



SYMPOSIUM

Abolitionist Broken Windows and the Violence of Power Relations

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Intolerability, at its core, is a state of not being able to endure any longer—a kind of impossible weight which aims only to break the bearer. What does it mean to expose that which is intolerable? Is it a call to reform the intolerable to a state of bearability for some momentary span of time? Is it rationalizing the conditions of intolerability as circumstantial and/or unprovable? Is it developing and reproducing institutions, infrastructure, ideological apparatuses and administrative power that simply predetermines what is and is not tolerable in the name of justice? Or is it predetermining the correct pathways in which dissent and protest are allowable in the name of intolerability?

At first sight, what appears as a mundane taupe administrative building with enormous blue windowpanes on its façade, upon closer inspection, dons opaque sea glass windows that deliberately produce a feigned sense of transparency. Through a subtle mirroring back to onlookers, the building offers the illusion that one should simply keep calm, complicit and carry on. This building, of a generic pro-institutional aesthetic of the early aughts, is in fact the St. Louis City Justice Center (CJC), a euphemistic moniker for the city's main downtown jail of largely pre-trial detention. In the early hours of February 6, 2021, at 2:30am, over 100 incarcerated individuals at the CJC took control of its two units by collective force, staging death-defying pleas to the outside world to witness the intolerable COVID-19 conditions within. Safety and safe quarantining within prisons remains an oxymoron given the impossibility of social distancing and the lack of personal protective equipment (PPE) and crucial access to hygiene. The CJC was the third-reported prisoner-led protest over COVID-19 carceral conditions since December 2020. How does one therefore advocate for the improvement of life within the belly of the beast of the carceral universe?

Those inside, rather than following the approved reporting mechanisms such as procedurally onerous inmate grievance forms, broke the very rules that permit state-

sanctioned tolerability of death and conditions of dying unseen and/or slowly. Following in the legacy of prison revolt insurrection strategies, in order to expose intolerability, those caged at the CJC took back space through the destruction of the carceral institutional infrastructure surrounding them. One of the many viral images documenting this revolt show three large blue windowpanes of the CJC exterior impeccably shattered. With the majority Black and brown men holding signs and makeshift torches from these new breaches, wearing orange correctional uniforms and white tees as face coverings, the images show a large black sheet that is banner-dropped with writing scrawled across it in white toothpaste with numbers such as “Free W92M.” Large black plastic tub lids are waved around, improvised protest signs, with messages such as “Free 57.” These numbers are likely “inmate registration serial numbers”, an index to how warehousing people requires total abstraction, objectification, and itemization to be catalogued and tracked.

For those of us witnessing on social media, national coverage news outlets or on the streets of St. Louis, photos and viral video clips circulated showing the raining down of institutional blue chairs, tables, computers, correctional uniforms, all emptied from four floors above pedestrian street level. The sound of crashing pieces of large, mundane office furniture breaking on the concrete sidewalk is only matched with the shouting and chanting of onlookers— many of whom are the family of those incarcerated gathered to cheer on their loved ones. As onlookers, we hear one of the men incarcerated shout from above, “We want a court date!” This is a reminder that it is not only COVID-19 that kills and makes for intolerable conditions but the very violence of power relations in which one can be disappeared into juridical limbo.

A second uprising would occur again at the CJC on April 4 2021, this time with a larger looming fire set on the outside against the building and beneath another set of broken windows. The scenes of insurgent communication from broken windows remains reminiscent of the Tombs Rebellion/Uprisings (Manhattan Detention Complex) of August 10, 1970, which is considered the direct precursor to Attica, as many of the prisoners who organized the Uprisings were relocated upstate to Attica. Setting fires and breaking windows is one mode of *taking the floor*, or what Groupe d’Information sur les Prisons (GIP) describe as *prendre la parole*. These defiant acts of insurgency mean those inside the CJC were willing and pushed to risk it all—more retaliation, more punishment, more convictions, more time away from those they love, who are now within shouting distance. To seize back the means of transparency—abolition’s broken windows— is to reconstitute, reclaim and reappropriate the violence of power relations and turn it on its head. The power of exposing those juridical relations constituted on violence means to take the floor through instrumentalizing the disorder, chaos and disruption that belies the criminological sensemaking of “broken windows.”¹

The Transgender Advocacy Group formed in early 2018 as a decarceration and abolitionist centered coalition of nonprofit workers, legal advocates, and community activists,

¹ Referring here to the popular 1982 “broken windows theory” by social scientists Wilson and Kelling. See G. L. Kelling & J. Q. Wilson, “Broken Windows: The Police and Neighborhood Safety,” *The Atlantic* 249 (1982), 29-38.

as well as formerly incarcerated and allied volunteers seeking to support and free incarcerated transgender and nonbinary communities inside public prisons in the state of California. In the last two years of my participation with TAG, I have learned how imperfect and sometimes contradictory strategies across organizations and geographies remain necessary in order to actively expose the violent and deathly carceral conditions experienced by our loved ones inside. To forge a collective intolerability of systematic, racial, gender, ableist and sexual violence—from malnourishment, lack of privacy, physical, medical and psychological abuse to the very exasperating use of isolation units as a mental health response to suicidal ideation—requires a constant *taking the floor* even when it seems no one is listening. With COVID-19 outbreak surges within prisons in 2020, we in TAG, alongside our siblings inside prison, launched a digital campaign to spotlight several facilities with the highest number of COVID-19 outbreaks. It was reported to us by our people inside that it became routine practice for those incarcerated to be left uninformed or misinformed about their health status, especially as they were constantly shuffled between makeshift building facilities set up for ad hoc quarantine. Like those reports coming out of the CJC, TAG members inside prisons reported being shuffled from different buildings, yards and cafeterias in an incredibly chaotic way—being moved frequently without notice and not being told why or when they were housed with symptomatic individuals who tested positive.²

The collective demand for an early release of immunocompromised, at-risk, and elderly populations was underscored by the slogans “Free Them All” and “Free Them All 4 Public Health.” We demanded an end to the virus-spreading practice of transfers between agencies and facilities such as California Department of Corrections and Rehabilitation’s (CDCR) cooperation with U.S. Immigration and Customs Enforcement (ICE). On multiple occasions, the CDCR denied releasing into ICE custody those who had served their time, only to place them into deportation proceedings soon after. #CDCRLies and #StopSATFOutbreak were some of the hashtags we developed in order to put pressure on CDCR officials and political representatives in order to center the voices and demands of those incarcerated. Although the campaign did not succeed in any recognizable way in terms of halting deathly COVID-19 conditions or providing any actual direct emergency release, those inside the prison were encouraged to continue organizing and making demands, knowing that their resistance was necessary to all of our collective survival.

Intolerable: Writings from Michel Foucault and the Prison Information Group (1970-1980) is a compelling archive of complex work by the GIP in France in the 1970s, offering readers critical insights, questions, and a transnational context in which the struggles for abolition must not only be guided by but remain in inextricable relationship to those impacted by carceral institutions—those whose survival necessitates everyday resistance to state-sanctioned mechanisms keen only on destroying life. The GIP published and amplified the *list of demands organized by prisoners at Toul Prison* (Cahiers de revendications sortis des prisons lors des récentes révoltes) where the 1971 photo of those caged inside Ney Prison in Toul,

² Additionally, many incarcerated individuals have reported correctional officers and staff refusing to wear masks on site, wearing them only before entering the facility but not after.

France, is linked to and inspired by the Attica uprisings just three months prior.³ These GIP communiqués connect those struggles between imprisoned Algerian freedom fighters of the National Liberation Front to the Attica Prison Rebellion on Turtle Island; and as similarly inspired by the resistance, life, death and intellectual discourse and scholarship of Black Marxist-Leninist revolutionary George Jackson. As scholars and activist *in but not of* academia, to borrow from Moten and Harney, we are called to critique not from the positionality of disembodied intellectuals but as critical interlocutors.⁴ To be interlocutors with those on the ground impacted everyday by carceral violence is not a means to extract knowledge but rather to theorize together as a liberatory praxis, or to quote the GIP, “We do not conduct our inquiry in order to accumulate knowledge, but to heighten our intolerance and make it an active intolerance.”⁵ It is from such an archive of writings, personal communications, published correspondences, newsletters, interviews, and prisoner demands that abolitionist organizers, scholars, and activists can, in our contemporary moment, witness and learn from the cyclical longstanding tensions between reforming the intolerable carceral institutions and the work of abolishing them altogether.

What does it mean for abolitionist praxis to always be and remain in relation to not just those behind cages and institutional walls but, to quote Foucault, to be concerned about any shared practice in which one tolerates the “[pushing of] a portion of the population to the margins?”⁶ This is a critical metric by which we must trouble the dead-ends of reforming and making incarceration more tolerable, remaining in its original form, versus the breaking open and anew that is the promise, hope and horizon of abolition.⁷ Reforms fail to explain, extrapolate, and challenge the systems, logics, and punitive measures by which some portion of the population is required to be pushed into and remain in the margins. The Latin root of the term “margin” or *margo* means quite literally the edge or border— that which exists outside of the frame or legible page. To be pushed to the

³ The list of demands published by the GIP from Toul Rebellion are similar to those from the CJC revolt in 2021 to the Pelican Bay Hunger Strikes of 2013. This infinite loop of intolerable misery continues as politicians and city officials simply argue as to how to control dissent and prison uprisings while only entertaining civil legal action to make the carceral institution perhaps selectively less miserable for some.

⁴ “To abuse its hospitality, to spite its mission, to join its refugee colony, its gypsy encampment, to be in but not of— this is the path of the subversive intellectual in the modern university.” (p. 101). See Fred Moten and Stefano Harney, “The University and the Undercommons: Seven Theses,” *Social Text* 22:2 (2004), 101–115.

⁵ “A public announcement written by Michel Foucault,” originally published in *J'accuse*, 3 (1971), 26. Republished in Kevin Thompson and Perry Zurn, eds., *Intolerable: Writings from Michel Foucault and the Prisons Information Group, 1970–1980*, trans. Perry Zurn and Erik Beranek. Minneapolis: University of Minnesota Press (2021), 66.

⁶ Originally from Niklaus Meienber, “Die gross Einsperrung” in *Tages Anzeiger Magazin* 12 (1972), 15, 17, 20 and 37. Republished in part in *Intolerable: Writings from Michel Foucault and the Prisons Information Group, 1970–1980*, 277.

⁷ Liat Ben-Moshe describes the genealogy of reformist reforms via Andre Gorz as follows: “Reformist reforms are situated in the discursive formation of the system as is, so that any changes are made within or against this existing framework.” See Liat Ben-Moshe, “The Tension between Abolition and Reform,” in *The End of Prisons: Reflections from the Decarceration Movement*, ed. M. Nagel and A. J. Nocella II (2013), 87.

margins, according to Foucault, is to exist in a disappeared space, a forgotten place, that is, behind an opaque sea glass window. It is our collective responsibility to be in an integrated, critical interlocking relationship to those in shrouded corners and punitive margins of psychiatric facilities, ICE detention centers, juvenile halls to military bases and detention camps. The violence of power relations remains in its ability to enact a severing of each of our deep-rooted connections—through materializing and weaponizing margins through carceral infrastructure to system classification through law and order that make categories of disposability the architectonic to liberal democracy. Collectively practicing intolerance towards the deplorable mechanisms of carceral archipelagos, redacted geographies, and militarized borders requires that we, as scholars, activists and organizers, resist the impulse to repair or reform broken windows, as they are a living, breathing archive of a shared grammar of insurrection.

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