

CHAPTER 2

A Critical Phenomenology of Solidarity and Resistance in the 2013 California Prison Hunger Strikes

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On July 8, 2013, over 30,000 prisoners in California joined together across racial and regional lines to launch the largest hunger strike in state history.¹ The strike action resumed a campaign beginning in the summer of 2011 in the Security Housing Unit (SHU) of Pelican Bay State Prison in northern California. The organizing committee, known as the Pelican Bay SHU-Short Corridor Collective, has maintained five core demands throughout the multi-year strike action: (1) to end group punishment for individual rule violations, (2) to reform gang validation procedures, (3) to comply with the recommendations of a national commission on long-term solitary confinement, (4) to provide adequate and healthy food, and (5) to expand rehabilitation, education, and recreation programs.² On September 5, after a core group of forty prisoners had refused meals continuously for sixty days, and hundreds more had participated for days or weeks on end, the hunger strike was suspended in response to a commitment by two California lawmakers to hold hearings on solitary confinement and other prison issues before a joint Public Safety Committee. In response to these hearings, the California Department of Corrections and Rehabilitation has conducted an internal policy review and a case-by-case audit of SHU prisoners.³ Meanwhile, a class action lawsuit initiated by hunger strike organizers to challenge long-term solitary confinement in California is advancing in the courts, with hundreds of plaintiffs from the Pelican Bay SHU.⁴

Members of the Pelican Bay SHU-Short Corridor Collective have described the 2013 hunger strikes as a “multi-racial, multi-regional Human Rights Movement to challenge torture in the Pelican Bay SHU.”⁵ But the California Department of Corrections and Rehabilitation (CDCR) tells a different story. According to them, the four main organizers of the hunger strikes—Antonio Guillen, Arturo Castellanos, Sitawa Nantambu Jamaa (Dewberry), and Todd Ashker—are the leaders of four major prison gangs or “Security Threat Groups” in the California system: Nuestra Familia, the Mexican Mafia, Black Guerilla Family, and Aryan Brotherhood. Secretary of the CDCR, Jeffrey Beard, condemned the strike action as a “gang power play”:

Don't be fooled. Many of those participating in the hunger strike are under extreme pressure to do so from violent prison gangs, which called the strike in an attempt to restore their ability to terrorize fellow prisoners, prison staff and communities throughout California . . . We're talking about convicted murderers who are putting lives at risk to advance their own agenda of violence.⁶

Much depends on the battle to define the kind of social group that organized the 2013 hunger strikes. Was it an activist group engaged in a nonviolent human rights struggle, or was it an alliance of gang leaders manipulating the prison system, the public, and vulnerable prisoners in order to enhance their power? Could it be both?

Without taking a position on whether members of the Short Corridor Collective are, or ever were, gang members or leaders, I want to analyze the emergence of collective agency and organizational power in the Pelican Bay SHU. How did such agency and power emerge from the extreme isolation of the Pelican Bay SHU, among people who might otherwise be divided by social, material, and institutional barriers? And what might we learn from their example about the phenomenology of social encounters, the structure of collective action, and the political possibilities for effective resistance in an age of mass incarceration and extreme punishment?

I will begin with an account of the material conditions of solitary confinement in the Pelican Bay SHU, including the gang validation procedures that allow the California Department of Corrections and Rehabilitation to isolate gang members and associates indefinitely. Then, building on prisoner-poet Raúl R. Salinas' insight that the U.S. prison system functions as “a backyard form of colonialism,” I will situate the practice of indefinite isolation very

briefly in the context of Fanon's critique of racism and colonial domination.⁷ I will then turn to Sartre's social ontology of collectives and groups in *Critique of Dialectical Reason* (1960) to develop a theoretical framework for analyzing the emergence and development of collective agency and identity in the Pelican Bay SHU. Finally, I will read the first-person testimony of hunger strike organizers, both to account for the emergence of collective resistance in their own terms and to explore the possibilities for a critical phenomenology of prisoner resistance based on Sartre's social ontology.

By critical phenomenology, I mean both a philosophical practice of reflecting on the transcendental and material structures that make experience possible and meaningful, and also a political practice of "restructuring the world" in order to generate new and liberatory possibilities for meaningful experience and existence. As a philosophical practice, critical phenomenology rejects the absolute priority of a singular transcendental ego, both to the world and to a more complex sense of transcendental intersubjectivity. It also questions the priority of the transcendental to the material, without foregoing a transcendental analysis of experience altogether. As a political practice, critical phenomenology is a struggle for liberation from the structures that privilege, naturalize, and normalize certain experiences of the world while marginalizing, pathologizing, and discrediting others. These structures exist on many levels: social, political, economic, psychological, epistemological, and even ontological. They are both "out there" in the world (for example, in the disproportionate incarceration of people of color) and they are also intrinsic to subjectivity and intersubjectivity, shaping the way we perceive ourselves, others, and the world. In other words, they are both the patterns that we see when we study something like incarceration rates, and also the patterns *according to which* we see. As a material practice of "restructuring the world," critical phenomenology goes beyond a critical analysis of oppression; it also calls for concrete strategies for dismantling oppressive structures and creating or amplifying different, less oppressive, and more liberatory ways of Being-in-the-world. This reference to "a restructuring of the world" is from Fanon's book *Black Skin, White Masks*, where he calls for both concrete social and political change and also for a revolution at the level of meaning: a new sense of humanity, beyond the black-white binary and the negation of black existence.⁸ Fanon's practice of critical phenomenology is exemplary both as a practice of philosophy and as an approach to activism; his call for "a fundamental redistribution of relations between men" is both a task for thought and also a call to arms.⁹

I will let this stand as a sketch of my approach to critical phenomenology.¹⁰ How might this framework help us to understand both the transcendental structures of material-historical practices such as solitary confinement and prisoner resistance, and also the concrete implications of philosophical practices such as transcendental inquiry? More specifically, how might it help us to understand and support the emergence of collective resistance and identity among people in extreme isolation? Ultimately, my aim is to explore and to amplify the possibilities for social encounter, collective agency, and mutual liberation in a carceral society, behind and across the prison walls. In this sense, the chapter is intended less as a scholarly meditation on the theories of Sartre or Fanon, and more as an exploration of the possibilities for understanding and supporting prisoner-led movements for social justice from the position of a non-incarcerated scholar-activist.

EXTREME ISOLATION AND GANG VALIDATION AT PELICAN BAY STATE PRISON

Pelican Bay State Prison was built in 1989 to house “the worst of the worst” in the California prison system. The “worst” does not necessarily refer to prisoners who have been convicted of the most violent crimes, or who are serving the longest sentences. Rather, the target population of Pelican Bay is, in the words of the California Department of Corrections and Rehabilitation (CDCR), “difficult management cases, prison gang members, and violent maximum security inmates.”¹¹ “Difficult management cases” may include habitual rule violators, politically active prisoners, jailhouse lawyers, and the mentally ill.

Pelican Bay is one of the world’s first “supermax” prisons, designed specifically to keep prisoners in long-term isolation.¹² By 1997, there were at least fifty-seven supermax facilities across the United States, in addition to countless isolation units of similar design in lower-security prisons, county jails, and juvenile detention centers.¹³ Prisoners in the Pelican Bay SHU are isolated for twenty-two and a half to twenty-four hours a day in an eight-foot by ten-foot cell with concrete walls and no windows. Fluorescent lights illuminate the cell twenty-four hours a day. The door is made of perforated steel, looking out onto another concrete wall. There’s a slot in the door, often called a cuffport, through which the prisoner’s hands are cuffed or uncuffed for transportation outside of the cell, and through which meals are delivered twice a day,

typically around 4:30 am and 4:30 pm. These slots can be bolted from the outside, in part to prevent prisoners from “bombing” the guards with cock-tails of their own feces or urine. When this happens (as it does fairly often in isolation units), or when prisoners engage in other forms of resistance such as refusing to “cuff up” or to return their meal tray in a timely fashion, they can be forcibly extracted from their cells by an emergency response team in riot gear. They may be pepper-sprayed or tasered and put in four- or five-point restraints (with wrists and ankles fastened to the ground, with or without a helmet fastened to the ground) or in a restraint chair. Officers are entitled to perform strip searches of inmates—including cavity searches—if they suspect the inmate of possessing contraband items. Often, these searches are conducted as a matter of routine when prisoners return from the showers, the exercise yard, or even from noncontact visits. The exercise yards are often not much bigger than the cells. They are typically made of concrete or tightly woven security mesh walls that offer little or no view of the outside and only a small glimpse of sky. These yards are often called “dog runs” because of their resemblance to an outdoor kennel. Depending on the prisoner’s level of good behavior, they may be given access to books, radio, and television, but often the only “television” available in a supermax prison is a closed-circuit broadcast of training videos and religious programming.

The average length of incarceration time in the Pelican Bay SHU is seven and a half years, but two hundred prisoners have been isolated there for over fifteen years, and seventy-eight prisoners have been isolated there for more than twenty years.¹⁴ Between 4,500 and 12,000 prisoners are currently held in some form of restrictive housing in California prisons, and due to severe overcrowding, many are double-celled in isolation units built for one.¹⁵ Approximately 3,000 prisoners in California are isolated *indefinitely* as a result of CDCR policies for the management of “security threat groups” or prison gangs.¹⁶ These policies are highly controversial, and they form the basis of the hunger strikers’ second core demand to radically revise its gang management policies. In response to the strike action and the legislative and legal reviews that it provoked, the CDCR is in the process of revising its gang validation procedures. But the policy that was in place in May 2013, when the hunger strikes began, allowed only four ways out of the SHU for validated gang members and associates: (1) to make parole or serve out your sentence (at which point you will be released directly onto the streets after years of isolation), (2) to prove that you have been falsely classified (to the same officials who approved your validation), (3) to remain inactive as a

gang member for six years (again, as assessed by an internal review board), or (4) to “debrief” by providing prison authorities with accurate information about gang membership or activities. Among prisoners, these alternatives are known as “parole, snitch, or die.”¹⁷ Snitching and dying are by no means mutually exclusive possibilities, as former gang members face retaliation upon reintegration into the general prison population. And even if they are willing to face this risk, gang members who have been isolated for years or decades often lack reliable information with which to debrief, so their only option for reintegration is to operate as an informant on an ongoing basis, thus putting themselves in danger and/or isolating themselves socially, even in general population. There is often no way out of the nightmare of gang validation.

The California Department of Corrections and Rehabilitation defines a criminal gang as:

Any ongoing formal *or informal* organization, association or group of *three or more persons* which has a common name or identifying sign or symbol whose members and/or associates, individually *or collectively*, engage or have engaged, on behalf of that organization, association or group, in *two or more acts* which include, *planning, organizing*, threatening, financing, soliciting or committing unlawful acts of misconduct classified as serious pursuant to the California Code of Regulations. (CCR, Title 15, Division 3, Section 3315)¹⁸

This definition is flexible enough to include almost anyone. Theoretically, given the CDCR’s criteria, a person who informally associates with two other people, to whom an identifying sign (say, a drawing or a color) has been collectively attributed, could be identified as planning (without executing) two or more acts of unlawful misconduct with these people, and be isolated for the rest of his or her life on the basis of this identification. California Assembly Member and Chair of the Assembly’s Public Safety Committee, Tom Ammiano, made this observation at the second joint California Assembly-Senate hearing on the use of solitary confinement: “According to CDCR’s policy . . . many of us sitting on this committee would be gang associates. I don’t know how it’s possible to avoid association under this system.”¹⁹

But the possibility of gang validation is not just theoretical for people who are incarcerated. Steve Champion, an award-winning author and prisoner on California’s death row, was validated as a member of the Black Guerilla Family in 2010 and isolated in the San Quentin death row Adjustment Center

on the basis of his possession of a Kiswahili dictionary and the book *Soledad Brother* by George Jackson. Champion calls this practice “criminalizing critical literacy”: a brilliant diagnosis of the logic whereby the possession of certain books, or even the reference to certain authors, can result in one’s indefinite exile from collective social life.²⁰ Note that it is not illegal, as such, to possess a Kiswahili dictionary and a copy of *Soledad Brother*; a non-incarcerated person in California can possess these objects without fearing punishment, let alone indefinite isolation. Rather, the act—or fact—or perceived fact—of possessing certain objects is what Lisa Cacho calls a “de facto status crime”: it only applies to those whose very *existence* is perceived as essentially criminal. Cacho argues that terms like “gang member,” “illegal alien,” and “suspected terrorist” function as markers of de facto status crimes; they allow for the surveillance, detention, isolation, and incapacitation of certain groups, not on the basis of what they have *done*, but on the basis of who they are *perceived to be* and, more remotely, on a prediction of what they might do, given their perceived social essence.²¹

This social essence is not just criminalized, it is also racialized, both within the prison system and beyond. Black and brown people are disproportionately exposed to police surveillance and arrest, longer prison terms, harsher penalties for rule infractions in prison, higher rates of gang validation, and—as a result of gang validation—indefinite solitary confinement. For example, in 2011, 85 percent of the prisoners in the Pelican Bay SHU were Latino, more than double their representation in the general prison population.²² The California Department of Corrections and Rehabilitation has its own racial taxonomy consisting of four basic categories: White, Black, Latino, and “Other.” In spite of a 2005 Supreme Court ruling against racial segregation in California prisons, the systematic separation of racialized groups continues to this day, in the name of gang management and institutional security.²³ But it is not clear that the CDCR’s policies of gang management and de facto segregation do anything to reduce gang activity, and they may even compound the need for protective alliances among prisoners.²⁴ Investigative journalist Benjamin Wallace-Wells explains in his report on the 2013 California prison hunger strikes:

Prisons sometimes institute separate exercise schedules for each racial group, and it is very rare to find two cell mates in California from different ones. These practices have helped to reduce gang conflict but also, obviously, strengthen the gang system. Corrections officials

at Pelican Bay will often switch, sometimes in midsentence, between referring to a “gang” and a “race” and a “group”. . .

Even social relationships between members of the same ethnic group can be outlawed: Some prisoners have been validated for speaking with a known gang member from their own racial group. The prison officials, [Pelican Bay Short Corridor Collective member Sitawa] Jamaa told me, “blur the line between what is a gang and what is a racial group. They have to, because they don’t understand where a gang ends and a racial group begins.”²⁵

This is clearly an issue for critical phenomenology, both as a philosophical practice of interrogating the transcendental and material conditions of meaningful experience, including the perception of “gangs” and “racial groups,” and also as a political practice of disrupting oppressive norms of perception and social organization, such as racism and criminalization. In the next section of this chapter I will draw on Fanon’s decolonial practice of phenomenology and Sartre’s existential Marxist account of the social ontology of groups to develop the critical dimensions of phenomenology as a practice of liberation, not only from the nonrelational thinking of the natural attitude, but also from the coercive relationality of oppression.

CRITICAL PHENOMENOLOGY AS A PRACTICE OF LIBERATION

Fanon’s key insight is that colonization shapes not only the social and political structures of a society, but also the psychic life and lived experience of both the colonized and the colonizer, albeit in different ways. Colonial occupation is inherently unstable; it’s difficult to sustain without structures and processes by which the domination of one people by another and the theft of their land, labor, and resources is naturalized, as if no other arrangement were possible. This is the work of racism: to produce a colonial “natural attitude” that unreflectively shapes the meaning of the world and the shape of consciousness, both for the colonizer and for the colonized. In order to support their precarious identity and to justify their claim to power and property, white settler colonials represent the colonized as a subhuman Other, as everything that white civilization is not. This leaves the colonized nowhere to be, except in the place of an excluded Other, a nonbeing without a proper world. In Fanon’s words, “The black man has no ontological resistance in the eyes of the white man.”²⁶ His

being does not *matter*; he might as well be dead, if his material and symbolic labor were not so profitable. For Fanon, this position does not give rise to a “feeling of inferiority” but rather to “a feeling of nonexistence.”²⁷ Without a white mask, and without functioning as a foil for white identity, the black man does not exist—which is to say that he does not, and cannot, exist *as a black man* (but only as a failed white or honorary white) as long as colonial structures remain in place.

The internalization of these structures creates a profound sense of psychic and existential dissonance for the colonized. As a subject forced into the position of object, the joints of his relational existence are forced to the breaking point; his Being-in-the-world is dislocated; and the intercorporeal web that ought to support his coherent experience of the world is torn to shreds. Fanon asks:

What else could it be for me but an amputation, an excision, a hemorrhage that spattered my whole body with black blood? But I did not want this revision, this thematization. All I wanted was to be a man among other men. I wanted to come lithe and young into a world that was ours and to help to build it together.²⁸

In a chapter entitled, “L’expérience vécu du noir” (“The Lived Experience of the Black”—usually translated as “The Fact of Blackness”), Fanon performs a phenomenological reduction of the colonial natural attitude, beginning with an *epoché* or bracketing of naturalized racism, provoked by the words of a white child on a French train: “Look, a Negro!” Singled out as Other by a child who does not yet know that you shouldn’t say such things out loud, Fanon develops a phenomenological account of the lived experience of black nonexistence, which I read as a phenomenological account of social death. Fanon articulates this (unraveling of) experience in terms of confinement and isolation, as well as dislocation and amputation: “I was walled in,” “[s]ealed into that crushing objecthood,” “imprisoned on [my] island.”²⁹ But he also points the way beyond this captivity, and beyond the colonial logic that isolates *both* the colonizer and the colonized in their racialized identities.³⁰

A critical phenomenology of colonial experience demands, for its accomplishment, not just a reflection on the transcendental structures that make first-person experience possible and meaningful, and not even just a reflection on the social structures of colonization that undermine the coherence of first-person experience for racialized subjects, but also a concrete

social practice of liberation from the colonial structures that both enable and dis-able the lived experience of colonization. The task of the critical phenomenologist is both to analyze the logic of colonial domination and also to create new possibilities for thought, action, and existence—in short: new ways of Being-in-the-world in solidarity with others.

Sartre's account of praxis and the social ontology of groups in *Critique of Dialectical Reason* helps to clarify these possibilities for solidarity.³¹ For Sartre, praxis refers to individual or collective practical activity in a material, historical situation or context. As individual, the meaning of praxis is not unlike the meaning of the project in Sartre's earlier work: it is the creative activity of consciousness or Being-for-itself, which negates the inert materiality of Being-in-itself in order to bring meaning into the world. Collective praxis is not merely the sum of individual existential projects, but rather the inter-activity of historical subjects with different, often contradictory, relations to a common situation. Praxis is not just located within a material-historical context; it also alters that context by producing "finalities," or structures with enough stability to constitute a new sense of social and historical reality. Sartre calls this reality "the practico-inert;" it is the material-historical field out of which praxis arises and which it struggles to transform. Each configuration of the practico-inert has its own sedimented objects, patterns, and norms that shape and constrain the possibilities for action without fully determining them.

In the case of the U.S. prison system, the practico-inert includes material objects such as razor wire fences and solid steel doors; material assemblages such as pods and units; institutions such as the police and the court system; sentencing structures such as Three Strikes or Truth in Sentencing; social practices such as stop-and-frisk policing or racial profiling; epistemic technologies such as criminal records and sex offender registries; economic policies allowing private prisons and private contracts with public prisons; political practices such as felon disenfranchisement and prison gerrymandering; prison management policies such as gang validation and solitary confinement; subject positions such as inmates, correctional officers, activists, victims, and volunteers; and so on. By approaching the prison system in this way, not as an object nor even a system of objects, but as a practico-inert field—as the sedimented materiality of collective praxis, which is both stable enough to constitute our current historical reality and also open to reconfiguration through further collective praxis—we may begin to map the possibilities for new material-historical realities, beyond the prison industrial complex.

For Sartre, the relation between praxis and the practico-inert is dialectical; praxis is the activity that both generates and disrupts the passivity of the practico-inert, and the practico-inert is both the enabling ground and the limiting constraint of praxis. As an historical-material dialectic, praxis generates both finalities—new configurations of the practico-inert—and also *counter-finalities*—ossified structures that constrain or block the possibilities for practical action, to the point of becoming obstacles for individuals and/or groups. The production of counter-finalities cannot be avoided; they are a necessary moment in the dialectical logic of practical activity, a complex interweaving of constitutive and constituted power. The problem for human praxis is not that it generates counter-finalities, but that it sometimes mistakes a finality or counter-finality for a completed, non-dialectical reality. This is bad faith, not just as a pathology of individual consciousness, but as a social, material-historical problem of false consciousness and collective inertia.

There is another problem with counter-finalities. Given the uneven distribution of power among social groups—through contingent, but sedimented, stabilized, and often naturalized historical processes—the burden of negotiating with counter-finalities falls more heavily on the marginalized and oppressed, as more powerful groups manipulate counter-finalities to serve their own interests. In the case of the U.S. prison system, conservative politicians, private investors, and privileged classes more generally have benefited from the war on drugs, harsh sentencing policies, and the privatization of prisons and prison contracts, at the expense of poor people, people of color, people with mental health and public health issues, and many other (overlapping) groups.³² This has prompted some critics to claim that the U.S. prison system is not “broken,” in spite of its massive and well-documented inefficiency, unsustainability, and evident injustice; rather, the prison system is working just as it was intended: as an instrument of social control for the marginalized, and a source of material and political gain for the powerful. In other words, the U.S. prison system is a counter-finality that supports and enhances the privilege of some groups, while radically constraining and undermining the agency of others. More precisely, given the disproportionate criminalization, incarceration, and isolation of poor people of color, the U.S. prison system could be understood as a neocolonial counter-finality, a perpetuation of slavery and racial segregation in the name of criminal justice.³³

What would it take to transform this counter-finality? What sort of collective praxis could alter the historical reality of the neocolonial prison industrial complex, and what forms of collective existence would this require?

Sartre distinguishes between four main kinds of social groups: seriality, the group-in-fusion, the standing organization, and the institution. Seriality is a loose collection of individuals brought together by a common situation or activity; Sartre's example is of people waiting at a bus stop.³⁴ The group-in-fusion emerges when the serial collective faces an external obstacle or threat; for example, if the bus fails to arrive, a group-in-fusion might coalesce to solve the problem. Once the external conflict is resolved, the group-in-fusion may dissolve back into seriality, or it may become a standing organization with a more stable structure that supports the collective agency of each member; for example, the bus riders may form an activist group to improve public transport in their city. A standing organization is often inaugurated through a pledge in which members vow to remain in solidarity with one another, even beyond the resolution of the problem that initially brought them together. But in the absence of an external threat, the standing organization may produce and exacerbate internal divisions among its members. It may begin policing its own boundaries, purging its own members, and adopting increasingly rigid and hierarchical structures to maintain its formal existence. In other words, the standing organization that supported the individual and collective agency of its members may become an institution that constrains and eventually undermines this agency.

This is the challenge of political organizing: to navigate between the Scylla of seriality and the Charybdis of the dehumanizing institution. This is not just a contingent challenge that could be overcome through the creation or discovery of a perfect organizational structure, or through the unconditional commitment of every member; rather, it is an essential problem posed by the tension between constituent and constituted power, or between the creative violence of forming a group and the coercive violence of maintaining its existence and efficacy. The same pledge through which an organized group constitutes itself as a relation of *fraternité* also raises the possibility of betrayal and, with it, the terror of coercive force to maintain the pact of solidarity. Whether or not Jeffrey Beard, the secretary of the California Department of Corrections and Rehabilitation, is correct in his characterization of the prison hunger strikes as a "gang power play," Sartre's social ontology of groups suggests that every organization—be it a gang, an activist group for social justice, or a correctional department—relies on some degree of coercion to maintain its constituted power. The question is not *whether* violence arises, but *how* it arises, in what form, and to what extent it supports or undermines the freedom of a group's members.

There is much more to be said about Sartre's social ontology, which is complex, nuanced, and relatively neglected both in the secondary literature on his work and in political philosophy more generally.³⁵ But since my aim in this chapter is to understand the emergence of solidarity and resistance among prisoners at Pelican Bay, I will now shift my focus to the reflections of prisoners involved in the Short Corridor Collective. I will argue that the Short Corridor Collective began as a group-in-fusion in response to the crisis of extreme isolation in the SHU, and eventually became a standing organization capable of supporting the agency of individual members and amplifying their collective agency. It remains to be seen if the Short Corridor Collective will become an institution, sustain itself as a standing organization, dissolve back into seriality, and/or re-emerge as a group-in-fusion in the face of new or ongoing challenges in the California prison system.

RESISTANCE AND SOLIDARITY IN THE PELICAN BAY SHU

In 2003, seven gang-validated prisoners with different racial and regional affiliations were moved into a particularly isolated part of the Pelican Bay SHU called the Short Corridor. Among these prisoners were Todd Ashker, Arturo Castellanos, Sitawa Nantambu Jamaa (Dewberry), and Antonio Guillen: the men who eventually emerged as the core leadership team of the PBSP-SHU Short Corridor Collective and the main organizers of state-wide prison hunger strikes. Todd Ashker describes the hunger strikes as "a collective effort initiated by a multiracial group of long-term, similarly situated (SHU) prisoners who decided enough is enough."³⁶ How did this collective effort arise within the extreme isolation of the SHU? How did a multi-racial group emerge within a system of rigid racial classification, among men who had been "validated" by that system as leaders or key players in rival gangs? And what did it take to move from the shared situation of isolation in the SHU, to the collective perception of this shared situation, to the decision that "enough was enough," and ultimately to the formation of the Short Corridor Collective and the collective organization of the largest hunger strike in state history? In other words, how did a group-in-fusion and/or a standing organization emerge from the seriality of prison life?

There is perhaps no better example of seriality than a collectivity of prisoners in which each individual has been given a number, issued a uniform, and slotted into a system that treats them both as interchangeable units and as a

mass.³⁷ Prisoners may speak the same language, come from the same neighbourhood, and share the same ethnic or racial identifications; they may live in the same housing unit, eat the same meals, and cycle through the same programs. But this does not, in itself, lead to the formation of a coherent social group that is capable of transformative collective praxis. The instability of prison life, the threat of violence from prison staff or other prisoners, and the failure of the prison system to protect them from this violence may lead to temporary insurrections such as riots or fights, and it may provoke the formation of prison gangs as groups-in-fusion. These groups may eventually stabilize into standing organizations and even institutions with rigid hierarchies, written and unwritten rules of conduct, and systems of surveillance, enforcement, discipline, and punishment.³⁸ (In this sense, the structure of prison gangs may share more in common with the structure of correctional departments than either would like to admit.) How does a multi-racial human rights movement emerge, in resistance to both the seriality of prison life and the institutionality of gangs and correctional departments?

Through an engagement with published first-person testimony of Short Corridor Collective members, I will argue that the Pelican Bay SHU Short Corridor Collective emerged as a group-in-fusion in response to the crisis of extreme isolation, and that it later became a standing organization with the capacity to organize collective praxis on a state-wide level. The Collective has not, to my knowledge, become an institution. This is a crucial difference between an activist organization, understood as an alliance for mutual support and collective empowerment, and a gang, understood as an institution that empowers some of its members, polices and disciplines most of its members, and exploits nonmembers for the advantage of the few. Both groups engage in collective praxis, and both may transform the given configuration of the practico-inert, but only the activist organization supports the collective liberation of its members and nonmembers. Ultimately, the distinction between a prison gang and an organization like the Short Corridor Collective is not an absolute difference in their means (coercive or liberatory) or ends (criminal advantage or “human rights”). Rather, it is a relative difference in structure: a difference in the degree to which the individual and collective agency of members and nonmembers is supported by the relationships and activities of the group. Criminal gangs may become activist “street organizations,” and vice versa; their common ground, and the ground that they share with mainstream political formations like political parties, NGOs, or the state itself, is that they organize the interests and stabilize the satisfaction of basic

needs for a certain group of people. By understanding the Pelican Bay Short Corridor Collective as an organization emerging from a group-in-fusion, in connection with but also in distinction from prison gangs as institutions that were themselves once groups-in-fusion, we will be able to better understand what it means to resist state violence from a position of extreme isolation. We will also be in a better position to understand what is at stake in civil and social life in an age of mass incarceration, when no one is completely unaffected by carceral structures and logics.

To what extent does this theory address and respond to the first-person testimony of key organizers in the Pelican Bay SHU Short Corridor Collective? Let's begin with the practico-inert field of the Pelican Bay SHU as both an obstacle to collective praxis and a motivation to form a group-in-fusion. Antonio Guillen describes the SHU as "an environment that discourages a man's ability and/or desire to socialize with other human beings."³⁹ Guillen's account is consistent with the official rationale of supermax confinement, which seeks to manage security threats by isolating perceived leaders, blocking communication, and limiting their opportunities for social interaction—all in the name of increased safety and harm reduction. But Guillen's account adds a critical analysis of the CDCR's *unofficial* policy of amplifying and exploiting racial hatred as a means of further isolating prisoners by dividing them against each other, in spite of the many interests they share in common. According to Guillen, prison officials "[i]ntentionally assigned rival prisoners from different races and/or regional groups to a pod. The idea being, if a pod were populated with those who didn't socialize with each other to begin with, then this would further serve the intended purpose of discouraging their ability and/or desire to socialize."⁴⁰ This analysis is consistent with reports from prisoners across the United States of racial baiting in prison, including "gladiator fights" staged or tolerated by correctional officers, sometimes as opportunities to place bets on winners and losers. It is also consistent with Fanon's account of the logic of colonial domination, which racializes, isolates, and pits colonized groups against each other as a way of reinforcing the domination of the colonizer.

Guillen explains the emergence of a sense of solidarity among the prisoners in the Short Corridor, in spite of the practico-inert barriers of extreme isolation and institutional racism:

At first it seemed to start off with common tier courtesies, then to casual conversations which lead to more in depth discussions about

a variety of topics. This allowed each of us to gain a better understanding of the next man—who he was, the things he cared about or believed in and his way of thinking. At least for me, I soon realized that many of these men were no different from who I am. We shared the same interests and things of importance, and some of us even thought along the same lines.

As time went by, we soon started to share reading materials—books, magazines, newspapers etc.—and providing legal assistance—filing prisoner grievances and court litigation. And for those men who didn't have the means to purchase items from the prison commissary—writing materials, personal hygiene, food, beverages—the rest of the pod would get together and help out when we could . . .⁴¹

Guillen acknowledges that, when he came to prison, he brought with him “attitudes and mindsets that were shaped and hardened by the years of gangbanging in the streets of San Jose and the several years spent in the California Youth Authority.” Rather than interrupting this pattern and introducing the possibility of different, less violent forms of sociality, Guillen's experience of prison was continuous with his experience of the streets; he describes the prison yard as “no different from any other hostile environment I had experienced.” It took a prisoner-led movement, beginning with everyday small talk and leading to the eventual identification of common interests, to create a meaningful alternative to the world-destroying violence of the streets and the prison yard. How did this process unfold?

In an interview with *Democracy Now*, Todd Ashker explains how, beginning with this nascent sense of a shared situation, prisoners in the Short Corridor began to recognize their common interests and to identify as members of a “prisoner class” with both a specific agenda of its own and a broader human rights agenda:

In response to your question on how it's come to pass that prisoners of different races and groups have become united in our struggle for prisoners and our outside loved ones to be treated humanely, with dignity and respect, in spite of our prisoner status, well, we're glad you asked about this because we believe it's inclusive of a powerful symbol of the wisdom and strength *similarly situated people* can achieve in the face of seemingly impossible odds when they *collectively unite to fight for the common good of all* . . .

Many of us housed in the short corridor have been subject to PBSP SHU solitary confinement torture since it opened in 1989, 1990,

wherein we've been housed together in an eight-cell pod. Many of us have taught ourselves and each other about the law in order to utilize the legal system to challenge those conditions. We've come to know, and in large part respect, one another as individuals with the *common interest of bringing change to our conditions in ways beneficial for all concerned*. This common experience together, with the group of us being housed together in adjacent cells, wherein we engaged in dialogue about our common experience, legal challenges, politics and the worsening conditions, enabled us to put aside any disputes we may have harbored against each other and *unite as a collective group—a prisoner class*—with the common goal of using nonviolent, peaceful means to force meaningful, long-overdue prison reform to happen now.⁴²

Ashker emphasizes the importance of perceiving, articulating, and building upon a “similar situation,” “common experience,” and “common interest” to establish an explicitly identified prisoner class, in resistance to both the (alleged) “classless society” of late capitalism and the (disavowed) class war of carceral neoliberalism.⁴³ But he goes even further by calling for both a *particular* collective identification as members of a “prisoner class” and a *universal* commitment to human rights and to “the common good of all.” This connection between a particular struggle for certain concrete, clearly articulated goals (the five core demands) rooted in a prisoner class that affirms its existence on the basis of a shared situation and common interests, and a universal struggle for social justice, makes a counter-hegemonic claim against the power of the prison system to frame certain groups of people as always-already criminal and therefore destined for punishment, isolation, and incapacitation. It further distinguishes the Short Corridor Collective from a gang that would protect its own collective interests, narrowly defined, at the expense of others.

A turning point in the emergence of a “prisoner class” across the California prison system was the “Agreement to End Hostilities,” issued on August 12, 2012, by the Short Corridor Collective. Sitawa Jamaa calls this agreement “an historical document . . . We are a prisoner class now.”⁴⁴ The agreement calls upon all prisoners to set aside racial hostilities for the sake of uniting as a multi-racial prisoner class:

If we really want to bring about substantive meaningful changes to the CDCR system in a manner beneficial to all solid individuals, who have never been broken by CDCR's torture tactics intended to coerce

one to become a state informant via debriefing, that now is the time for us to *collectively seize this moment in time*, and put an end to more than 20-30 years of hostilities between our racial groups.

Therefore, beginning on October 10, 2012, all hostilities between our racial groups . . . in SHU, Ad-Seg, General Population, and County Jails, will officially cease. This means that from this date on, all racial group hostilities need to be at an end . . . and if personal issues arise between individuals, people need to do all they can to exhaust all diplomatic means to settle such disputes; *do not allow personal, individual issues to escalate into racial group issues!!* . . .

[W]e must all hold strong to our mutual agreement from this point on and focus our time, attention, and energy on mutual causes beneficial to all of us [i.e., prisoners], and our best interests. We can no longer allow CDCR to use us against each other for their benefit!! *Because the reality is that collectively, we are an empowered, mighty force*, that can positively change this entire corrupt system into a system that actually benefits prisoners, and thereby, the public as a whole.⁴⁵

The Agreement to End Hostilities calls upon prisoners to resist one form of collective identification—institutional(ized) racism, where the logic of race is construed as oppositional rather than differential, and where racial opposition overcodes personal disagreements as occasions for racial hostility—for the sake of another form of collective identification as “an empowered, mighty force” with the collective capacity for social transformation.

I interpret this document as a pledge, not just to fight collectively for the interests of a small group of people at a particular point in time, but to stand together in solidarity, and in resistance to the oppressive structures that divide them. This pledge is a form of collective praxis that enjoins prisoners to resist the counter-finalty of institutionalized racism and to transform the material-historical reality of the California prison system for the benefit of prisoners as a class, and ultimately for “the public as a whole.” For this reason, I believe that the Short Corridor Collective is best understood as a standing organization that emerged out of a group-in-fusion, in resistance to the seriality of prisonization. As “a multi-racial group of long-term, similarly situated (SHU) prisoners who decided enough is enough,” and as a “prisoner class—with the common goal of using nonviolent, peaceful means to force meaningful, long-overdue prison reform to happen now,” the Short Corridor constitutes

a group-in-fusion. They respond collectively to an obstacle that concerns them here and now. But as a “prisoner class” made up of “similarly situated people” who “collectively unite to fight for the common good of all,” and who are committed to transforming the California prison system from within, beyond the confines of the Short Corridor, they constitute a standing organization with both particular and universal aspirations. As a group-in-fusion, the Short Corridor Collective may have been able to transform the practico-inert field of its own local environment through the collective praxis of its members. But as a standing organization, the Collective was able to organize state-wide hunger strikes and to campaign effectively for structural change across the California prison system and beyond. And yet, it remains to be seen whether the partial success of the Short Corridor Collective in demanding legislative hearings on solitary confinement, a revision of the gang validation policy, and a class-action lawsuit will strengthen the standing organization, dissolve the group back into seriality, or render it inert through institutionalization.

In conclusion, a critical phenomenological perspective helps to articulate both the social ontology of groups in the 2013 California prison hunger strikes and also the possibilities for political activism when similarly situated people join together in solidarity. In order to unite as a prisoner class and to launch a human rights movement from this particular counter-hegemonic position, emergent members of the Pelican Bay SHU Short Corridor Collective had to collectively resist both the institutional constraints of the prison and also the institutional constraints of prison gangs (whether or not they were directly affiliated with these gangs). They had to contest and transform the material-historical reality of prison life in order to begin creating a new reality or, in Fanon’s words, to “restructure the world.” By engaging with the collective praxis of an emergent prisoner class from a critical phenomenological perspective, we stand to learn what it means to resist state violence from a position of extreme isolation and systematic criminalization, and to understand how best to support and amplify this resistance as non-incarcerated people in an age of mass incarceration, when no one is unaffected by carceral structures and logics.⁴⁶

NOTES

1. Carroll, Rory. “California Prisoners Launch Biggest Hunger Strike in State’s History,” *The Guardian*, July 19, 2013, accessed July 20, 2013 at <http://www.theguardian.com/world/2013/jul/09/california-prisoners-hunger-strike>

2. “Prisoners’ Demands,” last modified April 3, 2011, Prisoner Hunger Strike Solidarity, accessed Aug. 5, 2013, at <http://prisonerhungerstrikesolidarity.wordpress.com/the-prisoners-demands-2/>

3. The case-by-case audit of SHU prisoners has led to the release of over 400 SHU prisoners back into the general prison population: roughly 80% of the 632 cases reviewed. The CDCR has also revised its policies on gang validation and debriefing, but prisoners’ legal representatives argue that the reforms do not go far enough, and in some ways intensify the problem. Sarah Shourd, “At Hearing on Solitary Confinement in California Prisons, Advocates Challenge ‘Reforms.’”

4. Center for Constitutional Rights, “Hundreds of California Prisoners in Isolation to Join Class Action Lawsuit,” June 2, 2014, accessed on July 14, 2014, at <http://ccrjustice.org/newsroom/press-releases/hundreds-of-california-prisoners-isolation-join-class-action-lawsuit>

5. Antonio Guillen, “Why I joined the Multi-racial, Multi-regional Human Rights Movement to Challenge Torture in the Pelican Bay SHU,” *The San Francisco Bay View National Black Newspaper*, Aug. 29, 2013, accessed on Nov. 10, 2013, at <http://sfbayview.com/2013/why-i-joined-the-multi-racial-multi-regional-human-rights-movement-to-challenge-torture-in-the-pelican-bay-shu/>

6. Jeffrey Beard, “Hunger Strike in California Prisons is a Gang Power Play.” *L.A. Times*, Aug. 6, 2013, accessed Sept. 1, 2013, at <http://www.latimes.com/news/opinion/commentary/la-oe-beard-prison-hunger-strike-20130806,0,636927.story>

7. Quoted in Alan Eladio Gómez, “Resisting Living Death at Marion Penitentiary, 1972,” *Radical History Review* 96 (Fall 2006): 58. For a more detailed account of the U.S. prison system as a structure of racist colonial domination, and the relevance of Fanon’s work for a critique of this system, see Dylan Rodríguez, *Forced Passages: Imprisoned Radical Intellectuals and the U.S. Prison Regime* (Minneapolis: University of Minnesota Press, 2004); Frank B. Wilderson, “The Prison Slave as Hegemony’s (Silent) Scandal,” *Social Justice* 30(2) 2003: 18–27; and Lisa Guenther, *Solitary Confinement: Social Death and its Afterlives* (Minneapolis: Minnesota University Press, 2013), 39–61.

8. Frantz Fanon, *Black Skin White Masks*, Charles Lam Markmann (trans.) (New York: Grove Press, 1967), 82.

9. Frantz Fanon, *The Wretched of the Earth*, Richard Philcox (trans.) (New York: Grove Press, 1963), 178.

10. “Critical phenomenology” is my way of naming both a practice of critically engaged and historically situated phenomenology in the work of Fanon, Sartre, Merleau-Ponty, Beauvoir, and others, and also a methodology that I seek to explicate and develop in my own work. For a more in-depth discussion of critical phenomenology, see Guenther, *Solitary Confinement* (in particular, the explicitly methodological remarks on xiii–xv).

11. California Department of Corrections and Rehabilitation, “Prison Facilities, Pelican Bay State Prison,” accessed July 12, 2013, at http://www.cdcr.ca.gov/Facilities_Locator/PBSP.html

12. For a more detailed history of supermax prisons in the United States, with a focus on Pelican Bay, see Sharon Shalev, *Supermax: Controlling Risk through Solitary Confinement* (Portland, OR: Willan Publishing, 2009).

13. Lorna A. Rhodes, *Total Confinement: Madness and Reason in the Maximum Security Prison* (Berkeley, LA, London: University of California Press, 2004), 238.

14. Center for Constitutional Rights, “Hundreds of California Prisoners in Isolation to Join Class Action Lawsuit.”

15. Pelican Bay has a design capacity of 2,280 inmates, but in 2011, when the prison hunger strikes began, the prison population at Pelican Bay exceeded this capacity by more than a thousand prisoners (CDCR no date, California Health Online 2013).

16. Solitary Watch, “FAQ,” accessed Jan. 25, 2013, at <http://solitarywatch.com/faq/>

17. Keramet Ann Reiter, “The Most Restrictive Alternative: A Litigation History of Solitary Confinement in U.S. Prisons, 1960–2006,” in *Studies in Law, Politics and Society* 57, ed. Austin Sarat (Bingley, UK: Emerald Group Publishing Limited, 2012), 71–124.

18. California Department of Corrections and Rehabilitation, “Security Threat Group Prevention, Identification and Management Strategy,” 2012, accessed July 21, 2014, at <http://www.cdcr.ca.gov/Reports/docs/Security-Threat-Group-Prevention-Identification-and-Management-Model-03-01-2012.pdf>. Emphasis added.

19. Quoted in Sarah Shourd, “At Hearing on Solitary Confinement in California Prisons, Advocates Challenge ‘Reforms,’” *Huffington Post*, Feb. 15, 2014, accessed June 21, 2014, at http://www.huffingtonpost.com/sarah-shourd/solitary-confinement-hearing_b_4795113.html

20. Steve Champion, "Gang Validation: The New Inquisition," *San Francisco Bay View National Black Newspaper*, Feb. 18, 2011, accessed July 28, 2014, at <http://sfbayview.com/2011/gang-validation-the-new-inquisition/>

21. For a more comprehensive analysis of the criminalization of collective resistance and existence in the California prison system, see Lisa Guenther, "Social Death and the Criminalization of Resistance in the California Prison Hunger Strikes," *TruthOut*, Aug. 2, 2013, accessed Aug. 2, 2013, at <http://truth-out.org/opinion/item/17948-social-death-and-the-criminalization-of-resistance-in-the-california-prison-hunger-strikes>

22. Center for Constitutional Rights, "Hundreds of California Prisoners in Isolation to Join Class Action Lawsuit."

23. Christie Thompson, "Are California Prisons Punishing Inmates Based on Race?" *ProPublica*, April 12, 2013, accessed April 15, 2013, at <http://www.propublica.org/article/are-california-prisons-punishing-inmates-based-on-race>; Ruth Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley and LA: University of California Press, 2007), 275, n. 1.

24. David Skarbek, "Prison Gangs, Norms, and Organizations," *Journal of Economic Behavior & Organization* 82(1) 2012: 702–716.

25. Benjamin Wallace-Wells, "The Plot from Solitary," *New York Magazine*, Feb. 26, 2014; accessed July 23, 2014, at <http://nymag.com/news/features/solitary-secure-housing-units-2014-2/>

26. Fanon, *Black Skin White Masks*, 110.

27. Fanon, *Black Skin White Masks*, 139.

28. Fanon, *Black Skin White Masks*, 112–113.

29. Fanon, *Black Skin White Masks*, 117, 109, 21.

30. Fanon, *Black Skin White Masks*, 9.

31. Jean-Paul Sartre, *Critique of Dialectical Reason, Volume 1: Theory of Practical Ensembles*, trans. Alan Sheridan-Smith (London and New York: Verso, 2004). While I do not have the space to address the intellectual and political relation between Sartre and Fanon at any length in this chapter, it is important to note Fanon's critique of Sartre in *Black Skin White Masks* (27–29, 118–119, 132–139), and Sartre's preface to Fanon's book, *The Wretched of the Earth* (xliii–lxii). For insightful scholarship on the relation between Sartre and Fanon, see Lewis Gordon, *Fanon and the Crisis of European Man: An Essay on Philosophy and the Human Sciences* (New York: Routledge, 1995); Jonathan Judaken, ed., *Race after Sartre: Antiracism, Africana Existentialism, Postcolonialism* (Albany, NY: SUNY Press, 2008); Robert Bernasconi, "Fanon's *The Wretched of the*

Earth as the Fulfillment of Sartre's Critique of Dialectical Reason" (*Sartre Studies International* 16:2 [2010]: 36–47); and Bernasconi, "On Needing Not to Know and Forgetting What One Never Knew: The Epistemology of Ignorance in Fanon's Critique of Sartre," in *Race and Epistemologies of Ignorance*, eds. Shannon Sullivan and Nancy Tuana (Albany, NY: SUNY Press, 2007).

32. See Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York and London: The New Press, 2010); Ruth Gilmore, *Golden Gulag*; Loïc Wacquant, "Deadly Symbiosis: when Ghetto and Prison Meet and Mesh," *Punishment & Society* 3 (January 2001), 95–133.

33. See Rodriguez, *Forced Passages*; Michelle Alexander, *The New Jim Crow*; Angela Y. Davis, *Are Prisons Obsolete?* (New York: Seven Stories Press, 2003); James Joy, ed., *The New Abolitionists: (Neo) Slave Narratives and Contemporary Prison Writings* (Albany, NY: SUNY Press, 2005).

34. Sartre, *Critique of Dialectical Reason*, 256–269.

35. Notable exceptions include Thomas R. Flynn, *Sartre and Marxist Existentialism: The Test Case of Collective Responsibility* (Chicago: University of Chicago Press, 1984); Gavin Rae, "Sartre, Group Formations, and Practical Freedom: The Other in the *Critique of Dialectical Reason*" (*Comparative and Continental Philosophy* 3:2 [2011]: 183–206); Christopher Turner, "The Return of Stolen Praxis: Counter-Finality in Sartre's *Critique of Dialectical Reason*" (*Sartre Studies International* 20:1 [2014]: 36–44).

36. Quoted in Paige St. John, "Prison hunger strike leaders are in solitary but not alone." *L.A. Times*, July 28, 2013, accessed Aug. 17, 2013, at <http://www.latimes.com/news/local/la-me-ff-ashker-20130729,0,1059923.story?page=2>

37. For a insightful discussion of "criminals" and "felons" as serial collectives, see Andrew Dilts, *Punishment and Inclusion: Race, Membership, and the Limits of American Liberalism* (New York: Fordham University Press, 2014), 207–216. Dilts is drawing on Iris Marion Young's important essay "Gender as Seriality: Thinking about Women as a Social Collective" (*Signs* 19:3 [Spring, 1994]: 713–738).

38. Skarbek, "Prison Gangs, Norms, and Organizations."

39. Guillen, "Why I joined."

40. Guillen, "Why I joined."

41. Guillen, "Why I joined." Readers may wonder how "common tier courtesies" and "casual conversations" were even possible under conditions of extreme isolation among people who could not speak directly to one another face-to-face. Wallace-Wells discusses some of the creative ways in which prisoners in the Short Corridor managed to reach across the material barriers of

the SHU in “The Plot From Solitary,” but many of these techniques remain secret to protect their continued use.

42. Todd Ashker, “EXCLUSIVE AUDIO: CA Prisoner Todd Ashker on His Evolution from Violence to Peaceful Hunger Strike,” *Democracy Now*, Aug. 23, 2013, accessed Aug 25, 2013, at http://www.democracynow.org/blog/2013/8/23/exclusive_audio_california_prisoner_on_hunger_strike_and_how_he. Emphasis added.

43. See Wacquant, “Deadly Symbiosis,” for a discussion of the neoliberal economics of the carceral-assistential complex as a mechanism for social control and biopolitical management.

44. Quoted in Wallace-Wells, “The Plot From Solitary.”

45. Pelican Bay State Prison SHU Short Corridor Collective, “Agreement to End Hostilities,” Aug. 12, 2012, accessed Aug. 5, 2013, <http://prisonerhungerstrikesolidarity.files.wordpress.com/2012/09/agreement-to-end-hostilities.pdf>. Emphasis added.

46. For an excellent model of outside support for the collective resistance of prisoners, see the Prisoner Hunger Strike Solidarity website: <http://prisonerhungerstrikesolidarity.wordpress.com/>

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