

Essay

When a Smile Gets You Inside: Engaging the Oppressor in Service of Resistance

Faith Barksdale†

Prior to law school, I volunteered as a teacher in a radical, anti-oppressive education collective in an American jail.¹ Each teacher periodically wrote and taught a new curriculum based on student input, interest, and preference. In addition to providing educational opportunities within the jail, one of the main goals of the collective was to resist the carceral state through education. These are the radical elements of our program, as I understood them: (1) there were no hierarchies in the classroom; (2) we would not teach GED² or other any other curricula approved by the Department of Corrections (DOC) and the topics were student-selected; and (3) we would not require our students to participate in class lessons. As long as students who did not want to participate in the lessons did not interrupt those who wanted to, they were free to stay and interact – or not – as they chose.

Of the many reasons I enjoyed this model, I was very glad that it allowed me to use my privilege as someone on the outside to help those on the inside resist an oppressive and illegitimate system. By simply being in the classroom and allowing the students to engage as they so chose, I was able to help these students enjoy a respite from the tumult of general population

† Faith Barksdale is a student at Yale Law School.

1. Unlike in other countries, the United States criminal legal system draws a sharp distinction between the terms “jail” and “prison.” Jails and prisons are usually separate buildings. Jails house people who are in pre-trial, or who have been sentenced to a term of incarceration for less than a year. Prisons house people who have been sentenced to a term of one year or more.

2. The General Educational Development (GED) exam. The exam is usually administered in lieu of a traditional high school education and is often taken by older students whose high school education was interrupted. Passing the exam provides a certification equivalent to a conventional high school diploma. In the city where I volunteered, teaching a GED curriculum in a correctional institution required approval from DOC.

(Gen Pop),³ and the surveillance of Correctional Officers (COs). Our classes were rich, and engaging, and hilarious, and heartbreaking. Over my time there, we discussed a panoply of topics – from how to choose a mortgage with the best annual percentage rate, to how to effectively message the dangers of climate change. The classes were wonderful, and, most importantly, our conversations were private and free.

I spent more time getting inside the jail than I did in the classroom. Traveling from my office to the classroom took about two and a half hours, give or take. It took approximately an hour and a half to get to the jail, and about an hour to process in, depending on the circumstances. From the moment class ended, it took another hour to process back out. Because I would come at a regular time once a week, I spent a lot of my time processing in with COs and other jail staff. Sitting in waiting rooms, sitting on buses, walking through metal detectors, buzzing in through bars: I spent all of this time with DOC employees.

The more time I spent with them and the better our rapport, the faster the process of getting inside and to the classroom seemed to go. The bus driver would wait a couple of extra minutes to take me from the processing center to the jail; the officer who escorted me back to the classroom would arrive to take me almost immediately, instead of making me wait in the cold.

Though these perks were nice for me, my warm rapport seemed to have even better outcomes for the students. Once I checked in at the front desk, the COs would actually go to each housing unit and call the students down to the classroom. As to be expected in a prison, this process was unpredictable and unreliable – when I first began volunteering, students would report that the COs had not called their unit the previous week and that is why no one had shown up. In the later months of my volunteering, after I had established a working relationship with the COs and other DOC staff, I noticed that the COs were much more consistent with calling down students than they had been at the beginning. My conversations – consistent and friendly conversations – my warmth, and my willingness to listen had greased the wheels of the jail so effectively that the classes were running like a well-oiled machine. I got to the classroom more quickly, the classrooms were full, and we had nearly two hours of interrupted class time wherein the students were free to express themselves without the immediate burden of being in Gen Pop.

To put it simply, by engaging with the DOC and its staff with a smile, I was able to facilitate an act of resistance inside the DOC's own walls. Though the class could have continued even if I had not built relationships with the staff members that I interacted with regularly, I believe that my particular class would not have been as successful because the students would have had fewer opportunities and less time to spend inside the classroom and away from Gen Pop.

3. "General population" refers to the portion of the prison or jail population that is not held in a specialized unit and may also refer to the places where incarcerated people congregate when not presently in their cell, receiving medical care, or involved in programming. In this jail, as in many, Gen Pop was often chaotic and stressful.

Reflecting on this experience as an instance of engaging the oppressor, I am satisfied with the decisions that the collective and I made to stage acts of resistance inside the jail. I have spoken to abolitionists who say that undergoing the process of being certified to volunteer in the jail, and complying with its rules and policies, undermines the project's value because it legitimizes the DOC's existence. While I understand that perspective, and even feel a similar aversion toward some conventional prison education programs, I think that this project toed the line of empowering people who were incarcerated to hold their own space inside a brutal situation. I could think of no more effective way to directly and immediately uplift the people incarcerated in that jail than to help them have a couple of hours of relative freedom without expectation.

In this situation, the project of engaging the oppressor was driven primarily by the students and the legitimacy of our decisions came from their desire to be in the classroom. I, and many of the other teachers, engaged in anti-carceral and abolitionist causes separate from our involvement in the teaching project, because these efforts were not appropriate for the project. Demonstrating directly against the DOC under the auspices of the project would imperil our ability, and thus the students' ability, to be in the classroom.

Though this movement was not nearly as large or profound as the other movements we discussed during the Engaging the Oppressor roundtable, I think it faces many of the same questions that these larger movements face. How do activists reconcile the needs of the movement with the confines and strictures of system it challenges? Who ultimately guides our decisions when engaging with the oppressor? What role can and should law play in these movements?

These questions continue to guide my experience in law school. Though I came to law school planning to use the law as a tool of liberation, my time in this rarefied space requires me to constantly reconsider if, and how, law – a costly and hierarchical practice – can lead to real liberation.

