison education.<sup>38</sup> To see how problematic these metrics can be, consider the following passage from a recent five-year study aimed at associating recidivism rates with different levels of education in prison:

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34. See Francis Schrag, *In Defense of Positivist Research Paradigms*, 21 EDUC. RESEARCHER, no.5, June–July 1992, at 5.

35. See Frederick Erickson, *Why the Clinical Trial Doesn’t Work as a Metaphor for Educational Research: A Response to Schrag*, 21 EDUC. RESEARCHER, no. 5, June–July 1992, at 9.

36. The latter is a polite way of describing why schools become more likely to expel low-performing students than they are to take extra effort to educate them. Hereth et al., *supra* note 33, at 241.

37. See generally WALLACE E. HUFFMAN & ROBERT E. EVENSON, SCIENCE FOR AGRICULTURE: A LONG-TERM PERSPECTIVE (2d ed. 2006) (providing an introduction to positivist agricultural science). One of the co-founders of Critical Pedagogy compared the science of growing larger trees to test-driven education policy in a video interview. See Media Educ. Found., *Culture, Politics, & Pedagogy: A Conversation with Henry Giroux*, YOUTUBE (Dec. 5, 2006), <https://www.youtube.com/watch?v=DgdVCnTTqXA>.

38. I would not argue, as others have, that this means our use as outsiders organizing programs inside of prisons are therefore hopelessly compromised. See Davidson, *supra* note 16, at 239. See generally Atif Rafay, *An “Impossible Profession”?: The Radical University in Prison*, 95 RADICAL TCHR. 10 (2013) (providing a complicated insider’s perspective on this issue).

Correctional education program administrators have to carefully select and adequately allocate funding to those offenders who will most likely be academically successful and who possess a low risk for being a recidivist offender after release from prison.<sup>39</sup>

This passage illustrates how correctional education administrators are susceptible to the same game-rigging tendencies that affect our nation's public schools.<sup>40</sup> If you want to produce data that correlates education with reduced recidivism, then you "carefully select" those "who possess a low risk for being a recidivist" and then calculate an overall recidivism rate a few years later and attribute it to schooling (i.e. substitute causation for correlation).

The preceding example represents a corruption of positivist educational science, but it is precisely this susceptibility that argues against its use. When a public school receives a mandate that 50 percent of its students must meet a given standard (say, math proficiency at grade-level), there is an incentive to expel those students who are viewed as likely to fail, since only *enrolled students* are included in the evaluation of the school (the math skills of drop-outs are not included). Those admitted to prison education programs tend to be on a multi-year streak of good behavior. In most states, the breaking of prison rules will lead to some sort of "ticket," segregation from the general population, expulsion from school, or even transfer to another prison.<sup>41</sup> Just as high schools expel students who most need education, removing low-GPA students from the pool,<sup>42</sup> so too does the prison deny education to anyone posing challenges to its mandate to produce non-recidivists. The narrow agenda of producing program "completers" and reducing recidivism tend to exclude all other considerations from the discussion.<sup>43</sup> Furthermore, there are perhaps a few thousand incarcerated people in four-year college programs out of millions of people in prison in the United States.<sup>44</sup> College-in-prison is too exclusive to impact mass incarceration through recidivism reduction alone.

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39. John M. Nally et al., *The Post-Release Employment and Recidivism Among Different Types of Offenders With A Different Level of Education: A 5-Year Follow-Up Study in Indiana*, 9 JUST. POL'Y J. 4, 4-5 (2012).

40. See, e.g., Trip Gabriel, *Pressed to Show Progress, Educators Tamper With Test Scores*, N.Y. TIMES, June 11, 2010, at A1.

41. See PETER M. CARLSON & JUDITH SIMON GARRETT, PRISON AND JAIL ADMINISTRATION: PRACTICE AND THEORY 304-05 (2d ed. 2008).

42. SAMANTHA POWNALL, N.Y. CIVIL LIBERTIES UNION, A, B, C, D, STPP: HOW SCHOOL DISCIPLINE FEEDS THE SCHOOL-TO-PRISON PIPELINE 1 (2013).

43. Examples of issues that are excluded from consideration include a person's lack of prerequisites, trauma, mental illness, different learning styles, and the relevance or irrelevance of a given curriculum to a person's life. These qualities of a person's experience are more difficult to quantify or measure.

44. By many accounts, just ten to twenty years ago there were very few postsecondary prison programs in the United States. Kenneth Mentor, *College Courses in Prison*, in ENCYCLOPEDIA OF PRISONS & CORRECTIONAL FACILITIES 142, 142 (Mary Boswell ed., 2005).

Why, then, is reduced recidivism one of the only outcomes of prison education that is discussed extensively in the literature?<sup>45</sup> It is because recidivism is amongst the only outcomes to fit positivism's narrow horizon of testable or measurable results. During the National Conference on Higher Education in Prison at Saint Louis University in April 2013, Jody Lewen opined, "we may have to answer that curiosity [about recidivism, public safety, etc.], but we also need to construct more complex answers to the place where those questions are coming from."<sup>46</sup> I am arguing that the place those questions are coming from is one that lacks a fundamental critique of prison, which therefore consigns itself to a trivially simple quantitative analysis of a small number of formerly incarcerated people. It is logical that universities involved in prison education will want to evaluate the impact of their work. However, we prison educators must be careful not to become so focused on data and outcomes that our research loses its critical potential. We don't have to abandon "results," but we need a theory of what we are doing. Empirical knowledge is legitimate, but it must not terminate theoretical knowledge.<sup>47</sup>

### C. *Interventions in Language*

The issue of language usage haunts the work of prison activists in the way we describe the system. Do we use the term penitentiary, prison, or correctional center? Do we call it a prison industrial complex, the correctional system, or the new Jim Crow?<sup>48</sup> Are the people inside called convicts,

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("By 1997 only 8 programs remained."); David Skorton & Glenn Altschuler, *College Behind Bars: How Educating Prisoners Pays Off*, FORBES (Mar. 25, 2013), <http://www.forbes.com/sites/collegeprose/2013/03/25/college-behind-bars-how-educating-prisoners-pays-off> ("By 2005, only a dozen prisons had postsecondary programs."). There were 2,195,500 people incarcerated in the United States in 2005. BUREAU OF JUST. STAT., U.S. DEP'T OF JUST., CORRECTIONAL POPULATIONS IN THE UNITED STATES, 2011, at 3 (2012), available at <http://www.bjs.gov/content/pub/pdf/cpus11.pdf>.

45. See, e.g., Nally et al., *supra* note 39, at 7; PEW CTR. ON THE STATES, STATE OF RECIDIVISM: THE REVOLVING DOOR OF AMERICA'S PRISONS 1 (2011), available at [http://www.pewtrusts.org/uploadedFiles/wwwpewtrustsorg/Reports/sentencing\\_and\\_corrections/State\\_Recidivism\\_Revolving\\_Door\\_America\\_Prisons%20.pdf](http://www.pewtrusts.org/uploadedFiles/wwwpewtrustsorg/Reports/sentencing_and_corrections/State_Recidivism_Revolving_Door_America_Prisons%20.pdf).

46. Jody Lewen, Keynote Address at the Higher Education in Prison Conference (Apr. 26, 2013).

47. See Giroux, *supra* note 19, at 18–19.

48. The coinage of the term "prison industrial complex" is attributable to either Angela Y. Davis or Eric Schlosser. See Angela Y. Davis, *Masked Racism: Reflections on the Prison Industrial Complex*, COLORLINES (Sept. 10, 1998), available at [http://colorlines.com/archives/1998/09/masked\\_racism\\_reflections\\_on\\_the\\_prison\\_industrial\\_complex.html](http://colorlines.com/archives/1998/09/masked_racism_reflections_on_the_prison_industrial_complex.html); Eric Schlosser, *The Prison-Industrial Complex*, ATLANTIC (Dec. 1, 1998), available at [http://www.theatlantic.com/magazine/archive/1998/12/the\\_prison\\_industrial\\_complex/304669/](http://www.theatlantic.com/magazine/archive/1998/12/the_prison_industrial_complex/304669/). The term "the new Jim Crow" is now largely associated with Michelle Alexander, though Alexander herself cites the phrase as having been used by activists up to a decade before her book. See generally MICHELLE

prisoners, inmates, offenders, or incarcerated people? The words we use to refer to people predispose us to act toward them in different ways. All of these labels point to the fact that the system we are referring to is composed of people that are being acted upon by outsiders—note the absence of controversy over labels for the outsiders—that is because our labels (teacher, abolitionist, activist, organizer, etc.) are self-selected. One decides whether to declare oneself a prison abolitionist; the label of offender is almost always applied by someone else. Critical pedagogy has identified troubling labeling practices in public schools and called for their disruption.<sup>49</sup>

Dialogue should be seen as central to the processes of both prison educators and prison abolitionists in spite of the formidable barriers that stand in the way. Prison language constructs distinctions between different classes of people: “prisoner” versus “staff” and “offender” versus “civilian.” In a sense, people are set up to refer to incarcerated people as though they are somehow qualitatively different than everyone else even though free people commit the same acts that lead to the incarceration of many so-called offenders. By challenging or avoiding these linguistic distinctions and the behaviors associated with them, people can create interactive social dynamics that are not proper to prison culture. Carrying this consciousness into conversations with incarcerated people thus creates the potential for a disruption the normal patterns of communication that dominate prison life. Anti-prison activists need to partake in the “with” work that is born of dialogue to formulate activisms that are reflective of the linguistic realities of prison without falling into the trap of reproducing prison ideology.

Avoiding the status quo language is implicit in the project of avoiding the status quo of prison itself. How we describe the system impacts how we treat the system and thus ourselves. Linguistically, there is little difference between a “label” and a sign broadly conceived.<sup>50</sup> Socially, we may draw a distinction between labeling and other forms of signification on the basis of attribution:

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ALEXANDER, *THE NEW JIM CROW: MASS INCARCERATION IN THE AGE OF COLORBLINDNESS* (2010).

49. William Ayers and Ryan Alexander-Tanner point out that no child initiates the process of labeling themselves “at risk youth,” which is something done to children by someone else. *See* WILLIAM AYERS & RYAN ALEXANDER-TANNER, *TO TEACH: THE JOURNEY*, IN *COMICS* 15–24 (2010). In particular, the adoption of medical terminology by educators who label their students as exhibiting “hyperactivity,” “attention deficit disorder,” and the like are participating in labeling practices that re-frame the student in quasi-medical terminology. The objectification of students found in America’s classrooms is a common enemy of radical prison educators and anti-prison activists, for it is the beginning of a diagnostic process that can lead to the criminalization of the students.

50. *See* FERDINAND DE SAUSSURE, *COURSE IN GENERAL LINGUISTICS* 65–70 (Charles Bally et al. eds., 1959). In this sense a label is merely a sign in the sense that “tree” labels the object we refer to as tree. *See id.* at 65–67.

how a person is labeled may not be how that person identifies. A label is attributed to a person by another person; identity is how a person refers to her or himself. Freire drew a similar distinction between student-as-object and student-as-subject—in his parlance, a subject is one who acts upon the world; whereas an object is acted upon.<sup>51</sup> Dialogue between insiders and outsiders can thus be understood as a means for both to take action and realize their subjectivity in spite of the objectification of the prison system.

Partners in dialogue have to recognize that while we each have our preferred way of calling the system, we must remain open to alternative namings of the system when they are in the interest of creating change. The system that we oppose is not only a project of violence against the bodies of a criminalized class, but also a labeling project that previews human incarceration and haunts the language of its opponents. Prison educators and abolitionists can unite in their resistance of the objectification of others. One of the linguistic traps that ensnare us into infighting is that we are ostensibly trying to speak in the interests of a group of people who do not have the freedom to assemble with us on their own terms. The result is that communities that oppose prison are fragmented. We need more solidarity, and we have to include incarcerated voices in the discussion whenever possible. We may have to tolerate different ways of speaking to form a coalition against the intolerable.

### III. CONCLUSION

I have endeavored in this essay to use critical pedagogy to describe the contribution of radical prison education to abolitionism. I know many prison educators, themselves abolitionists, who see a role for radical prison education in undermining the effects of incarceration itself. Critical pedagogy will not resolve all tensions and skepticisms amongst prison activists, nor should it. By creating space for alternative discourses and dynamics within prisons, critical pedagogy can contribute to the project of helping incarcerated people organize themselves, articulate their identity and experiences, and connect with channels of communication, such that their voices may be heard by the larger society. All of this is in the interest of an abolitionist agenda that is freed from pre-determined vanguard notions of progress and in rejection of the politics of coerced ideological and linguistic conformity. Critical reflection, more than any particular political issue or educational agenda, should be considered a source of strength in the ongoing struggle against the system.

It is easy to advocate non-sectarianism and say that activist organizers should not diminish anyone as merely part of “the masses” to be led by a revolutionary vanguard; it is more difficult to know how to implement

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51. See FREIRE, *supra* note 19, at 16.

inclusivity in prison given the denial of basic rights of social agency and self-organization. This is a challenge that needs to be addressed if we are to rise to Michelle Alexander's call to create a movement to end mass incarceration.<sup>52</sup> Retroactive to such a movement, future generations might speak using the unqualified figure of the "anti-prison activist" that I introduced in this essay, just as one today uses the unqualified "civil rights activist" when speaking of the various functions, views, and strategies employed between the 1950s and the 1970s. Clearly both the prison educator and the abolitionist have parts to play in the movement. We need to change our language to speak to this reality.

Critical pedagogy is not the only avenue for exploring how progressive education can inform education in opposition to the prison system itself. Critical race theory in education, freedom schooling, and the Highlander Folk School are all sources of educational philosophy that link teaching practice to struggles for freedom and justice.<sup>53</sup> If we abandon teleology and the presumed efficacy of anti-prison practices, we can also widen the range of theoretical traditions drawn upon to create new perturbations to the prison system. Rather than dilute our different approaches, we could think of ourselves as multiplying our tactics. We do not yet know how our society would operate without prisons, so we must therefore proceed with uncertainty. We have to organize against the prison system without assuming we know which levers and dials we are trying to manipulate.

There may not be a brake pedal to slow down mass incarceration so much as an accelerator for the various counter-efforts that undermine it. We already have alternatives to incarceration, including de-criminalization, restorative justice, and reparations. But there is still a tremendous need to disrupt the language of the current system, using these and other alternatives to interfere with the simplistic logic of punishment-as-justice. Institutions of higher learning, whether hosting a discussion on abolitionism or bringing college courses to a prison, will be central to the project of shifting the reputation of prison from that of a "solution" to that of a "problem."

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52. See ALEXANDER, *supra* note 48, at 220–24.

53. The following are texts that introduce these three educational philosophies, respectively: MYLES HORTON, *THE LONG HAUL: AN AUTOBIOGRAPHY* (1990); Gloria Ladson-Billings & William F. Tate IV, *Toward a Critical Race Theory of Education*, 97 *TCHRS. C. REC.* 47 (1995); Richard L. Hopkins, *Freedom and Education: The Philosophy of Summerhill*, 26 *EDUC. THEORY* 188 (Winter 1976).