

* Graphic, "with my new crime bill" in National Guardian. May 8, 1991.
p. 9. The newspaper no longer exists.

* Sabina Virgo, 'The Criminalization of Poverty,' Crossroads Magazine, October, 1991. The magazine no longer exists.

The Criminalization Of Poverty

Sabina Virgo dissects the insanity of how crime is defined in our society: "Steal \$5 and you're a thief; steal \$5 million and you're a financier."

A friend of mine recently showed me a book of quotations she had. As I was looking through it, I found something that was written by an anonymous poet in the 1700s. It was a little old, and a little formal, but I liked it, so I thought I would paraphrase it here.

It goes: "The law will punish man or woman who steals the goose from off the hillside, but lets the greater robber loose, who steals the hillside from the goose."

Talking about "the greater robber" seemed particularly appropriate in the midst of the biggest financial rip-off in the history of this country. I thought about the billions of dollars the S&L criminals stole, and about how most of them will get away with it. I thought about the complete insanity of how we define crime in our society. "Steal \$5 you're a thief, steal \$5 million — you're a financier."

Thirty percent of the wealth of this country is controlled by one-half of one percent of the people. Eighty percent of the wealth is controlled by ten percent of the people. I think that's a crime.

I looked up the word "crime". Crime was defined as "an act which is against the law." Crime applies particularly, the dictionary said, to an act that breaks a law that has been made for the public good. Crime in one country, it continued, "may be entirely overlooked by the law in another country, or may not apply at all in a different historical period."

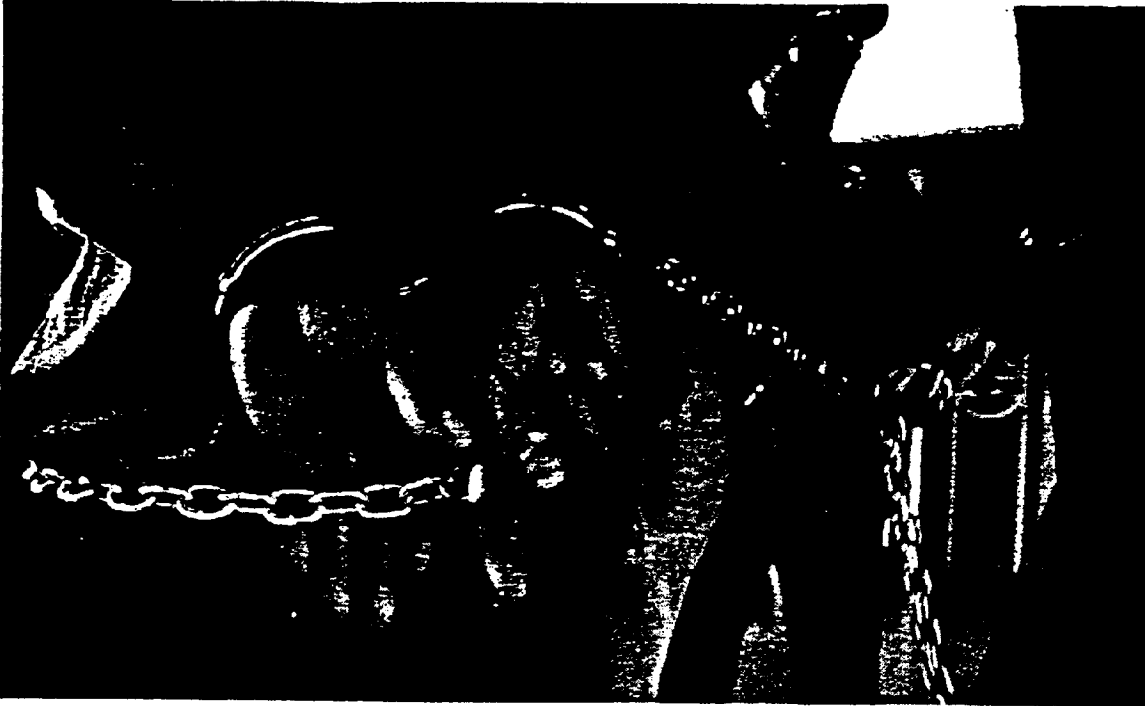
That was interesting. What that really said was that concepts of "crime" are not eternal. The very nature of crime is social, and is defined by time and by place and by those who have the power to make the definitions; by those who write the dictionaries, so to speak.

The more I thought about that, the more profound it became. The power to define is an awesome power. It is the power of propaganda. It is the ability to manipulate our ideas, to limit our agenda, to mold how we see, and to shape what we look at. It is the power to interpret for us the picture we see when we look at the world. It is the power to place a frame around that picture; to define where it begins and ends. It is, in fact, the power to define where our vision begins and ends; the power to create our collective consciousness.

That, after all, is what pictures do. They define what we see. They give us the painter's interpretation of reality. They give us illusion. The difference is that when we look at a painting, we know that we are looking at a painting — and we know that there must have been a painter. But when we are not looking at a painting, when we are looking at society, we've been convinced that the interpretations of society that we've been taught, are not interpretations. We think they are the truth.

That kind of social propaganda is not only tremendously powerful, it is also mostly invisible. We can't fight what we don't see. Most of us accept the images and definitions

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John Jernegan's photo is from an exhibit, "Homeless, Not Helpless," recently displayed at La Pena in Berkeley and available for exhibition elsewhere. Write CrossRoads for information.

John Jernegan

In our "democracy," creating homelessness is not criminal, but being homeless is.

that we have been taught as true, neutral, self-evident, and for always; so that the power to paint the picture, to define what is right and wrong, what is lawful and what is criminal, is really the power to win the battle for our minds. And to win it without ever having to fight it.

JAILING THE EXPLOITED

In the 1830s, England defined the state of poverty as a criminal state. England created special prisons and called them debtor's prisons. In England, in the 1800s, not having enough money to pay to live was a jailable offense.

When we look at England during the Industrial Revolution, we see that an entire class of human beings was poor. An entire class of human beings who were created by the Industrial Revolution were both exploited and defined as criminal by the owners of technology, owners who had the power to both define crime and create poverty.

People went to jail, not for exploiting, but for being exploited. Then, as now, definitions of right and wrong, legal and illegal, are defined by those who make the rules and control the economy and the institutions of the country.

Though some of us may question the system's fairness in applying its rules, most of us don't question the basis of the system itself. That is, we don't question the

relationship between those who own and those who don't. Though most of us vote every four years on who governs, we never vote on and rarely question "what governs." We don't challenge the legitimacy of the system, we accept it. We don't step outside of the frame around the picture. We don't disconnect the dots.

If we look at any downtown urban center, if we look at the lines of humanity waiting for food or for a bed at the missions, if we look at the faces of people living in cardboard boxes on the streets of the cities — we must know that a crime has been committed. When we look at the faces of dispossessed people, we see faces that look like people who lived here when California was part of Mexico. We see faces of people who fled here from Haiti and from Central America. We see the faces of people whose great-great-grandparents were abducted and were brought here from Africa. So many faces from Africa.

One-half of all African people born in this country live in poverty. That is a 69% increase in the last 25 years. One out of two children born to African American parents is born in poverty, one of every three seniors live in poverty, one of every four men is under the control of the prison system. The life expectancy for a Black man in Harlem is less than for a man in Bangladesh. Less than for a man in Bangladesh.

If we know that, we must know that a crime has been committed.

But they tell us that we are a rich country. And though some of us may have internalized their viewpoint, if we are not of their color or not of their class, their way of life is not ours. And if it turns out, in America, that white men are the richest — well, the white men who run the country tell us, it is probably because they are the smartest and work the hardest.

THE BILL UNPAID

Speaking at Michigan State University in 1963, Malcolm X said, "If I take the wages of everyone here, individually it means nothing, but collectively all of the earning power or wages that you earned in one week would make me wealthy. And if I could collect it for a year, I'd be rich beyond dreams. Now, when you see this, and you stop and consider the wages that were kept back from millions of Black people not for one year, but for 310 years, you'll see how this country got so rich so fast, and what made the economy as strong as it has been. And all of that slave labor that was amassed in unpaid wages, is due someone today."

Jailing Black men is one way of keeping the bill unpaid. The U.S. jails a higher proportion of Black men than does South Africa, and at six times the rate it jails white men. Criminalizing poor people is another way. Flooding African American and Latino communities with drugs is still another way.

Once an entire people is attacked, is contained, and is defined as criminal, then that definition is used to justify the institutional racism which caused it all to begin with. Malcolm said, "They give you the dice, and jail you for using them."

Drugs and poverty and prison are used to crush resistance in communities with histories of resistance. Drug sub-economies and sub-cultures are imposed. Drug money becomes survival money in communities where unemployment for people under 22 runs between 50% and 60%.

Although we may differ about the degree of government complicity in flooding communities with drugs, it is clear that the effect of the flood is the destruction of lives — the creation of addicts, who are then defined as criminals.

But being an addict is not always a crime. It sort of depends on who is addicted and what they are addicted to. Working class addiction to crack is a crime. But middle and upper class addiction to drugs or alcohol is a disease. When Betty Ford said she did pills, we all respected her courage for admitting it, and named a Rehab center after her. And

when Kitty Dukakis drank rubbing alcohol, we all felt bad, and no one put her in a cage.

But the story in the Latino, Native American and African American communities is not "The Betty Ford Story." If Black and Latino youth do drugs, or sell them, and are caught, they are caged. They are criminals. If they are not caught, they can make \$800 to \$900 a day selling crack. Or they can make \$4.25 per hour at McDonalds. Or they can be unemployed. This is America, and we have the right to choose.

This is America and society is the structure that defines the choices, and decides which of the people who break its laws go to prison. Mostly, they send poor people to prison, people without jobs. In fact, they send unemployed people there at three times the rate that they do employed people. And more often than not, they send people of color there, who now make up 60% of the people in prison. Richard Pryor said, "If you're looking for justice, go to a prison. That's all you find there, just us."

Once in prison, they exercise their right to choose again, and they choose to execute people of color, particularly Black men, far more often than whites. Statistics show that Black defendants have three to four times greater chance of being executed, no matter what the crime, than their white counterparts.

Racism — tried, true and reliable — continues to be used to divide us and continues to provide an easy, convenient lie, a multi-purpose justification for what is wrong in this society. And for much of white America, gangs, drugs and violence define communities of color, and fear and division and racist violence increase.

Communities of color are targeted — and human suffering and social disasters are portrayed as natural disasters — as something the system is trying to cope with, instead of something the system created, and is complicit with.

And people see no other recourse, so the enforcement arm of the system is seen as a solution. We see the use of battering rams and the cordoning off of entire sections of communities. We see street sweeps and round ups. We see young men defined as suspected gang members, and arrested. We see \$7 billion of the \$9.5 billion budget for the "war on drugs" being used to hire more prosecutors and build more jails. We see civil liberties limited and the so-called "war" being used to support restrictive laws and infringement of constitutional guarantees.

And the forces that produce the drugs and define the crime laugh, as they say, all the way to banks. Which many of them own.

And don't we know that a crime has been committed?

In America, in 1990, it is a crime to be poor. If we're poor, the poorer we are, the more criminal we are. If we are so poor that we have no place to live, if we live on the pavement, or sleep in a car, or in a park, we have committed a crime. It's against the law to sleep on the streets or in a park. If we have no home, it's against the law to sleep.

There is a saying that goes "It is equally forbidden for the rich and the poor to sleep under the bridge." I have looked and I have not seen Charles Keating lying on a blanket by the L.A. River. I have looked and I have not seen Michael Deaver hanging out near cardboard alley. Because the rich never really lose everything.

The political decisions of the government, the investment decisions of the bankers are decisions about who will be poor. Corporate decisions made in the late '50s to remove industry from communities of color, were decisions about who would be unemployed. Decisions by developers about redevelopment are decisions about who will be homeless.

Those decisions affect each one of us. But we have no say in them. We have no say in most social and economic decisions that affect our lives. That, somehow, is not part of our "democracy." And never has been. Because we have no say, creating homelessness is not criminal, but being homeless is. Runaway plants and plant closures are legal, but vagrancy is a crime.

And the definition of crime is limited. In the "victims bill of rights" the victim is someone who has suffered an individual act of violence. But when the act of violence is not committed by one person against another person — when it is committed by a government, when it is committed by multinational corporations, and when the victim is not a person — but is "the people" — then, not only is there no "victims bill of rights" — there is not even a trial. Because there has been no crime.

Because the criminals are in charge. They commit crimes, capital crimes, every day. The jails are overflowing, but that doesn't seem to help — because the real criminals aren't in jail. They're in the board rooms and in the White House.

Under their misleadership, over five million of us are homeless, 37 million of us have no health insurance, 30 million of us are illiterate, 30 million more are functionally illiterate, one million of us are in prison, 20% of us live in poverty.

Under their misleadership we live in a world where the air and the water are polluted, the earth is toxic and the chemicals

that are poisoning us keep being produced.

Under their misleadership a war [was] waged in the Gulf; a criminal war, fought by poor people and people of color, whose lives were at risk for profits and cheap oil.

Under their misleadership, there is a war being waged at home. A war against people of color, a violent war that is daily getting more brutal.

Most of us don't feel safe or valued. Most of us are afraid, but we don't talk about it. We don't trust each other. We don't feel powerful. For most of us in America, the world we live in is out of control and threatening.

There is no reason our world and our lives have to be this way. But if we want it to change, we have to do it. We have waited hundreds of years for the people in power to change it and they haven't and they won't, because they created it and it serves them.

So the question before us is how to be more than a witness to a crime. The question before us is how to paint a new, beautiful painting; how to build a powerful, caring, movement for change — an independent movement that can challenge power and can win. A movement that, if it won, would have a clear vision and a plan for transforming America; a plan to reindustrialize and rebuild, a plan for employment and education, for housing and for the environment. A concrete plan to deal with racism. And sexism. And addiction and pollution. So that we would know, concretely, what tomorrow could look like and would have an idea of how we would get there and how we would pay for it.

But before that kind of movement can be born, we need to reach out to each other and evaluate our work and learn the lessons it has to teach us. We need to talk to each other and find out what has kept us apart and how we can change that.

The time seems right for that. We seem ready to talk about why our movement is fragmented. To talk about why we have many organizations but little unity and few victories. Why we have individual leaders but no collective leadership. The time seems right to see why we are waging a piecemeal attack on a giant. Time maybe even to put the idea of winning back in our vocabulary.

We need to take time to talk so that we can build a movement that is focused enough and strong enough to create a human society. A society that loves us, and helps us grow.

There is no more important work that we could do than to help bring that world to birth. That's why we're all together in this room.

But if there were only ten of us in the room, and if there were ten one dollar bills — I bet we'd do it a little bit differently. ■