

slum repellent to others actually please him ... prefers near-destitution, without work to abundance with it ... the morality of lower-class culture is pre-conventional, which means that the individual's actions are influenced not by conscience but only by a sense of what he can get away with....”⁸

Banfield's description of the lower class is in fact a description of the criminal. And it is precisely at this moment when the description of the lower class and the description of the criminal *coincide* that we have a central aspect of the ideological basis for fascism and genocide. This is exactly Banfield's program.

Summarizing the most salient points in Banfield's program we find these proposals: that the government avoid all rhetoric holding out high expectations for resolving the urban crisis or any of its aspects; that it try to reduce unemployment by eliminating all minimum-wage laws and by repealing all laws which give trade unions “monopolistic powers,” e.g. the closed shop; that the government abolish all child labor laws and cut compulsory education from 12 to 9 years; that it change poverty definitions from those which encompass relative standards of living to a “fixed standard” and that it encourage or require all persons who fall into this fixed poverty standard to live in an institution or semi-institution; that the government institute vigorous birth control measures for the incompetent poor and send their children to public nurseries; that the government intensify police control and specifically permit the police to ‘stop and frisk’ and to make misdemeanor arrests on probable cause; that the government speed-up trials and the punishment process; and that the government “abridge to an appropriate degree the freedom of those who in the opinion of a court are extremely likely to commit violent crimes ... ”⁹

This is a *fascist* program. It is a *genocidal* program.

Aspects of it are already to be found in Nixon's Organized Crime Control Bill signed into law in October (1970). For example, this bill provides for a special category of ‘criminals’ known as “special dangerous offenders.” Such a person is defined, in part, as an offender who has been convicted of two or more offenses of a kind punishable by death or imprisonment for one year, one of which offenses occurred within the past five years and for one of which he has been imprisoned. As the *New Republic's* columnist, TRB, noted: “That's a curious juxtaposition — ‘punishable by death or imprisonment for more than one year.’ Quite a

range, eh?” The “special dangerous offender” can be imprisoned for 20 years at the discretion of the judge, regardless of the prescribed punishment for the original offense for which he was brought to trial.

Here then lies the final significance of a mass political movement to expose the prisons and free the prisoners. The issue is not only reform, but also to mount a struggle to abolish the present functions and foundations of the prison system, an effort which can finally succeed only with the abolition of capitalism. For, as Engels observed more than a century ago, the prison system under capitalism is overwhelmingly a repressive institution, an appendage of its state apparatus employed to maintain exploitative and oppressive social conditions. Of course, what reforms can be won in day-to-day battle on the legal and political front will be important concessions. But the point is to attack the whole foundation—all the assumptions—involved in maintaining a rehabilitative prison system which must assume the moral and mental defectiveness of its victims, in the midst of a morally bankrupt, racist, defective and generally deteriorating social order. To do this now is to launch a front-line offense against the increasingly fascistic thrust of the present administrations in Washington and Sacramento.¹⁰ For the movement to abolish the present functions of the prison system attacks a basic ideological pillar of fascism at its root.

It is on the basis of these realities that we in the radical and revolutionary movements must broaden and develop our concept of the political prisoner. For the prison system and its various appendages such as the Adult Authority is increasingly used as a political instrument of mass intimidation, subversion, manipulation and terror against working people and the Black and Brown communities, *as a whole*.

In this regard we may consider four groupings of prisoners who are prisoners by virtue of their political views and activities or are specially victimized on the basis of class, racial and national oppression. First, of course, there are those who become effective political leaders in their communities, and therefore become the victims of politically inspired police frame-ups. They are not imprisoned for any violations of law; but for their political beliefs. Such political prisoners include Bobby Seale, Ericka Huggins, Reies Tijerina and Angela Davis. There is a second, though similar category of political prisoner; that is, those who have committed various acts of civil disobedience, or refused, for example, to

be inducted into the Armed Forces. They are in technical violation of various laws; but their violations were clearly political acts, and they are political prisoners. Such political prisoners include the Berrigan Brothers, and many thousands of draft resisters. Moreover, there are many in the liberation movements who engage in specific acts of resistance or armed self-defense—both within and outside the prisons—which may constitute violations of law. These actions are politically conceived and engendered by the overt acts of brutality, terror and suppression inside the prisons, and in the ghettos and barrios.

Third, there are many thousands of originally non-political people who are the victims of class, racial and national oppression. Arrested for an assortment of alleged crimes, and lacking adequate legal or political redress they are imprisoned for long years, in violation of fundamental civil and human rights though they are innocent of any crime.

Finally there are many in prison who have committed various offenses, but who, in the course of their imprisonment, and due to the social conditions they experience, begin to develop a political consciousness. As soon as they give expression to their political views they become victims of politically inspired actions against them by the prison administration and the parole boards. They too may become victims of politically inspired frame-ups within the prison. There are today many who were either never guilty of any crime at all, or were guilty of some offense, and later developed a political consciousness. These include the Soledad Brothers, Ruchell Magee, and the Folsom Strikers.

The intensification of the oppressive functions of the prison system and the emergence of the liberation movements on a new level in the Sixties create the basis for a change in the political consciousness of people in the communities. More and more people have begun to understand the practical consequences of the prison-police-judicial apparatus. It is this fact which now offers us new opportunities to secure greater and greater mass opposition to the frame-ups and jailings of all political prisoners.

Further, it is precisely this intensification of the socially oppressive function of the prison system, and the stunning rise of the liberation movements, that creates the basis for a political consciousness among the prisoners *as a whole* leading to individual acts of resistance and other forms of struggle, including mass political work stoppages by the

prisoners and temporarily taking over prison facilities. The greatest achievement of this movement is its growing awareness of the *class* nature of the prison system. In this way it has been able to unite Black, Brown and white prisoners around specific demands such as we saw in the magnificent Manifesto of the Folsom Prisoners.

The development of a mass movement to free all political prisoners represents the emergence of another front —another aspect—of the growing coalition of all oppressed and exploited peoples against capitalist rule.

If we begin to grapple with some of these developments; if we begin to see the relationship between the prison system and fascist ideology and program; if we begin to see that we must develop our concept of the political prisoner; and if we begin to see the relationship between containment at home and counterinsurgency and aggression abroad—then, we will have opened up whole new avenues for legal and political defense involving many thousands of people which will, in fact, constitute an important part of a peoples' offensive against the Nixon-Reagan-Agnew axis.

Seize the Time!