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Abolitionist Feminism as Prisons Close: Fighting the Racist and Misogynist Surveillance "Child Welfare" System

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Abstract
The global prison industrial complex was built on Black and brown women's bodies. This economy will not voluntarily loosen its hold on the bodies that feed it. White carceral feminists traditionally encourage State punishment, while anti-carceral, intersectional feminism recognizes that it empowers an ineffective and racist system. In fact, it is built on the criminalization of women's survival strategies, creating a "victimization to prison pipeline." But prisons are not the root of the problem; rather, they are a manifestation of the over-policing of Black women's bodies, poverty, and motherhood. Such State surveillance will continue unless we disrupt these powerful systems both inside and outside prisons.

Keywords
prison industrial complex, prison abolition, women of color

The Arc of the American Prison Industrial Complex

The decarceration movement is slowly gaining momentum and supporters as jurisdictions and politicians on both sides of the aisle realize incarceration's

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astronomical human and financial costs and the ineffectiveness of a so-called "correctional" system with an overwhelming return rate. The United States has almost 1.5 million people imprisoned in federal and state prisons. While US incarceration rates have been declining since 2007, they are still higher than those for any other nation on earth (Hinds, Kang-Brown, & Lu, 2018; Walmsley, 2016).

The term "prison industrial complex" suggests that mass imprisonment exists because it is profitable for the corporations and unions that make billions of dollars from the caging of our most vulnerable people—from food service providers to telephone companies. However, prison reform is a rare location where politicians from both sides of the aisle come together (Jacobson, 2005)—on the right, because it is too expensive for state budgets—and on the left, because it is completely ineffective (the most recent data show a re-arrest rate of 83% within 9 years; Alper, DuRose, & Markman, 2018) and inhumane. Very recent legislative changes and reduced incarceration rates around the country indicate that we as a nation are finally moving away from imprisonment and its collateral consequences as a correctional solution and initiating policy change, from legalization of marijuana, to the abolition of cash bail, to the re-enfranchisement of people convicted of felonies.

As we imagine a reduction in the use of imprisonment, however, we must face the reality that the system's surveillance will not end as formerly incarcerated people return to their communities of residence. Using fewer physical cages does not mean that people will not still be caged. Clearly, as Michelle Alexander argued in her 2018 *New York Times* editorial follow-up to her instant book classic *The New Jim Crow* (2010), many of these reforms may appear to be progressive changes. Yet,

> "many of the current reform efforts contain the seeds of the next generation of racial and social control, a system of "e-carceration" that may prove more dangerous and more difficult to challenge than the one we hope to leave behind. (Alexander, 2018)

She cites California's move away from cash bail to a subtle but potentially even more racist "risk assessment" algorithm that has already shown to release white people more often than people of color—with electronic monitoring companies that make millions of dollars from ankle bracelets' fees and similar technologies creating what she calls a subtle and dangerous surveillance system of "e-carceration" (Alexander, 2018).

While the vast majority of people incarcerated are men, the number of women in prison increased by 700% between 1980 and 2016. Critically, the

female incarceration rate has been twice that of men since 1980 (The Sentencing Project, 2018). This is particularly significant as women in the "correctional" system almost universally have histories of abuse and crimes stemming from that abuse, such as status offenses from running away from home as kids, drug use to cope with the mental health effects of that abuse, and sex work to pay for such self-medication. This means that the system of imprisoning women is built upon the criminalization of survival strategies, creating a "sexual violence to prison pipeline" (Kaba, 2017). Tellingly, dramatically more women are in prison for drug crimes than men; 25% of women are imprisoned for a drug offense compared with 14% of men. This use of a punishment system to address the ramifications of abuse and poverty is unsurprisingly not uniform by race: The rates of incarceration of Black and brown men and women are dramatically higher than those of their white counterparts (Carson, 2017).

However, it is not only the so-called criminal justice system that extends its tendrils of surveillance into the lives of poor Americans of color, particularly mothers. Collier Meyerson (2018) writes that Black mothers in particular are surveilled in the community by systems such as "child welfare" in ways that mirror the surveillance of Black and brown boys and men by the police, correctional, probation, and parole officers of the criminal punishment system. Likewise, Lee (2016) writes that, disguised as a "helping" system, child welfare systems end up engaging in what she calls a "stratified reproduction" of race, class, and gender, so that some people's mothering is supported and valued while others' is not. As these surveillance systems infiltrate mostly poor neighborhoods of families of color, Black and brown women's mothering is compromised.

In her research on formerly incarcerated mothers, Gurusami (2019) used participant observation to document the many ways in which state surveillance after incarceration, parole, or child welfare involvement "shapes and constrains" women's mothering, and makes the already difficult process of reentry even more difficult. In the footsteps of Roberts's (2014) work on child protection as surveillance, Gurusami created a typology of the three ways in which women changed their mothering in reaction to the fear of State involvement in their lives (such as the child welfare system and parole) and the lives of their families. Such systems, designed to "protect" women, in fact, reproduce systemic violence in the form of surveillance and separation, regulation and punishment. The typology is made up of three types of "motherwork":

Collective motherwork: Gurusami calls this "a community-based negotiation of tenuous child care conditions between formerly incarcerated

women living in close proximity to one another," or the ways in which mothers rely on one another to share child care responsibilities, resources, and information. This comes together to protect both the mothers and the children from state intervention and state-sanctioned separation from each other.

Hypervigilant motherwork: Gurusami describes this as "the anticipatory work of shielding children from the state and strangers." Others may see this type of mothering as "hovering," she writes, but it acts as a way to keep children close by so as to keep them safe from those who may harm them, whether individuals or the state via removal. This hypervigilance, Gurusami found, was counterproductive because mothers ended up hiding their own mental health or substance abuse treatment needs so as to avoid additional involvement with the child welfare system. By engaging in these actions, the women protected themselves from state removal of their children, but they were ultimately worse off.

Crisis motherwork: This action was specific to women in crisis situations in which they were immediately threatened with losing custody of a child, at risk of reunification not occurring, or reincarceration. In crisis motherwork, women had to very quickly gather their resources and react in a way that sometimes meant that they had to abandon commitments such as employment. This, again, was at least partially counterproductive when this crisis mode caused them to lose long-term practical resources that supported their ability to mother.

These mothering styles are often framed as negative because they may result in, for example, job loss, hovering parenting, and reduced mental health treatment. Nonetheless, Gurusami reframes them as protective survival and resistance strategies in the face of the over-criminalization of Black mothers and, as a result, their children. Notably, this involvement is fundamentally race-d, both for who is the focus and for its ineffective actions . Indeed, Lee (2016) writes that the families in the child welfare system are overwhelmingly poor families of color. Yet, in the vast majority (almost 80%) of the cases, there is no evidence of neglect. So, these self-sabotaging behaviors, such as refusing job opportunities and minimizing contact with strangers, simply to maintain the mother–child relationship, are fundamentally counterproductive for all of us.

These punitive systems of surveillance of poor people of color are supported by the most obvious white supremacist groups. Overwhelmingly, white hegemonic feminisms are among the most supportive of our carceral state in their focus on punishment as the solution to women's victimization. The Violence Against Women Act (VAWA), passed in 1994 and reauthorized

3 times since then, is an example of this use of State powers to expand the criminal punishment system. Although gendered violence is one of our most pressing global problems, expansion of punishment systems to solve the problem is not only ineffective but also results in expansion of the very racist, punitive, and patriarchal systems that punish and surveil communities of color, in particular the mothering of Black and brown women.

This will not stop unless we reimagine how we as a society become intersectional, disrupting the powerful systems that impact the most marginalized among us—Black women in particular. In line with the visionary Black Lives Matter (BLM) movement, how can we imagine and create a world free of anti-Blackness, where every Black person has the social, economic, and political power to thrive? This is, therefore, not just about prisons or jails but about the surveillance of Black and brown bodies (Sudbury, 2002) in both physical and invisible cages.

Black Feminism and Anti-Carceral Feminism

While white feminists have traditionally relished in the use of State violence (e.g., with VAWA), anti-carceral feminism recognizes that this simply empowers a system that is, at best, ineffective, and at worst, violent and racist. Rather, we must examine in context the histories of Black feminism and anti-carceral feminism, with a particular focus on Kimberle Crenshaw's concept of intersectionality within the field of feminism, and the work of such scholars as Patricia Hill Collins, Gloria Anzaldua, Cherrie Moraga, bell hooks, and Audre Lorde.

To reiterate, prisons and jails are not the root of the problem: They are only one of the manifestations of America's overwhelming criminalization of Black women, who are most overrepresented as victims. If we simply close prisons, we are simply clipping branches from the racist and misogynist tree, while the roots continue to flourish, surveilling Black women through other means, such as so-called "child protective services." As Sudbury suggested in 2002, the global prison industrial complex was built on the bodies of Black women.

What We Must Do

So what's the point? Michelle Alexander's work is gospel (c.f. Alexander, 2012), but it is not just limited to the criminal punishment system that is overwhelmingly populated with Black and brown men. The surveillance, particularly for women of color, extends into other so-called "helping" systems that serve rather to distort women's ability to mother for fear of the surveillance

and potential removal of children. So, then, what can we do? The traditional response to our carceral systems is that of reform, such as the wildly popular "gender responsive programming" that has served to make prisons made for men more responsive to the needs of imprisoned, overwhelmingly traumatized women. Even I, in my book (Michalsen, 2019), suggest the idea of "Moms' courts" that would divert criminalized mothers into courts to serve their needs.

However, if we get lost in "in-the-box reform," we will never get to abolition and freedom. Whalley and Hackett (2017) problem-solve to identify the intersection between an abolitionist framework and systems that work to dismantle gendered violence. Specifically, in that prisons are rooted in systems of slavery and white supremacy, they cannot be used in pursuit of liberation and self-determination. They suggest a set of guiding principles that are shared by both the abolitionist community and organizations seeking to end gendered violence:

1. The belief that working to end sexual violence outside of the criminal legal system is both absolutely necessary and desirable;

2. Decouple their work from the professionalized Non-Profit Industrial Complex (NPIC);

3. Conceptualize violence as a collective phenomena, rather than a private, individual issue, and therefore adopt a multi-pronged intervention;

4. Holistically engage with all kinds of survivors, rather than dividing them based on false constructions of deservedness; and

5. Imaginatively seek to build a more just world, thereby rendering prisons unthinkable and unnecessary.

Likewise, the guiding principles of BLM are a broader transformative vision for our society that falls beautifully in line with a vision for a nation (a world) without prisons, behind bars or in their own homes. For example,

We practice empathy. We engage comrades with the intent to learn about and connect with their contexts. We make our spaces family-friendly and enable parents to fully participate with their children. We dismantle the patriarchal practice that requires mothers to work "double shifts" so that they can mother in private even as they participate in public justice work. We disrupt the Western-prescribed nuclear family structure requirement by supporting each other as extended families and "villages" that collectively care for one another, especially our children, to the degree that mothers, parents, and children are comfortable. We embody and practice justice, liberation, and peace in our engagements with one another. (BLM, 2015)

As Alexander (2018) wrote,

> If our goal is not a better system of mass criminalization, but instead the creation of safe, caring, thriving communities, then we ought to be heavily investing in quality schools, job creation, drug treatment and mental health care in the least advantaged communities, rather than pouring billions into their high-tech management and control.

While all of these frameworks (Whalley and Hackett, Kaba, BLM, and Alexander) refer to the abolition of the criminal punishment system, they can be expanded to imagine abolition of the similarly framed "helping" systems such as the "child welfare" system that is simply a disguised extension of the surveillance state that stunts generations of poor Black and brown families.

As we imagine a decarcerated world, we cannot believe that such an economy will loosen its hold on the bodies that feed its growth so easily. In sum, decarceration is not the end goal, for it does not kill off the racist roots of how we control Black women's bodies, how Black women are poorer than any other group, or how child welfare systems over police and encapsulate the feedback process of Black mothers' fears for their children. Therefore, as we imagine an America without cages, we must accompany it with a critical reimagining of our social structures on the outside.

Declaration of Conflicting Interests

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