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**THE LANGUAGE OF THE PRISON HOUSE:  
INCARCERATION, RACE, AND MASCULINITY  
IN TWENTIETH CENTURY U.S. LITERATURE**

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by

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The history of the U.S. is inseparable from its practices of imprisonment. The centrality of incarceration is evident in books, films, and performances situated in tension between imaginative and historical discourses: William Faulkner's novels *Sanctuary* (1931), *Light in August* (1932), and *Go Down, Moses* (1942); Eldridge Cleaver's *Soul on Ice* (1968) and Norman Mailer's *The Executioner's Song* (1979); Tony Kaye's *American History X* (1998), Norman Jewison's *The Hurricane* (1999), and Liz Garbus, Wilbert Rideau, and John Stack's *The Farm: Angola, USA* (1998); Ken Webster's *Jury Duty* (1999) and a 1999 protest, "Live from Death Row." These representations of imprisonment provide the means to identify a carceral identity, as imprisonment has become a matter of cultural difference similar to other indices such as race, class, gender, and ethnicity. Raced practices of imprisonment have contributed to the equation of black masculinity with criminality in the cultural imagination, a practice resisted in texts that evoke a plural, social identity. Faulkner's

fiction demonstrates a shift in responsibility for criminality between 1931 and 1942, from the individual to the social, and challenges the degree to which lynching informed Southern execution practices. *Soul on Ice* and *The Executioner's Song* bracket a transformation in the carceral identity from raced and politicized to an ahistorical, race-less phenomenon, a change apparent in the transcripts of the American Correctional Association as well. The wholesale expansion of imprisonment in the U.S. in the last quarter of the twentieth century figures prominently for films set in prison, and the films make claims to the real in a manner that affects actual prisoners. The concluding performances challenge the isolation of the carceral identity and foster dialogue between those in and out of prison, returning prisoners to history.

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## PROLOGUE

### Imprisonment and the Cultural Imagination

[T]he weight of past narratives and characterizations of the prisoner work as social forces in shaping the depiction and motives of the prisoner of the present and hence force the issues of race and gender. Because the public has a memory of the discourses concerning prisoners, however ephemeral, all new constructions of the prisoner begin with past characterizations as a base.

—John M. Sloop, *The Cultural Prison*

The study of incarceration as it is represented and practiced in the twentieth century United States gained clarity for me the summer of 2001, when a particular incident illustrated how the imagination of prisons overwrites their actuality. On a Sunday afternoon, I took a break from working on an early draft of this project and scrolled through the channels of Time Warner Cable. Turner Network Television (TNT) featured *The Shawshank Redemption* (1994), a well-known Academy Award Best Picture nominee in which Tim Robbins and Morgan Freeman play long-term convicts whose friendship redeems both of them. At the same time, The Discovery Channel screened the documentary “Maximum Security Prisons”—or rather it was scheduled, but there seemed to be some problem with the cable signal, and Discovery displayed only a blank monitor. That blankness contrasted sharply with *The Shawshank Redemption*, where actors played convicts on screen, the characters sitting in a theater watching a Rita Hayworth film. When Andy Dufresne (Robbins) leaves the theater, he is attacked, brutally beaten, and presumably raped by a group referred to as “The Sisters.” On the Discovery Channel, “Maximum Security Prisons” ended



and “Supermax” began its account of a high security facility, but the signal remained blocked and the screen dark. Back on TNT, in *The Shawshank Redemption*, Andy tries to get funding from the warden to buy new books for the prison library.

Too much could be made of whatever technological glitch made “Maximum Security Prisons” unwatchable that afternoon—though Martin Luther King III cites a similar experience he had earlier the same year, one he recounts in his keynote address at a national conference of prison administrators (ACA 2001 2). Discovery’s program is even one of the two shows he mentions. There is a crucial lesson in the blank screen of “Maximum Security Prisons” as a documentary contrasted with the glossy and familiar look and characters of Frank Darabont’s film, with its coherent, humanist narrative, in which a white man imprisoned for a crime for which he was innocent learns about compassion from a black man who was guilty.<sup>1</sup> The documentary would not have provided access to some unmediated “real,” given that it, like *The Shawshank Redemption*, would feature the efforts of producers funding the venture, a director choosing and structuring scenes, editors building narrative continuity, and the rest of the production crew that make film and video such collaborative work.

However, there are critical differences between depictions by actors and by prisoners, fictional narratives and documentary, realistic and really “real.” Certainly there are challenges to authenticity and the problems of the “real” posed by post-structuralism<sup>2</sup>—or, for that matter, raised in the British reality television series “The Experiment,” reported by BBC News as a twenty-first century redux of the infamous

1971 Stanford Prison Experiment, featuring aspiring actors playing real people in order to be on television and thereafter become “real” actors. Nevertheless, a crucial gap remains between Freeman playing Red and Supermax prison inmate Kenny Collins, who speaks in the prison protest “Live from Death Row” described in the conclusion of this dissertation. The difference I highlight between the popular Hollywood film and unseen documentary illustrates one of the central tenets of this project, that actual prisons have a constructed invisibility in sharp contrast with their surfeit of representation in books, films, television, and other media. These screens of the imagination offer the projections of what is hoped and feared to be true of prisons, places that are by definition difficult to access—except for black men, who enter far too easily.

The ease of switching channels between the documentary and the film also highlights the seemingly narrow gap between actuality and its imagination. There is a simultaneous mutual causality and disjuncture between the historical record and the cultural imagination, a difference that is particularly stark for prisons as they are endured by those within and imagined by those without. It costs U.S. taxpayers over \$35 billion each year to keep two million people in prison and jail, over 40% of whom are black; another 4.7 million people are on parole, probation, or held in an alternate facility (Schlosser 54; U.S. Department of Justice “Prison and Jail Inmates at Midyear 2002” and “Probation and Parole”). There is a largely unremarked tension between that set of social and institutional practices and the hundreds upon hundreds

of recent descriptions of imprisonment varying in media, genre, popularity, and stakes in the real.

These depictions make for a various literary record. The depictions of incarceration take many forms and become a part of history in a manner different from but related to other aspects of the historical record, including but not limited to patterns of U.S. prison policy and practice that have varied considerably over time. The sheer difficulty of engaging those methodological problems, coupled with the fact that imprisonment is so visible as to not be seen, necessitates this Prologue's somewhat impressionistic scope as a preface to Chapter One, which functions as a more proper introduction. That chapter establishes the historical and theoretical frameworks for the subsequent analyses of representations of criminality and imprisonment. Chapters Two through Five examine three novels, two books situated between biography and fiction, three films, and two performances: William Faulkner's novels *Sanctuary* (1931), *Light in August* (1932), and *Go Down, Moses* (1942); Eldridge Cleaver's *Soul on Ice* (1968) and Norman Mailer's *The Executioner's Song* (1979); Tony Kaye's *American History X* (1998), Norman Jewison's *The Hurricane* (1999), and Liz Garbus, Wilbert Rideau, and John Stack's *The Farm: Angola, USA* (1998); Ken Webster's *Jury Duty* (1999) and a 1999 protest, "Live from Death Row," where actual prisoners speak via speaker phone with an assembled audience.

As the last of these demonstrates, for those not themselves confined, imprisonment is closed off from visibility, creating a space for imagined interiors,

whether projected on screen or cast on the page, which purport to unveil the mystery. However, that unveiling often merely capitulates to the contradictory fantasies of audiences who conceive of prisons as forces of order, places of rehabilitation, torture chambers of psychic, physical, and sexual violence, consolidations of uniformly violent, dangerous, and most often black criminals, or all of these at once. Those fantasies, particularly in the absence of lived experience, prove formative for widely held assumptions regarding actual incarceration. Various critics of popular culture such as Henry Giroux, Ed Guerrero, and bell hooks argue that fictions shape public perception, but producers and audiences also speak to that matter themselves. For example, an April 2002 advertisement in *Premiere Magazine* for the Suncoast film retail company features a store manager's pitch for the company's products with this endorsement of *The Shawshank Redemption*: "They do a great job of capturing how it must feel to be behind bars and then be free again" (25).<sup>3</sup>

Again, prisons by definition are enclosed spaces, and those not themselves incarcerated imagine those interiors, look to popular and provocative projections to see "how it must feel to be behind bars." This dissertation explores that *must*, that subjunctive, that imagination of actuality. I am not claiming an unmediated real, telling what prison is *really* like for those inside, how it *really* feels to be incarcerated. As Statesville Prison, Illinois inmate Simon "Sam" Guitierrez writes, "Prison life is really nothing like what the press, television, and movies suggest" (Morris "Contemporary" 203). The fascination with imprisonment emerges in the gap between historical actuality and its imagining, between the tremendous numbers

of actual prisoners and their near invisibility in public discourse, the representations of imprisonment and a lack of a corresponding critique. This dissertation looks to texts that traverse that gulf in examining a specific set of representations of incarceration, works that make some claim to the real even as they are held in tension between imagination and history.

William Faulkner's *Go Down, Moses* begins with the chase for an escaped slave and ends four generations later with a black man imprisoned and executed in Chicago, his body returned to his native Jefferson, Mississippi. Faulkner suggests that the character's criminality is part of a pattern of racial inequity perpetuated through the genealogical span of a novel beginning with southern slavery and progressing through Jim Crow to 1940. Furthermore, he locates the social responsibility for the return of Butch Beauchamp with the entire town in general and the white male business community in particular. Eldridge Cleaver in *Soul on Ice* operates in various registers, sometimes, like Norman Mailer, observing himself watching the time of his time, commenting on contemporary events and popular culture, though with a prison cell view in his case. Mailer's *The Executioner's Song* even more fully narrates the history of its present, excerpting news clippings, interviews, and other ephemera that provide a texture of historical actuality to the narrative of Gary Gilmore's crimes, trial, and execution. Mailer demonstrates the role narration plays in telling history as he documents the media circus surrounding Gilmore's case involving lawyers playing the part of reporters, reporters shaping popular opinion, and movie producers contributing to the outcome of events. The

three films surveyed—*American History X*, *The Hurricane*, and *The Farm*—all variously situate themselves in the real of history, whether citing statistics of incarceration, using documentary style or occasional news footage, or being a full-fledged documentary, as the last is. The dramatic performance *Jury Duty* pitches itself as being based on a true story, and the activist protest “Live from Death Row” is only in its analysis understood as a performance rather than an event. Despite their differences of genre and media, these are all representations of criminality and imprisonment shaped by imagination, and they are all invested in operating in historical terms, drawing relationships between imagined situations and actual circumstances.

The degree to which these books, films, and performances implicate themselves in their respective histories complicates the approach of historical contextualization that has been the dominant trend in U.S. literary criticism over the past two decades. Such historicism incorporates strategies of textual juxtaposition and analysis, drawing connections between diverse textualities. Critics relate fiction, documentary, ephemera, and historiography, incorporating these markers of meaning as a way of making sense of history, literary and otherwise. The presumption of that methodology is that history can be understood as a social unconscious, its direct access unavailable after the fact, and mediated through its textualization.<sup>4</sup> However, the works surveyed in this dissertation make a deliberate effort to engage their immediate history, already incorporating matters of the historical record into themselves, whether a “true live novel” including contemporary newspaper accounts

in *The Executioner's Song*, a feature film integrating documentary footage in *The Hurricane*, or a performance situated in actuality as in "Live from Death Row." Nevertheless, the same strategies of historically nuanced analysis also level some of the differences among fiction and non-fiction, television, film, newspapers, and other media charting the scope of a shared reality. Those methods provide the basis for the traces and erasures of identification, the operation of fear and desire, projections of human agency. Media representations with claims to the real play an important part in defining the shape of what might be understood as the *cultural imagination*, the pages and screens of thought and belief in which people recognize themselves and others.<sup>5</sup> Reading the cultural imagination as symptomatic of a social unconscious guides this dissertation's examination of the representation of imprisonment in twentieth century U.S. literature.

Just as these books, films, and performances are complicated by their trafficking back and forth between imagination and history, the documents by which their historical contexts might be understood are themselves informed by imaginative discourse. For example, the American Prison Association president in 1929, George C. Erksine, declares in his keynote address, "Probably never in recent times has the attention of the public been centered on crime and criminals as it is to-day. The headlines of the morning paper, the table of contents of the current magazines, a casual glance at the shelves of any book store, the growing list of federal, state and municipal crime commissions, all bear witness to this modern trend" (2). A very similar claim made over four decades prior by a member of the same organization

fractures the exceptionality of Erksine's "never before." The speaker Hamilton Mabie asserts in "The Press and Crime" a nearly identical point—though he differentiates between "the noblest literature" and popular journalism pandering to "ignoble taste" (NPA 1886 146-47). Both Mabie and Erksine respond to the need for administrators of actual prisons to account for and situate themselves with respect to the record of crime and punishment as it has been popularly described in a variety of registers. The earlier speaker implies the tension between the literary and the popular, and even highlights the relationships between imagination (noble literature, current magazines, and shelves of any bookstore) and history (speeches of prison officials, headlines of the morning paper, and reports of crime commissions). Both of these matters of differentiation and distinction guide this dissertation's analysis of imprisonment in books, films, and performances of the twentieth century U.S.

More significantly, the point that various representations of imprisonment shape the discourse of these prison officials implies something else: the distinction between text and context cannot be sustained.<sup>6</sup> Over four decades prior to Erksine's comment on the "modern trends" of contemporary popular culture in 1929, Mabie was offering a similar account. Forty-five years later, in 1974, two of the nine papers on psychological treatment of prisoners presented at the American Correctional Association (ACA) conference respond directly to Stanley Kubrick's representation of rehabilitation in *A Clockwork Orange* (1971). Twenty-four years after that, ACA President Reginald A. Wilkinson offers this anecdote:



I wrote a letter to the HBO producers of the dramatic series entitled: “Oz.” I explained that the stereotyping and misrepresentations of the corrections profession in their drama is unacceptable. Of course, the response that I received was that the show was designed to “entertain” and was not meant to depict reality. It is precisely these nonreality [sic] depictions that perpetuate the fallacies about our craft. The characterization of corrections on the silver screen and in the mass media serves as a constant reminder that we must be ever vigilant in heralding the positive aspects of our profession.

(ACA 1998 85)

The pervasiveness of the cultural imagination means researchers and administrators must contend with its depictions.<sup>7</sup>

The swirl of textualities circulating in culture and history traffic in various registers of truth-value, including “realistic” novels and films, newspapers, and television programming ranging from wholesale fiction to reality TV to the news. Imprisonment in the cultural imagination shapes how actual prison administrators discuss it. Furthermore, Julian V. Roberts and Loretta J. Stalans draw upon criminological research and Gallup and other polls to demonstrate how public support for “tough on crime” politicians is often misrepresented, orchestrated, or the result of widely held misconceptions regarding crime, punishment, and racial stereotypes. They emphasize how the media plays the role of “crucial intermediary between politicians and public” (31-32). However, they focus exclusively on news accounts and do not recognize what Wilkinson does, that “silver screen” and “mass media”

both shape belief; texts that traffic between history and fiction such as those surveyed in this dissertation inform public opinion.<sup>8</sup> Such opinion contributes to the shape of another body of documents, the statistics of incarceration, as this dissertation suggests that those numbers too have been influenced by depictions of imprisonment in the cultural imagination.

Mabie's and Erksine's claims of the pervasiveness of images of crime and punishment in 1886 and 1929 remain accurate at the turn of the twentieth century, when there is an unexamined presence of prisons in texts popular and literary. That prevalence is easily surveyed, and while a complete list of explicit references to the carceral in popular culture would prove impossible, a few high profile examples from the years during which I undertook this dissertation include the following: Don DeLillo's *Underworld* (1997) briefly chronicles a juvenile detention facility, and Alexander Parson's first novel *Leaving Disneyland* (2001) opens in Tyburn Penitentiary, a fictional riff on London's infamous hanging tree. The 2001 video for DMX's "Who We Be," one of many rap videos set in a prison, features a cascade of politically laden rhymes appearing like headlines, super-imposed over a black man behind bars. A heavy metal band, Godsmack, sets a 2000 video in a prison riot. Denzel Washington plays a wrongly convicted boxer serving time in a film based on a true story in *The Hurricane*, which, along with *American History X* and *The Farm*, draws attention to the number of black men behind bars. Robert Redford appears as a court-martialed general leading a prison revolt in *The Last Castle* (2001), a counterpoint to his role as the muckraking warden disguised as prisoner in *Brubaker*

(1980). That film also features Freeman, who plays Red in *The Shawshank Redemption*, and an earlier Redford film, *Up Close & Personal* (1996), has yet another prison riot as its pivotal episode. *Oz* (1997-2003), a television drama set in a prison, was HBO's debut regular series, and while the ACA president castigates it for its inaccuracy, it remains one of the few programs not geared primarily for a black audience to feature prominently many black actors in its cast, reproducing the overrepresentation of black men in actual prisons.

As of the end of 2003, there were at least 251 U.S. films featuring men in prison and 87 focusing on women in prison,<sup>9</sup> another testament to the carceral as a site of recurrent fascination. These productions merit remark from prison officials, and *Brubaker* and *Oz* are singled out at ACA conferences for comment and critique (1980 6; 1992 3; 1998 85). Prisons are an eponymous part of how contemporary United States culture imagines itself, but this list also highlights the emphasis on blackness and masculinity that colors and genders incarceration—and consequently, criminality. Prisons and criminals in popular fiction offer a problematic population of characters wherein black masculinity and criminality are mutually constituting systems of signification, a vexed connection that guides the selection of the texts of this dissertation.<sup>10</sup>

Not only popular fiction but also popular journalism has represented the related matters of incarceration and race. The 2000 presidential election made then Governor of Texas George W. Bush's record of overseeing 152 executions a matter of national discussion, a debate that replayed questions of the racial equity of capital

punishment. Those same inquiries had almost three decades before prompted the Supreme Court to formalize in *Furman v. Georgia* (1972) what had been an informal moratorium on executions since 1967. In addition, in 1998, 2000, and 2001, *The Atlantic Monthly*, *Newsweek*, and *Time* respectively, offered cover articles addressing the increasing number of prisons built each year, the privatization of prisons, the disproportionate statistics of black men serving time, and the negative ways in which incarceration affects communities. The cover image of a black man for each of these issues foregrounds the racial disparity in U.S. prisons. The popular imagining of prisons and prisoners, including the raced casting of criminals, both affects and is affected by their representation in news media.<sup>11</sup> Two instances exemplify the complex back-and-forth dialogue between actuality and imagination. George H. W. Bush's 1988 presidential campaign famously deployed the image of Willie Horton and thereby drew on the long-standing myth of the violent black rapist in order to attack Democratic candidate Michael Dukakis' record on crime. Five years later, the commissioner of Pennsylvania's Department of Corrections claims, "The Willie Horton phenomenon has affected just about every correctional system in this country" (ACA 1993 76). Imagined fears contribute to actual incarceration.

In the other direction, from raced state violence to its imagination, the grainy film record of the 1992 beating of Rodney King by a gang of police officers so permeated the mediascape of the 1990s that it has at least two citations in film: Kathryn Bigelow's *Strange Days* (1995), in which LAPD officers surround and assault a character played by Angela Basset, and the Wachowski brothers' *The Matrix*

(1999), in which Lawrence Fishburne's Morpheus is similarly abused. Such interplay between news and imagination makes it difficult for audiences to determine from just where their preconceptions emerge, what competing frames of reference of dubious facticity and even less determinate meaning produce the set of shifting assumptions and social discourses that are culture. Historically nuanced textual analysis becomes a strategy of tracing trends in a social unconscious, the cultural imagination, and suggesting their significance.

Imprisonment was not imagined but lived for over two million people as of the close of 2003. Furthermore, among those in federal and state prisons and county jails, black men are over-represented by a factor of more than seven in comparison to white men, Hispanic men by a factor of almost three.<sup>12</sup> That over-representation of black men in prison presents a reversal of their *under*-representation as both writing and written subjects, the sort of disproportion that literary scholars have in general sought to redress in the past quarter century. U.S. literary study since the early 1980s has emphasized progressively more nuanced politicality and historicity, wherein the difficulties and fecundities of cultural diversity should reflect in organizations of "literature" as both a field of study and a set of texts to mirror lived experience. Prison as a metaphor is pervasive; however, the scarcity of real and imagined prisons in critical discourse belies the profusion of the incarceration of raced and classed populations in the U.S. The under-representation of prisoners is not merely a phenomenon of literary history, but a matter of national significance—particularly given the anti-democratic erasures that took place in the national election of 2000,

where the construction and deployment of a carceral identity—the criminalized person subject to imprisonment—helped shift the outcome of the presidency.

The purging of voter rolls during the highly contested 2000 U.S. presidential election in the state of Florida illustrates the tense interplay of black and carceral identities. Florida was one of 13 states that at the time prohibited former offenders from voting unless granted particular clemency, even after their sentences were completed. The names of thousands of men and women were on waiting lists to have their rights reinstated, and the delay at the office of Governor Jeb Bush, George W. Bush's brother, was two to three years. At the time, black men and women outnumbered white by 3.3 in Florida prisons. Over 30% of the black men in Florida could not vote because of previous convictions, and black voters in the state voted for Democratic candidates typically nine to one. Therefore, a tremendous number of potential voters, many of them black men, already were removed from the democratic process due to state law and bureaucracy.

In addition to the people already on record as ineligible to vote due to a prior conviction, a list of 57,746 names of “probable felons” was assembled and distributed to the county voter registration boards in order to facilitate their removal from the catalogue of eligible voters. The list was compiled at great expense by the private company Database Technologies under the direction of the Governor's office—specifically, by Katherine Harris, who served both as Florida's Secretary of State and co-chair of Bush's presidential campaign in the state, and was thereafter elected as a Republican to the U.S. House of Representatives in 2002. The list featured 10 times

the number of names generated in earlier efforts and was later determined to be riddled with mistakes. It drew from state-provided information, including names, dates of birth and conviction, and race. However, subsequent examination by the U.S. Commission on Civil Rights has demonstrated that Database Technologies, under direction from Harris' office, categorized the 57,746 people as "probable felons" through gross extrapolation of the data, leading to thousands of errors, such as close but not precise matches of names and dates to the information provided, as well as outright mistakes, such as a woman being mistaken for her sister, an ex-offender, and a man barred from voting in 2000 for a conviction in 2007.<sup>13</sup>

The voting controversy has four crucial components related to this dissertation. These include the over-representation of black men among Florida prisoners and those formerly convicted, the state law barring former offenders from voting, the inefficient and grossly inaccurate composition of the list, and the matter of partisan intent on the part of the office of Florida's Secretary of State and its mutually exclusive interests in an impartial election process and a profound Republican investment as embodied in Harris. The first of those factors demonstrates the degree to which questions of criminality are informed by other matters of identity such as race and masculinity. The second and third factors together illustrate that criminality is an identity historically subject to categorization, description, and definition to the extent that it transforms "persons" to "felons" whose very delinquency follows and defines them even after their sentence has been served. The practice of surveillance effectively produced criminals in the absence of any actual crime or injured party

prior to the assignment of their “probable felon” status, which itself constituted its own injury in the loss of voting rights. The list and its use illustrate Michel Foucault’s claim in *Discipline and Punish* (1979) that “prison, and no doubt punishment in general, is not intended to eliminate offences, but rather distinguish them, to distribute them, to use them; that it is not so much that they render docile those who are liable to transgress the law, but that they tend to assimilate the transgression of the laws in a general tactics of subjection” (272). The “probable felon” list produced criminality where there often was none, a distinction that in this case served an overall strategy of anti-democratic control.<sup>14</sup>

The fourth matter, that of intent, is thus raised. A common criticism leveled against Foucault, that he mistakenly equates intent with effect, seems similarly applicable in this situation with regard to whether Florida’s specific effort in this instance was intentionally racist. However, the Voter Rights Act (1965) is explicit on the matter that intent and effect need not be coincident to determine that voters have lost their constitutional right to vote. In the executive summary of the findings of the U.S. Commission on Civil Rights’ investigation of the 2000 election in Florida, the Commission determined, “The VRA does not require intent to discriminate. Neither does it require proof of a conspiracy. Violations of the VRA can be established by evidence that the action or inaction of responsible officials and other evidence constitute a ‘totality of the circumstances’ that denied citizens their right to vote.” That “totality” includes “voting procedures and voting technologies and [...] the laws, the procedures, and the decisions that produced those results, viewed in the context of



social and historical factors.” The Voter Rights Act provides powerful leverage to the analysis of the historical practices of incarceration identified in this dissertation: the question of racist intent is not the point in the over-representation of black men in prison. The effect is the key, as is made clear in the American Correctional Association’s official endorsement in 2001 of the “restoration of voting rights” to former felons after the completion of a sentence, citing that “disenfranchisement disproportionately affects segments of the population” and fulfills no corrective purpose (2001 97). Still, as of 2004, 48 states prevent inmates from voting, and 13 bar any former convict from the electoral process. Furthermore, the lack of voting rights for both those imprisoned and former offenders—and in the 2000 presidential election the accounting and disenfranchisement of “probable felons”—demonstrates that the carceral identity is a historical actuality with extensive political ramifications, a matter drawn all the more clearly in a national election determined by 537 votes.<sup>15</sup>

The stakes are high in the critique of the representations of imprisonment, the connections between imagination and actuality and those in and out of prisons, especially because of the dangerous equation of black masculinity and criminality. There is jurisprudential law, easily understood as historically contingent—the contradictions and revisions between the separate but equal of *Plessy v. Ferguson* (1896) and its overturning in *Brown v. the Board of Education* (1954), for example—and then there is natural law, seemingly axiomatic and universal.<sup>16</sup> The problem is, the difference between the two does not fade only in deconstruction, a rhetoric of reversal. Repeatedly and uncritically participating in fictions governed by the

inexorable logic of verisimilitude produces *ipso facto* the black super-masculine menial, who becomes the criminal. The cultural imagination shapes the real.

The over-representation of black men in prison equally serves opposite arguments. First, structural inequalities in education, employment, and social services have perpetuated the disenfranchisement of black men even as the criminal justice system inequitably punishes them; second, black men are “naturally” more likely to commit crimes. Of course, endorsing the latter of these is unequivocally racist and ignores the raced injustice throughout U.S. history, and only those unafraid of their racism will espouse it. However, the repeated projections on page and screen cast shadows which color criminality and precipitate sedimentary layers of cultural expectation, the relentless logic by which an imagined symbolic of realism overwrites the real.<sup>17</sup> While the terms *imaginary*, *symbolic*, and *real* invoked here carry with them Lacanian associations, their meanings are not bound there. While it is only a happy accident of history that Lionel Trilling’s essay “Reality in America” is printed in *The Liberal Imagination* (1950), the *Imagination*’s containment of “Reality” at least suggests that imagining the real is a critical imperative beyond psychoanalysis. Antonio Gramsci makes this point in his description of the optative utopia of “concrete fantasy,” a counter-hegemonic strategy of alienated groups (*Prison Notebooks* 126). However, layered representation can participate in social control as well as resistance.

The opening personal vignette of this Prologue contrasts the visibility of the fictional prison of *The Shawshank Redemption* with an unseeable documentary of a

Supermax facility. That overwriting of actual, material circumstances of imprisonment with their imagination is not simply an occasional accident, a linguistic sleight-of-sign, or a semiotic concealment, but a matter of material subalternity. For those not themselves contained within them as inmates, visitors, or staff, prisons quite literally are obscured from sight. The prison occupying a copper mine 100 feet underground in Newgate, Connecticut may have ceased operation in 1828,<sup>18</sup> but prisons continue to demonstrate a third world buried beneath the first. That vertical diaspora is best illustrated in Angola Penitentiary in Louisiana, chronicled in *The Farm*, the name “Angola” enduring from the plantation where the prison now stands, a plantation that took its name and its slaves from Africa,<sup>19</sup> a prison where primarily black prisoners now work the fields, and where writ lawyers cannot find redress. Black men and women were incarcerated disproportionately during the Revolutionary period at the country’s first prison on Walnut Street and at Parchman Farm during Reconstruction, a raced incarceration that continues in prisons today. Certainly, resisting those practices requires the work of activists and lawyers. Challenging the calculus equating blackness and criminality in the cultural imagination and developing strategies of resistance also demands the participation of historians and cultural critics.

My personal hope and scholarly dedication is that constructing a clearer sense of the carceral identity in the cultural imagination and its tension with the historical record can create the possibility for that machine of signification and the expectations it produces to be recognized, re-appraised, and reorganized. Gaining a clearer sense

of the historical processes of representation and expectation may help unbalance the tacit equation of criminality and black masculinity—because the black man accused of murder, sex crime, or assault maintains a mythic force in the U.S. Euphemistic courts of public opinion try cases in ways similar to conventional jurisprudence. They share the characteristic of situations of undecidability that nonetheless demand decisions. Courts both literal and figurative reach conclusions that in effect simultaneously record and invent history, retroactively determining what has already happened. Legal courts do so with the attendant material consequences of exoneration, fine, or imprisonment. However, such actual trials mandate the presence of the accused; there is no comparable imperative of *habeas corpus* in courts of public opinion. Popular conceptions of blackness and crime can take place in the absence of either one. The layered representation of the cultural imagination has effects less immediately tangible but nonetheless pervasive, as the equation of black masculinity and criminality is balanced through the fulfillment of the desire to see black men in prison.

A final reason to trace the development of the representation of imprisonment in the cultural imagination is to substantiate H. Bruce Franklin's declaration in his 2000 MLA presentation: "Just as we now assume that one cannot intelligently teach nineteenth-century American literature without recognizing slavery as context, one cannot responsibly teach contemporary American literature without recognizing the American prison system as context." Franklin's call here echoes the emphasis on incarceration patterns made in Mary Helen Washington's presidential address at the

1996 American Studies Association meeting and Angela Davis' jeremiad there two years later.<sup>20</sup> In drawing attention to the historical context of imprisonment, Franklin relies on the tacit relationship of historical and literary study to assert the as yet insufficiently addressed significance of incarceration in the contemporary U.S., as well as in the literary history of that nation. In pairing slavery and imprisonment, he implies both their related practice and equal importance in constructions and revisions of the nation and its literature. The rhetorical gambit is powerful—my interest is in demonstrating the degree to which it is accurate.

## CHAPTER ONE

### Imprisonment in U.S. History and Literary Studies

[N]ot courthouses nor even churches but jails were the true records of a county's, a community's history, since not only the cryptic forgotten initials and words and even phrases cries of defiance and indictment scratched into the walls but the very walls themselves held [...] the agonies and shames and griefs.

—William Faulkner, *Intruder in the Dust*

This dissertation organizes its study of the representation of criminality and imprisonment from 1931 to 1999 through a set of texts that emphasize the tensions between imagination and history. While Faulkner's *Sanctuary*, *Light in August*, and *Go Down, Moses* all focus on crime and punishment, the last in particular reconstructs the raced past of the Old and New South. Cleaver's *Soul on Ice* and Mailer's *The Executioner's Song* both blend biography and historiography in viewing national history through the lens of a prisoner. Three films, *American History X*, *The Hurricane*, and the documentary *The Farm*, all variously leverage the cachet of the real, as do two performances of 1999, the drama *Jury Duty* based on an actual trial, and the protest against the death penalty "Live from Death Row." These books, films, and performances are first and foremost addressed as a part of a historical record, telling a type of truth in their various adherences to frameworks of fiction and non-fiction. Faulkner's wholly imagined narratives nevertheless relate a history of Southern racism from slavery to imprisonment.<sup>21</sup> *Soul on Ice* operates variously as autobiography, cultural myth, social critique, and literary criticism, while Mailer's novel incorporates contemporaneous records such as newspaper and interview

accounts of events into its narrative. *American History X* regularly appeals to tactics of realism and has its characters spout incarceration statistics to substantiate its truth value, while *The Hurricane* draws from actual events and features some documentary footage—and *The Farm* is entirely a documentary. *Jury Duty* has the distinction of being based on a true story, and the activist demonstration “Live from Death Row” is a demonstration, a historical event only addressed as a performance.

I situate their representations of imprisonment with respect to two other means of knowing past prison practice and policy: first, in the anonymous exactitude of statistics as accounted by historians, sociologists, and the U.S. Department of Justice; and second, in registers ranging from praise to polemic to declarations of policy and academic research as presented in the annual proceedings of the American Correctional Association, formerly the National and then the American Prison Association.<sup>22</sup> These representations are given greater texture by drawing upon U.S. prison historiography and sociology to demonstrate that prison history is central to national history.<sup>23</sup> The effort in each chapter is to offer theoretically inflected explorations of the mutual informative relationships of actual imprisonment and its representation in these works of literature, film, and performance, wherein the depictions of prisons and prisoners are held in tension between imagination and history. The historical expanse of the study and the many genres and media demonstrate the degree to which incarceration, a concealed practice, proliferates in language and images, saturating the history and culture of the twentieth century United States. That variety also demands a range of critical approaches sensitive to

the ways in which different sorts of works operate and attendant to the historical contexts from which they are inseparable. Texts that are literary, bureaucratic, theoretical, documentary, and ephemeral function differently, but bringing them together is necessary to both demonstrate and interrogate the unacknowledged pervasiveness of imprisonment in the cultural imagination and historical actuality—and how each has affected the other.

I draw on multiple strategies of investigation, including close analysis of the works themselves sensitive to their various media of writing, film, and performance, the historical and cultural moments of their production and original reception, and the texts' implication in individual and collective psychoanalytic models. That combination of efforts conducts the three-part argument of this dissertation's proposition that the history (literary and otherwise) of the U.S. is indivisible from that of its prisons. First, imprisonment is a condition of human experience alongside race, class, gender, ethnicity, sexuality, and other indices of cultural difference. Second, the history of raced incarceration in the U.S. largely equates black masculinity with criminality in the cultural imagination, in effect if not in intent a strategy of racial containment, which many of these texts render visible and often contest. Third, they generally offer a tactic of resistance in an expanded model of personal identity, a social subjectivity emphasizing an engagement with history and a collective sense of the self in that history at odds with the American ideal of autonomous individualism. The carceral identity in the cultural imagination is informed by race, gender, and class; historically, it has been a place of struggle between forces that would isolate the



prisoner and the efforts to demonstrate the social and historical contingencies of imprisonment.

The mutually informative tension between cultural imagination and national history demands a variety of critical approaches. The confluence of the personal, cultural, and historical in the constructions of character in these works invites historically and at times psychoanalytically nuanced approaches to social and individual subjects, to the operation of power, to shared fears and desires. The texts that are widely or highly regarded (or both) at particular historical moments can be understood as meeting some need, fulfilling some lack or expectation in their representations. This dissertation therefore makes occasional use of psychoanalytic terms to describe how these books, films, and performances function, the ways they operate in helping shape the cultural imagination. Incorporating such an interpretative framework at times less fulfills an ahistorical theoretical imperative than responds to the degree to which the texts surveyed themselves regularly implicate individual and social accounts, challenge the distinctions between the personal and cultural past, and between imagination and history—what might be remembered, known, believed, and recorded.

The works surveyed occupy not a middle ground between historical and imaginative, but traffic back and forth between fields of discourse: *Go Down, Moses* reconstructs the history of the New South, *Soul on Ice* fuses personal and cultural history with myth critique and revision, *The Executioner's Song* claims to be a “true life novel” in its subtitle, and *American History X* employs a code of realism

prompting some viewers to question whether it is based on actual events, which *The Hurricane* and *Jury Duty* actually are. *The Farm* and “Live from Death Row” are non-fiction, a documentary and an activist demonstration, but each is shaped by and contends with social expectations in part informed by the layered representations of the cultural imagination. The analysis conducted, then, tracks among various discursive registers of theoretically nuanced and historicized readings to demonstrate how works making a claim to the real tell their own sort of “truth.”

Attention to situating such claims to the real unites the application of various theoretical approaches, whether historicizing, psychoanalyzing, or emphasizing differences in the performances and limits of cultural identity. This dissertation makes use of vocabularies and methods (most explicitly those of Freud, Lacan, and Deleuze and Guattari, and more implicitly, Foucault, Jameson, and de Certeau) in order to clarify aspects of texts that might otherwise escape notice. These include: the social unconscious of Faulkner’s imagined Jefferson, Mississippi; the misrecognition of blackness as criminality, the “Negro” crimes and sentences of *Light in August*, *Soul on Ice*, *Hurricane*, *The Farm*, and “Live from Death Row”; the social accountability for crime and punishment in *Go Down*, *Moses*, *Soul on Ice*, *The Executioner’s Song*, and virtually all of the films and performances; schizophrenia as described in *Soul on Ice*, *The Executioner’s Song*, and *The Hurricane*; and the resistance to individual autonomy and support of social identity in many of the texts.

However, this dissertation also works to guard against the seduction of those theoretical discourses. In the effort to better illuminate cultural functions of carceral

practice as it is projected on page, screen, and stage, such application can shine so brightly as to obscure the representations themselves. At one extreme, criticism wholly in one vein or another can inadvertently treat the theoretical discourse as a closed symbolic order, the self-substantiating name of the father. At the other, working with a variety of models can lead to muddled or specious application or appropriation, poaching and name checking. To avoid these pitfalls, I have foregrounded accounts of the texts themselves, incorporating terms and approaches that clarify rather than cloud how imprisonment and the identity of the prisoner function in different ways over time. I balance theoretical reading with an account of the diverse interests producing and receiving books, films, and performances with varying levels of disinterest, dismay, and desire—to bring together the mechanics of production with the various audiences of theorists, critics, and general readers and viewers.

Furthermore, the effort here is to apply various theoretical vocabularies bridged by shared participation not only in the topic of imprisonment, but through the historicist imperative to relate these texts to the contexts from which they are inseparable. Indeed, I hope to have demonstrated that any particular lens of this or that theory attentive to what these books, films, and performances do—what they produce—is always implicated in history and its narration. The history of now is at once the product of what has already happened, and the process of a cultural imagination recreating that past in its own terms, thereby laying a blueprint for future images and imaginings. The historical and material overwriting of prisoners in the

United States has limited dramatically their ability to participate in that process. The right of *habeas corpus* in the court of public opinion is not one constitutionally upheld, and the reiterative projections of carceral experience create the basis for documentary and other aspects of the historical record to reinforce mainstream imaginations of imprisonment. Scholars must therefore make a greater effort to return prisoners to history, to recognize the changes through time of a carceral identity, a demarcation of human experience that carries tremendous cultural force.

Like this dissertation as a whole, this chapter situates these texts with respect to their contemporaneous history, their initial reception from 1931 to 1942, from 1968 to 1979, and at the close of twentieth century. First, I argue for the centrality of imprisonment to understanding U.S. history, literary and otherwise, and demonstrate that the texts surveyed in this dissertation contribute to that project. Next, I point out how the representation of incarceration largely has been overlooked until recently in U.S. literary studies.<sup>24</sup> Last, I substantiate how a combination of ways of reading is necessary for the diverse set of texts surveyed, and offer a chapter by chapter sense of how the related arguments develop. The overall purpose of this dissertation is threefold: to call attention to the importance of prisons and prisoners to conceptions of the U.S., its literature, and its history; to argue that raced practices of imprisonment have contributed to a difficult equation of black masculinity with criminality; and to suggest that a richer account of that history as it has been recorded and imagined can contribute to its reconstruction. The “real” of history is fleetingly experienced, and only lastingly available in its textual narration. The stories that tell that history are

inflected by the circumstances of their own production. Or as Rage Against the Machine frontman Zack de la Rocha describes such historical narrativization in the song “Testify” (1999), “Who controls the past now/ Controls the future/ Who controls the present now/ Controls the past.”<sup>25</sup> This dissertation renders a history of imprisonment as it has been both practiced and imagined not in an effort to control either past or present, but in the attempt to tell a particular history in order to contribute to the imagination of a different future.

In the opening epigraph of this chapter, a provocative passage from *Intruder in the Dust* (1948), William Faulkner imagines the history of Yoknapatawpha County scratched into the walls of its jail in a nearly illegible graffiti of identities and indictments—a linguistic reversal, as the accusations are offered by those themselves convicted and imprisoned. The novel itself is not among the author’s most heralded, and even his avid readers may be unfamiliar with its narrative. However, one of its characters is very familiar, Lucas Beauchamp, a name recognized from *Go Down, Moses*, where he plays alternately trickster and tragic hero, a black sharecropper who repudiates the wealth but not the pride of his white McCaslin grandfather. In *Intruder in the Dust* (1948), Beauchamp spends almost the entire novel in jail, anticipating his lynching by the family of a white man he is said to have killed, until he convinces the nephew of the County Attorney to undertake the role of detective, exhuming the corpse of the murdered man to prove his innocence. Readers see in Beauchamp a black man awaiting execution by mob or jury, a figure with a lineage extending back in history and fiction to Nat Turner and William Wells Brown’s George Green of

*Clotel* (1853); coincidentally, Nat and George are also the names of Lucas' daughter and her husband in *Go Down, Moses*. Turner's actual and Green's fictional death sentences are pronounced in response to slave rebellion, while the threat of lynching for a murder he did not commit hangs over Beauchamp. Various characters remark that Beauchamp is actually punished for his pride—conveyed from his white progenitor—and accompanying repeated refusal to “*be a nigger*” (296, 299, 327). In the eyes of Jefferson, sitting behind bars is the first time Lucas looks like a black man.

The past imagined in the walls of the jail in *Intruder in the Dust* is not written in the novel, and readers must turn to *Go Down, Moses* for a richer sense of how crime and punishment shape cultural history—to read, in effect, the “agonies and shames and griefs” in the prison walls. That writing on the wall gestured towards in *Intruder in the Dust* is actually recorded in the well-known ledger section of “The Bear” in the earlier novel, though the “cryptic forgotten initials and words and even phrases” there conduct a record of slavery rather than imprisonment. In Faulkner's fictional nineteenth and twentieth century South, there is not necessarily much difference among various practices of raced social control. The opening episode of *Go Down, Moses* is a vignette featuring Beauchamp's father, a slave, whereas the next section depicts the Jim Crow Mississippi of an elderly Lucas. Lucas asks if he will be plowing the crops of Parchman Farm, a prison, instead of his tenant farm, and the sense is that there would be little difference. Unlike other Yoknapatawpha landmarks, Parchman Farm is a matter of historical fact, and David Oshinsky

demonstrates that Antebellum strategies of racial containment were perpetuated in such prisons in “*Worse Than Slavery*”: *Parchman Farm and the Ordeal of Jim Crow Justice* (1997). The degree to which Southern racism informed incarceration in the years following Reconstruction is apparent in the claims of prison officials of the time. A South Carolina chair of a prison’s board of directors in 1888 declared that prisons in the state exist to house freed slaves, claiming that 95% of prisoners are black (NPA 70); the same year, an Alabama prison administrator blamed a 250% greater mortality rate among black prisoners on their weak constitution (NPA 84). However, prison history in the U.S. cannot be collapsed to the injustices of Jim Crow—when black men were imprisoned for hazily defined and variously enforced crimes such as mischief, prison administrations stood to make small fortunes leasing black and white convicts as contract labor, and conditions proved so inhumane that five to ten years effectively mandated a life sentence. The history of incarceration extends both before and after that period.

### **Prison history as national history**

Walnut Street Jail was established in Philadelphia in 1776 and became the nation’s first prison in 1790. Walnut Street represented a fundamental change in punishment, a shift from the bodily abuse of stocks, whipping, and execution to confinement and discipline. The most prominent proponent of such a system was the ardent abolitionist and the nation’s pre-eminent medical doctor Benjamin Rush, who signed the *Declaration of Independence* alongside Benjamin Franklin and presented a proposal for a penitentiary model in the latter’s living room in 1787.<sup>26</sup> That plan

emphasized reform, prevention, and deterrence through “bodily pain, labour, watchfulness, solitude, and silence.”<sup>27</sup> Rush’s description, informed by Enlightenment ideals of justice and Protestant imperatives of discipline and work, was endorsed by Thomas Jefferson, who made further revisions, including offering changes to the criminal code as well as architectural drawings. The *jail*, which held prisoners until their sentencing or for very brief durations, became the *prison*, where confinement was the punishment. Many of those confined at Walnut Street were African Americans, over-represented by a factor of more than seven when compared to whites, and primarily serving sentences for property crimes such as theft. The rapid expansion of incarceration led to overcrowding at Walnut Street, and Pennsylvania’s Eastern State Penitentiary at Cherry Hill was built to replace it in 1829. It was the largest building in the U.S. at the time. Prisoners in the Pennsylvania model of isolation almost never left their cells, laboring, sleeping, and eating in close to absolute isolation for the duration of their sentences. An alternate model of congregate imprisonment developed at Auburn Penitentiary in New York, built in 1819, where prisoners slept in separate cells but worked together in silence enforced by frequent whipping. Out of favor as a punishment *per se*, whipping remained accepted as a means of discipline within prisons. The Auburn model typically proved more profitable than the Pennsylvania system, and debates over the relative merits of the two resulted in a battle of pamphlets whose rhetorical volume approached that of contemporary arguments for and against slavery.<sup>28</sup>



Both models maintained at least the idea of rehabilitation of the individual as a component of Jacksonian democracy, and their construction and practices proliferated throughout the U.S., attracting international attention and emulation. Alexis de Tocqueville's journey through the U.S. in 1831, which led to his *Democracy in America* (1835), was originally purposed to inspect the prison system in order to provide a model for the French government. However, with attention shifting away from reform in the 1850s, and prison populations increasingly holding African Americans and new immigrants, less money was set aside for construction and maintenance. Ballooning numbers made the isolation and silence of the Pennsylvania and Auburn models no longer tenable due to overcrowding and insufficient staff, negative factors compounded by the lack of sanitation and health services, as well as harsh labor conditions. Even any intention of reform faded in the subsequent decades, until the deplorable conditions surveyed by an examining committee and the urgency to organize and professionalize carceral policy led to the formation of the National Prison Association in 1870. Rutherford B. Hayes, the U.S. president from 1877 to 1881, was the organization's first president in 1870 and thereafter from 1883 until 1892, a tenure twice as long as any other head of the Association. Aspects of a proto-Progressive platform can be read in his keynote address at the NPA congress in 1888, which links criminality and its attendant imprisonment not to deficient character but to socio-economic factors such as unemployment. A reverend speaking after Hayes cites a warden's view that one-third of prisoners don't belong in prison, one-third should be there forever, and one-third

should have in and out privileges—and another participant would offer these proportions nearly verbatim in 1968.<sup>29</sup>

However, all the prisoners *were* there, and the renamed *American Prison Association* renewed its commitment to reforming prisoners in 1930 without more substantively addressing the consistently deleterious conditions of the nation's prisons. What approaches might prove rehabilitative and reduce recidivism remained up for debate, and experiments in education conducted by Zebulon Brockway at Elmira Reformatory and elsewhere in the 1880s and 1890s gave way to a medical model of treatment. Doctors and administrators advocated psychological classification and individualized remedies, but budgets did not provide the resources for the implementation of those practices. There were also growing challenges to the labor typically accompanying imprisonment. Abuses of convict leasing had decreased, but even the possibility of humane work came under legal attack by organized labor and industrial interests concerned about marketplace competition, culminating in the Hayes-Cooper and Ashurst-Sumner Acts of the 1930s, making productive occupation for prisoners increasingly rare.

Even as the APA again changed its name in 1954 to the *American Correctional Association* to emphasize the imperative to reform, it was a gesture more conciliatory to aspiration than actuality. However, the *Brown v. the Board of Education* decision that same year laid the basis for subsequent improvements in prison conditions in the 1960s. National movements organized around the struggle for racial equality led to the Civil Rights Act in 1964, which drew from laws written

after 1865 to protect the rights of former slaves, and then served as a constitutional basis against discrimination a century later. By extension, the Civil Rights Act also provided for prison reform, as did the expansion of the writ of *habeas corpus*, the guarantee of appearance in court to contest incarceration, one of the rights suspended by the British government and thus precipitating the *Declaration of Independence* Rush signed. These expanded applications of federal law reversed the “hands off” policy which had previously relegated prison oversight entirely to states. In 1970, many jails and prisons—largely in the South—were declared practices of cruel and unusual punishment for operating little better than slavery. In many ways, then, U.S. prison history *is* national history.<sup>30</sup>

There is more of the story to tell, particularly how rates of incarceration (rather than the number of people in prison, which increases along with the overall national population if rates remain the same) remained relatively stable historically until the mid-1970s. According to the U.S. Department of Justice, in the 1980s, that rate doubled, and in the 1990s doubled again (“Incarceration Rates”). This introduction and to a greater extent the subsequent chapters render that history through the twentieth century in finer detail. A fairly obvious question remains, however—what does prison history have to do with U.S. literature? Certainly there is Beauchamp in the Jefferson jail throughout most of *Intruder in the Dust*, and careful historical study of Mississippi imprisonment practices through the first half of the twentieth century might demonstrate the degree to which the narrative account does or does not match actual incarceration practices of the place and time.

However, I am less interested in Lucas Beauchamp than I am in the people of Jefferson who want, who *need* to see him behind bars. That history of desire and fear is much longer and more complex. It is a matter of cultural expectation that is constituted in the tension between imagination and historical actuality; the real of the latter is mediated, accessed through representations and narrations of all shapes and sorts. Books, films, performances, and other forms of discourse emerge from, are both inflected by and transform the diverse sets of social practices and participatory spectatorship that are culture. Their historically specific analysis provides a valuable instrument by which to gain a sense of the tenor of time and chart its change. Furthermore, the texts of this dissertation cue themselves to be read as telling a sort of truth, as they traffic back and forth between actual and imagined histories. They thereby play a significant role in defining the scope of the cultural imagination. That fantasy of what is known, remembered, and believed to be real is unavailable directly, and is mediated. The depictions of incarceration are therefore usefully addressed in examination sensitive to historical specificity and psychological nuance, an examination of the language, images, and practices, the sites and sights where texts evoke what audiences want, need, and fear to be true.

The books, films, and performances of this dissertation either foreground or vividly repress how race shapes practices and patterns of imprisonment. W.E.B. DuBois' prescient claim in 1903 that the "problem of the twentieth century is the problem of the color line" (1) sees its starkest enactment in U.S. prisons, where exactly one hundred years later, at the end of 2003, rates of imprisonment for black

men drastically outnumber white. That over-representation in actual numbers both emerges from and contributes to the phenomenon of conflating black masculinity and criminality. Henry Louis Gates Jr., in the introduction to his *Thirteen Ways of Looking at a Black Man* (1997), offers an anecdote of a black male professor mistaken for a criminal. Gates writes, “I don’t know a black man who doesn’t have at least one [of these stories] to tell” (xxii). The novels, memoirs, feature films, documentaries, and performances surveyed in this dissertation tell more of these stories. In *Light in August*, the murder of Joanna Burden prompts the townspeople of Jefferson to hope, to know a black man did it (288). Dale Pierre is a background, evoked character in *The Executioner’s Song*, but he is a black man whose defense costs a District Attorney hopeful’s chance at election, because that lawyer had come to believe the man was innocent, “convicted by the Jury because he was black” (872). The arrest of Rubin Carter and John Artis that initiates their imprisonment in *The Hurricane* begins with them pulled over; a police officer tells them that they are looking for two black men, and Carter responds, “Any two will do?” In “Live from Death Row,” Jody Lee Miles, a white man, testifies on the raced nature of the death penalty from the vantage point of death row. This misrecognition of blackness as criminality serves as a focal point of analysis in this project, turned and returned to repeatedly.

Given that emphasis, there is the conspicuous absence of Richard Wright’s *Native Son* (1940).<sup>31</sup> On one hand, the story of Bigger Thomas narratively conducts a thesis related to that offered in this dissertation. Wright emphasizes the social and

historical conditions that predispose Bigger's conscious and unconscious violence, as well as the white expectation of it, and the racist hysteria surrounding his pursuit. Bigger's prison house reflections include his observation of "a black sprawling prison full of tiny black cells in which people lived," and the socialist lawyer Max argues in court that the frenzy calling for Bigger's execution demonstrates the "[f]ear and hate and guilt" of race and class conflict (334, 357). In the novel, material limitations and how whiteness imagines blackness produce the expectation and fulfillment of raced criminality. On the other hand, the didactic and relentless development of these arguments makes their representation of carceral force less nuanced than the complexities and contradictions of *Go Down, Moses*, *Soul on Ice*, *The Hurricane*, *The Farm*, and "Live from Death Row," all of which offer a similarly raced carceral trajectory. Wright has a particular axe to grind: the history of racism in the U.S. produces a set of social and material conditions that determine human possibilities.

Such determinism governs the novelist's sense of narrativization as well, and Wright in "How 'Bigger' was Born" describes his writing process as that of a "scientist in a laboratory," creating circumstances into which he inserted Bigger (xxi). The effort to conduct in narrative a scientific Marxism, the analysis of seemingly objective conditions, sharply limits human agency. However, Wright's account of his discursive method leaves open a broader, less mechanistic sense of possibility. He depicts his process of translating into fiction "what he has read, felt, thought, seen, and remembered" (vii)—what he again offers as "following the guidance of my own hopes and fears, what I had learned and remembered" (xxi). Wright effectively

describes his part in what I refer to as the cultural imagination, what is read, felt, thought, seen, and remembered, what he hopes and fears to be true. The narration of an ever-shifting present imagined in this way extends beyond the scope of strict determinism. The method of *Native Son*'s narrative argument therefore shapes the means of analysis in this dissertation, rather than the novel serving as its object. *Native Son* is not overlooked in this dissertation; rather, this dissertation is overseen by it. The specter of "Bigger" Thomas haunts these pages, and unlike the elder Hamlet's ghost, he is less forbidden to speak the language of the prison house and tell its secrets than demanding that they be written.

The structural design of this project draws attention to the pervasiveness of imprisonment in a variety of twentieth century U.S. texts. To focus on a single medium or genre, or to read synchronically and survey a set of contemporaneous texts, or scan diachronically and track through time the writing of a single author such as Faulkner, would localize the degree to which the imagined prisons have saturated U.S. cultural production. This dissertation thus broadens its scope and reads at a slant in two ways. First, these five chapters cut across culture and through history to demonstrate the proliferation of images of incarceration. Second, each chapter reads its grouped texts not with but against one another, as well as alongside others, particularly the history of actual incarceration practices and the discourse of prison officials themselves as offered in the transcripts of the annual meetings of the nation's pre-eminent correctional organization. The three periods bracketed by the texts surveyed offer rates of change from 1929 to 1942, 1968 to 1979, and 1980 to 1999.

The first period demonstrates how Faulkner's view of raced crime and punishment and the social responsibility for it evolved, when both his fiction and the historical record suggest an equation of lynching and execution in the South. The second charts the possibilities of understanding imprisonment as a historical and political phenomenon in 1968, and the disappearance of that definitional context by 1979; between Cleaver and Mailer, there are diminishing possibilities for situating prisoners in history. The third period culminates at the end of the twentieth century, and the films and performances of 1998 and 1999 show how the fascination with imaginary prisons at the brink of the twenty-first century obscures their concrete actuality, a tendency resisted in more marginal productions such as the two performances described in the concluding chapter.

Given the scope and span of this project, each of these chapters could easily be a book in its own right. This does not mean the analysis is superficial or lacks rigor. Instead, my interest is in demonstrating the proliferation of incarceration in the cultural imagination and initiating questions, drawing relationships, opening lines of inquiry rather than closing them. The description and analysis is at times offered in broad strokes because the picture is very large, but it is drawn in finer detail in these three crucial periods of imprisonment in the twentieth century U.S. The first period, the decade between the publications of *Sanctuary* and *Light in August* and *Go Down, Moses*, saw the greatest recorded number of executions in the country's history, offering a backdrop to the death sentences concluding each of these novels. In particular, Southern execution practices coupled with national statistics so closely



resemble lynching as to suggest a substitution effect. *Go Down, Moses* charts that history of incarceration most fully, describing it as a raced practice and the culmination of slavery and Jim Crow. Furthermore, the speeches and research presentations of the American Prison (Correctional in 1954 and thereafter) Association from 1929 to 1932 offer a corresponding description of the causes for criminality to that offered in Faulkner's *Sanctuary* and *Light in August*. However, a decade later, in 1942, their respective senses of the contributing causes and responsibilities for crime and punishment diverge, as *Go Down, Moses* offers a sense of social responsibility for raced criminality even as APA participants propose further individuation of prisoners.

The second era, between *Soul on Ice* and *The Executioner's Song*, frames a historical period where the revolutionary possibilities of recognizing, affirming, and reaching across cultural differences seem to move from exultant to exhausted, and Cleaver's imagined "we" becomes Mailer's account of the execution of Gilmore's "I."<sup>32</sup> In 1968, Cleaver and Mailer were both addressing the threats and possibilities of social transformation in the U.S.; the same year, a warden and ACA President Preston L. Hancock believed "that we are in one of those convulsive spasms of change at the present time" (ACA 1968 13-14). Cleaver was the most optimistic as to what change might bring, Mailer and Hancock far more circumspect. However, much of the social unity effected in resistance in the 1960s was predicated initially on the civil rights movement and thereafter organized around the opposition to the Vietnam War. The conclusion of the war thereby undermined the bases of the cross-

cultural affiliations Cleaver and Mailer both documented in 1968, Cleaver in *Soul on Ice* and Mailer in *Armies of the Night* and *Miami and the Siege of Chicago*. Those alliances between white and black, young and established, men and women, included resistance to imprisonment practices, and Mailer chronicles the list of demands made by the Youth International Party at the Democratic Convention. The first is an end to the Vietnam War, the fourth, a “prison system based on the concept of rehabilitation rather than punishment” (*Miami* 137). There were some gains for prisoners’ rights to self-representation in several Supreme Court cases between 1968 and 1974. These included not only legal representation but more general communication between those in and out of prison, the sort of exchange upon which *Soul on Ice* and *The Executioner’s Song* both depend.<sup>33</sup>

However, not all cases supported prisoners, and *Furman v. Georgia* (1972) at once suspended capital punishment and provided the criteria by which states could again make it constitutional. The hiatus since 1967 ended with the death of Gilmore in 1977. By 1979 and *The Executioner’s Song*, the overall tenor of carceral policy had shifted. A few notable ACA speakers addressed the raced nature of imprisonment practices the same year that Mailer’s novel reminded readers of a white celebrity convict who admitted his guilt and wanted to die. Rates of imprisonment began their exponential increase, while execution rates started a precipitous climb.<sup>34</sup>

The splinter of social resistance to execution as chronicled in Mailer’s “true life novel” is a fragment of the more unified opposition previously organized around the war protest. Broad-based resistance also failed to materialize for the engagement

following Vietnam, the subsequent police action writ large, the “war on drugs” initiated by New York Governor and thereafter Vice President Nelson Rockefeller, along with President Richard Nixon. A wholesale expansion of the carceral system—beginning in New York and occurring nationwide thereafter—resulted from shifts from treatment to incarceration and discretionary to mandatory sentencing. The expansion of criminalization and mandatory minimum sentencing also led to the almost fourfold increase in those incarcerated that included black men in disproportionate numbers to their overall population.

The third period of incarceration following those changes is among the bleakest of the twentieth century. Between 1980 and 1999, according to the U.S. Department of Justice, the number of incarcerated persons more than tripled when adjusted for overall increases in population; the 1.9 million people in jail or prison in 1999 nearly quadrupled the almost half a million people incarcerated in 1980.<sup>35</sup> Thus the three films and two performances at the end of the twentieth century correspond to the on-going three-decade experiment in imprisonment as the solution to all criminological dilemmas, the result of over two centuries of raced carceral practice, producing a system in which black men drastically outnumber white. Raced incarceration patterns prior to the early 1970s, particularly in the South, can be attributed to both social and judicial racism, to structural (i.e., economic) inequities and irregular arrests and sentencing. The nationwide expansion of the Rockefeller drug laws is the greatest factor in the increase in the prison population in the second half of the 1970s, and the targeted arrests of inner city drug offenders in the 1980s

and 1990s, coupled with longer mandatory sentences, compounded racial disproportions thereafter.<sup>36</sup> As Chapters Four and Five demonstrate, by the last decade of the twentieth century, prison administrators were well aware that the increasing inmate population had little to do with increasing crime, and much more to do with racism and political weakness at the national level

U.S. incarceration has become a matter of national and international critique and protest even as prisons continue to be built in record numbers to accommodate the ballooning prison population. For example, California alone constructed between 1984 and 1998 at a cost of over six billion dollars (Gilmore 171-172). At the same time, the condition of imprisonment in the cultural imagination becomes image and setting with no strings attached, taking on a perverse polymorphism. “Prison” becomes the exemplar sign that obscures its referent, an excessive visibility that conceals actuality, a machine of endless signification wherein the prisons of *American History X*, *The Hurricane*, and *The Farm* are at once hell and places of transformative salvation. In the wake of *The Shawshank Redemption*, the first is similarly a space of violent homosexual rape and where one learns to be a better man. All four of these films depict black men as unjustly held, yet made better by the experience, even as *American History X* and *The Farm* cite national and state prison statistics regarding black prisoners, though with reverse agendas, as the former does so to substantiate white racism. The two performances of the concluding chapter, *Jury Duty* and “Live from Death Row,” strive with some success to represent imprisonment without capitulating to its perverse imaginings. All of these

representations foreground incarceration in a manner that literary and cultural critics have largely missed.

### **Imprisonment and literary study**

Humanities and social sciences scholarship of the past quarter century increasingly has organized its inquiry by matters of identity, of gender, race, class, and sexuality, differences constituted in and themselves shaping history. Increasingly, identity has been addressed not as a stable ontological categorization, but a culturally situated struggle among competing groups and enacted by individuals through socially coded performances. A definitional statement made by the American Prison Association provides a point of entry into the performative character of criminality and its attendant incarceration. The first of the NPA's Declaration of Principles, established in 1870 with the organization's founding and revised and reaffirmed 60 years later in 1930, lists a set of definitions: "Crime is a violation of duties imposed by law, which inflicts an injury upon others. Criminals are persons convicted of crime by competent courts. Punishment is suffering inflicted upon the criminal for the wrong done by him, with a special view to secure his reformation" (1930 249). That principle is again reaffirmed 60 years later, in 1990.<sup>37</sup> Crime, then, is an act against written law with its own effect, injury. A person becomes a criminal, however, not in committing the act of the crime, but through being acted upon by the court; criminality is subject to determination by the judge or jury. Criminality is thus a condition imposed by the court, not coincident with the commission of the crime but an effect of the jurisprudential conviction.

That can seem a matter of linguistic hair-splitting, until one considers the number of laws broken regularly in virtually all social segments of the U.S.: stock market insider trading, exceeding the speed limit, domestic violence, corporate negligence, driving while intoxicated, illegal drug use (and the attendant sale), whether by right-wing polemicists such as Rush Limbaugh or by the inner city populations he regularly demonizes, or any number of infractions that are part of the texture of everyday life as it is practiced and imagined in culture. According to the APA Declaration, the cynical maxim, “it’s not a crime if you don’t get caught” is accurately framed in terms of the condition of criminality, rather than the commission of crime. One is not a criminal for breaking the law, but only through a subsequent conviction in court.<sup>38</sup>

Criminality is thus a matter of interpellation, of being so named. The term immediately invokes Louis Althusser and his claim of subjects as hailed into being.<sup>39</sup> His example of the policeman’s call, “you there!” implies both the threat and the psychoanalytic guilt presumed in such a naming, and he describes that hailing as the entry of the subject into history (169-174). That singular interpellation as identity formation is nicely exemplified with regard to race and gender in such noted examples as Frantz Fanon’s “Look, a Negro!” and Judith Butler’s “It’s a girl!” (*Black Skin* 109, 111, 112; *Bodies* 232). Like those interpellations,<sup>40</sup> the identity of the criminal has its presumably straightforward cause, originary and singularly definitive: the person is black and not white; the newborn child has these sexual parts and not those; the accused is guilty rather than innocent. However, as with other indices, the

facticity of criminality (and the incarceration with which it has become increasingly commensurate) and its meaning are not always so straightforward. The black and white of race is particularly vexed, at times denoting a *perception* of skin color and thus far more a psychological and cultural matter than one of biology, in other instances signifying ethnicity or ideology.<sup>41</sup> In the field of gender, many theorists have approached the questions of male “becoming” especially with regard to the femininity that has defined it by opposition, work that others have relied on in defining how masculinity might operate.<sup>42</sup>

While incarceration, race, and masculinity provide the topoi of this dissertation, I sometimes employ a fairly uncomplicated treatment of the latter two, foregrounding the “incarceration” of the dissertation’s subtitle at the expense of the other two terms. As prison studies becomes more central to historical, literary, and cultural studies, then more specifically inflected analyses will appear, more richly describing blackness, masculinity, and other identity indices as they are constructed and deployed within imprisonment, both actual and imagined. For example, in the gendered spaces of prisons, patriarchy as man-is-dominant engages prisoners in a subordinate role to “the man” who keeps them down; male prisoners thereby subordinate one another, sometimes in violent rituals of male prison rape, fantasies of which outside of prison even exceed its prevalence in prison. That sexually enacted violence has its raced practice as well.<sup>43</sup> Nevertheless, this study largely treats incarceration as the primary variable in the cultural function of imprisonment, its

purpose and practice changing historically. Future work will incorporate more fully other indices of difference alongside the carceral.

The subsequent chapters address criminality as an identity equated to prisoner, given that through much of the twentieth century in the U.S.—especially in the past 30 years—punishment largely has been synonymous with imprisonment. Formerly reserved as punishment for severe crimes of violence and property, imprisonment increasingly has become since 1980 the only solution for the problem of all people named as criminals. Such a calculus corresponds to another, that of black masculinity with criminality. It is not only racists or the under-informed who follow that faulty transitivity: if A equals B, and B equals C, then A equals C. Black men are over-represented in prison, and those in prison are presumed to be uniformly violent criminals, so black men are violent criminals; or, most black men are violent criminals and thus fill prisons. Edgardo Rotman, a prison historian and proponent of reform, writes, “In the mid-1950s there was a significant change in the inmate populations as a consequence of the large migrations of southern blacks into northern and western cities. Thus many northern prisons came to hold a black majority” (172). A scholar sympathetic to the project of prison reform manages to suggest, without comment on racism and unemployment, that because black people moved north, prisons in the north became largely black. The character of Butch Beauchamp in *Go Down, Moses* follows this pattern, moving from Jefferson, Mississippi to Chicago, yet as Chapter Two argues, Faulkner broadens the responsibility for criminality beyond racial determinacy. Indeed, almost all of the texts surveyed represent and generally



engage the virtual equation of black masculinity with violent criminality. That matter is central to *Light in August*, *Go Down, Moses*, *Cleaver's Soul on Ice*, *American History X*, *The Hurricane*, *The Farm*, and "Live from Death Row," and marginal to *The Executioner's Song*.<sup>44</sup> Criminality and the incarceration largely commensurate with it present both a category of human experience and one informed by other indices of identity such as masculinity and blackness.

We can trace the degree to which identity and the politics of identity as the fault lines of cultural history have served as a fundamental organizing principle of much humanities scholarship since the late 1970s in the development of *The Heath Anthology of American Literature*. One of several collections organized to emphasize the always already multicultural nature of U.S. literary history, its production offers one means to address the attention to cultural difference as well as the relative absence of the discussion of incarceration. The self-professed genealogy offered in its preface traces its origins to discussions challenging the national canon in 1968, then the 1979 project titled "Reconstructing American Literature," which led to the so-titled 1982 conference at Yale and a text of the same name providing pedagogical strategies for reformulating national literature courses (1994 xxxii-xxxiii). Those initial discussions were part of the broad-based challenges to monoculturism in university humanities study. In 1968 and 1969, student groups initiated strikes and negotiations with administrations from the University of California, Berkeley to the City University of New York to argue for broader representation in the university, whether through its curricula or its student body.<sup>45</sup> The commitment to universities

better representing the diversity of cultural experience was and remains particularly necessary in studies of the literature and history of the U.S., whose stake is defined less in language or region than nation, a nation explicitly founded on the promise, if not the fulfillment, of democratic ideals. The democratic ideal of representativeness has proven one of the central imperatives defining U.S. literary history and theory from Ralph Waldo Emerson to F.O. Matthiessen to the so-called “New Americanists” of the 1980s and 1990s, even if the qualifications of that representation have changed dramatically.<sup>46</sup> The effort by cross-cultural alliances of academics and activists to reconstruct American literature emphasized the enriching diversity of race, class, ethnicity, and gender. From the struggles in Berkeley, New York, and elsewhere in 1968, to the 1979 project and Yale conference three years later, to the four editions of the Heath Anthology and those like it, efforts emphasizing a historically multicultural U.S. have made such inflections of difference the most prevalent organizational framework in humanities and social science study.<sup>47</sup>

One of the strategies of literary critics and theorists working in this tradition has been to de-center a monocultural perspective through the analyses of both the view *from* the margins and *of* those marginalized. This pair of approaches has been the effort of many of the participants of this particular strand of literary history, whether those contributing to the 1982 summer conference or editing the Heath anthology. For example, Richard Yarborough, the associate general editor of the anthology, employs the dual perspective in “The Problem of Violence and Black Masculinity in Recent U. S. Historical Cinema: A Look at *Amistad*, *Rosewood*, and

*Hurricane.*”<sup>48</sup> Yarborough calls attention to the trend of the Europeanization of black masculinity in these films, each of which is a historical drama leveraging the cachet of being “based on a true story.” However, he does not point out that his topical selection includes representations of a slave revolt, a lynching massacre, and black man unjustly imprisoned, an arc that follows the historical telos of slavery, Jim Crow lynching, and the raced incarceration of black men, the history that underwrites this dissertation. Yarborough’s oversight is no pernicious disavowal of a nation’s raced carceral history. Instead, it is a quite literal “seeing over” of the phenomenon<sup>49</sup> I describe: pervasive imagery’s concealment of the history of imprisonment and its actuality, what the cover of *Newsweek* in 2000 describes as almost one-twentieth of the population and the Department of Justice lists as over two million,<sup>50</sup> the underclass controlled and concealed in the design Rush promoted more than two centuries previously.

Scholars have already mapped some of the cultural terrain of representations of incarceration in examinations and collections of prison writing, the discursive work of prisoners themselves. Bell Gale Chevigny and H. Bruce Franklin in particular have addressed prisons’ constructed invisibility by focusing on prisoners’ texts. In *Prison Literature in America: The Victim as Criminal and Artist* (1989), Franklin argues that the main lines of American literature can be traced from the plantation to the penitentiary” (xxxii). His book offers extended readings of the writing of captives, from slave narratives to writing of the mid-1970s. He shifts from reading these works to offering more of the writing itself in his collection *Prison Writing in*

*20<sup>th</sup>-Century America* (1998). That anthology and Chevigny's *Doing Time: 25 Years of Prison Writing* (1999) both underscore that the wording of the Thirteenth Amendment effectively made raced incarceration a *de facto* extension of slavery (xiii; 4), but their primary emphases are the self-representations of prisoners themselves. Prison teachers and activists such as Robert Ellis Gordon and Kathleen O'Shea juxtapose prisoners' stories with their own, writing themselves in the spaces between the prison writing they include in, respectively, *The Funhouse Mirror: Reflections on Prison* (2000) and *Women on the Row: Revelations from Both Sides of the Bars* (2000).<sup>51</sup>

Such prison writing and its study—the prisoners, teachers, scholars, and activists producing and drawing attention to the writing describing prison from the inside, largely in an effort for social justice—are excellent and necessary in their own right. This dissertation takes a different though related tactic and draws attention to the sheer pervasiveness of prisoners real and imagined, written and screened from both sides of prison walls. The views from inside and out create dual vantage points from which to examine the degree to which carceral culture and those who incarcerate mirror one another, as such reflection proves a key trope for the growing body of prison writing. As a poem printed in the prison magazine *The Angolite* in 1985 poses the matter:

Go ahead

Lock us up

Lock us all up

Lock away the ones you see  
In the mirror while you're shaving  
Because we're all just reflections  
Of your world  
Of the world you think we've left behind.<sup>52</sup>

Like this poet, Chevigny claims that “prison *reflects* the state of society,” and in his forward to *Prison Writing*, Attica historian Tom Wicker also argues that what happens inside the walls “inevitably *reflects* the society outside” (Chevigny xviii; Franklin xii—emphasis added). As Gordon’s titular “funhouse mirror” suggests, the reflection can distort and prove grotesque.

Such mirroring and the (mis)identification it implies require a closer look. While generally the imagination of prisons overwrites their actuality, this dissertation also demonstrates that prisoners and the culture that incarcerates sometimes mirror one another, sometimes reflect *on* one another, and fundamentally alter one another. For example, Faulkner’s description of the cause of criminality in the early 1930s is the same as that offered by contemporary prison officials. Cleaver offers a prison cell view of domestic and international policy of the mid-1960s, and he and Mailer each train their critical gaze on the absurdities on both sides of prison walls. However, the depictions back and forth do not only represent history, but participate in its development. Representation offering itself as “real” participates in the texture of that reality, changes the course of human events. For example, Cleaver’s writing in 1968 made him a key figure in ACA discussions of the early 1970s. Mailer’s “true

life novel” scrupulously (and sometimes less so) documents the events surrounding Gary Gilmore’s incarceration and execution in 1976 and 1977, including how television producers, reporters, lawyers, and writers shaped the events they recorded. The non-fiction documentary *The Farm* is at once part of the historical record and itself critically informed by prior imaginings of prison. The cultural imagination less reflects historical actuality than plays a dynamic role in it.

The analyses conducted in this dissertation demonstrate how historical context shaped these texts, but they also show how these texts imagine history and how their telling changes, produces that history. The books, films, and performances surveyed move back and forth across prison walls: Faulkner’s imagination of them from the outside, Cleaver writing out and Mailer writing in; the prison films running the gamut from the wholesale fiction of *American History X*, to being based on the actual imprisonment of Rubin Carter in *The Hurricane*, to a documentary shot largely inside Angola Prison in *The Farm*; and the drama *Jury Duty* based on a capital trial, with the death penalty protest “Live From Death Row” joining inmates and audience in highly mediated dialogue. Balancing the representations from inside and out provides more perspectives on how prisons operate in the cultural imagination.

Though many books and films make prisons both marginal and central to their narratives and settings,<sup>53</sup> there is insufficient analysis focusing specifically on representations of imprisonment in the U.S. The study of prison in writing and film<sup>54</sup> has proven generally marginal to the better developed field of law and literature, in which prisons scarcely if at all appear. Little to no mention of prison is made in work

such as Sanford Levinson and Steven Mailloux's *Interpreting Law and Literature* (1988) or Richard Posner's *Law and Literature* (1988).<sup>55</sup> The decade between the latter and its second edition (1998) saw the appearance of at least a dozen other texts with "Law" and "Literature" prominent in their titles, including Wai-chee Dimock's *Residues of Justice: Law, Literature, Philosophy* (1996), as well as Ann Algeo's *The Courtroom as Forum: Homicide Trials by Dreiser, Wright, Capote, and Mailer* (1996), Brook Thomas' *American Literary Realism and the Failed Promise of Contract* (1997), and Jay Watson's *Forensic Fiction: The Lawyer Figure in Faulkner* (1993). These works sort the differences and dependencies between the two discourses of law and literature, twin fields focusing on the use and effects of language, and their paired study addresses the literary representation of law as agonistic inquiry, the courtroom as stage and place of contest, the function of the tropes of jurisprudence in literature, and the application of literary examples and methodologies to law. In addition to these texts that focus primarily on the depictions of trials, David Guest offers a critique of U.S. fiction representing execution in *Sentenced to Death: The American Novel and Capital Punishment* (1997). However, much lies unexamined in the space between trial and execution, and death is not the only sentence. The near absence of a critical enterprise drawing attention to the narratives of imprisonment offered in U.S. literature reproduces the larger invisibility of imprisonment for those not themselves in prison.

That absence of more critical comment on representations of imprisonment in part occurs because of the evolution of the term *prison*. The semantic shift from a

condition of captivity to a place of punishment reflects the crux of Foucault's argument in *Discipline and Punish*, in which punishment of the body shifted to discipline and individuation. The legitimacy of the historiographical method of Foucault's *Discipline and Punish* has received significant criticism.<sup>56</sup> Though it is written as critical theory and a "history of the present" (31), it still does draw primarily from eighteenth and nineteenth century prison history—if to illustrate its points rather than serve as their basis. In addition, some subaltern studies, the analyses of power's sedimentation of culture, have been critically informed by carceral practice. For example, it is difficult to conceive of Antonio Gramsci's rich description of hegemony not being shaped by his writing from inside prison walls. Dick Hebdige draws heavily from Gramsci in his definitive *Subculture* (1979), and he frames his argument with the prison writing of Jean Genet. Therefore, some of the critical theory formative of historically nuanced cultural study has been shaped by actual and imagined incarceration. Still, theoretically informed analyses of literature typically employ the sense of *prison* as a general sense of confinement, rather than a specific material condition.<sup>57</sup>

The emphasis on the carceral as figurative likely has been informed both by Foucault's emphasis on power for which imprisonment is largely a metaphor, as well as Jameson's use of the term in his critique of formalism in *The Prison-House of Language* (1972), with its titular citation of Wordsworth via Nietzsche. Jameson and Foucault drew titular attention to prisons even as the first in his argument and the second in his employment by subsequent critics made imprisonment figurative, a



metaphor for the limits of formalism and the operation of power, respectively. My title *The Language of the Prison House* at once acknowledges the theoretical debt to Jameson, among others,<sup>58</sup> even as I write his title in reverse, emphasizing not language as a prison, but the language and images through which prisons are represented in the cultural imagination.

Jameson's and Foucault's work proved valuable for analyses of cultural production attendant to historical conditions, but the shift to prison as an abstraction overwrites what is itself a material circumstance, a bait-and-switch of literal and figurative that reproduces the gap between actual and imagined prisons. This dissertation certainly relies on Foucault's work on prisons in addition to his formulation of history as a genealogy of discourse, power, and discursive authority, as well as on Jameson's emphasis on historicity and the embedded politicality of texts, in *The Political Unconscious* (1981) and elsewhere. However, prison as a metaphor causes a slippage as academics writing about images of imprisonment as punishment end up writing about an existential state. For example, Martha Duncan's *Romantic Outlaws, Beloved Prisons* (1996), in examining fiction from Aeschylean tragedy and on past *Modern Times* through the lenses of political science and law, flattens or effaces the cultural and historical contingencies of the texts she reads, and writes a sense of the popular at the expense of the complexity of historical actuality as it might be understood through various records and textualities. In analyses such as these, prison becomes a trope.

That troping is not unexpected, as “prison” provides a powerful and polymorphous sign. Race itself is such a state in W.E.B. DuBois’ description of whiteness as a “prison-house closed round about us all” (*Souls* 3), Wright’s account of America as “a black sprawling prison full of tiny black cells” (334), and James Baldwin’s “sunlit prison of the American dream” (*Notes* 13).<sup>59</sup> Later theorists too make the slip, and for Michel de Certeau, “[T]he law is already applied with and on bodies, ‘incarcerated’ in physical practices” (148). Given the power of the metaphor and the sheer volume of critical work informed by *Discipline and Punish*, with its problematic methodology of critical theory masked as historiography, it should not come entirely as a surprise that imprisonment becomes primarily a metaphor for the operation of power. Nevertheless, the focus in this dissertation remains on prison not as a metaphorical state or a feeling of being confined, but as real and imagined places of bodily confinement within bars and concrete.

The distinction is important, given that even the critics of actual prison writing make the slippage, the *misprison* in which some vital thing is lacking, as the structure of representation referring to actual lives becomes a sign that wholly replaces any referent to a material condition. At his best, for instance, Ioan Davies in *Writers in Prison* (1990) makes salient points concerning prison writing and the ways in which discursive practices counter strategies of domination; at his worst, Davies commits ahistorical and solipsistic excesses in claims such as “the metaphoric prison and the real prison are ultimately one and the same,” and “Death Row becomes the land that we all inhabit” (40, 189). Chevigny comes close to making the same slip in

suggesting, “Though from a certain vantage point we all sit on death row, some of us know this better than others” (301). Something is lost when imprisonment becomes primarily a metaphor, either for the circuitry of force in the social or for a bleak perception of a psychological or philosophical condition. There are rhetorically powerful reasons for challenging the distinctions between those in and out of prison; indeed, the lack of widespread concern regarding imprisonment practices can in part be attributed to the lack of identification, of mutual recognition between those imprisoned and those not. However, any such challenge to definitions of criminality and practices of imprisonment must be grounded in the specificity of material, cultural, and historical conditions, and thereby benefits from tactics of historicity, literary study after the historical turn.

That turn to history provides the basis for another exigency of this dissertation—the emphasis on cultural representativeness in recent constructions of U.S. literary history, in which imprisonment has been largely overlooked. In the 1980s and 1990s, the compass for most literary study has been the historical contexts for production and reception, and that analysis has treated literary representation as symptomatic of social concerns. That strategy is one of tracking the culturally formative discursive relationships between books deemed “literature” and documents of the contemporaneous historical record. Such critics take the position that literary history stands for national history and thus should be plural, multicultural, and hybrid.<sup>60</sup> Given the relationship of literary and national history, it is unfortunate that Americanist literary study has not made more central the growing body of U.S. prison

historiography, which has become a veritable cottage industry in historical scholarship. Chronicling the stories of prisons has largely been the work of historiographers and activists—which is not to say that prison studies have proven central to the study of U.S. history, either. While prominent university presses have in the past decade published works of prison history and there is now *The Oxford History of Prisons* (1998), noted historian Eric Foner makes no mention of prisons in *The New American History* (1997), and even Thomas Holt’s summation therein of “African-American History” ignores the substantial ways in which incarceration has shaped black identity and community since the Civil War. That absence elides the critical prison historiography, which includes the work of Scott Christianson, Jay Adam Hirsch, Oshinsky, and William Banks Taylor, all of whom link slavery and incarceration.<sup>61</sup> Still, the evidence and arguments offered by these historians has remained generally marginal to central questions of U.S. history as well as literary studies.

The three dominant strategies of U.S. literary criticism by which to re-evaluate a cultural history have been to read multicultural history between the lines of canonical U.S. authors, to rewrite the canon to recover other voices, and to challenge metacritically the mechanisms of literary canonicity itself. This dissertation draws from each of these methods. My analysis of Faulkner’s fiction emphasizes the multicultural history written in *Go Down, Moses*, and other chapters draw upon marginal or unconventional texts in various genres. For example, the documentary *The Farm* received sufficient critical acclaim to see it nominated for an Academy

Award, but remains obscure in comparison with widely circulating films such as *American History X* and *The Hurricane*. The genre, rhetorical imperatives, or both of all of the texts surveyed are in contest as well, and what Richard Poirier writes of Mailer could be broadened to include many of these texts. “I would take his engagements with language as political rather than simply literary ones: they are a way of discovering how to hold together elements that perhaps by nature would tend to destroy one another, both in a political and in a literary structure” (*Performing Self* 5). The problematic duality of the political or historical and literary structures of Cleaver’s *Soul on Ice*, Mailer’s *The Executioner’s Song*, and the documentary *The Farm* make their categorization difficult, as they blur boundaries of fiction, history, and myth in their imperative to tell the “truth.” The prominence of testifying likely causes each to emphasize its place in the history of its respective “now,” and these shared concerns locate them not only as imaginative works, but also as cultural theory, criticism, and history, outside the scope of more conventional imaginative fiction, of literature.

“Literature” is a problematic description,<sup>62</sup> and this dissertation attempts to respond to its challenges in part through expanding beyond conventional boundaries to address popular film, documentary, and performance. Among many literary scholars of the past quarter century, any determination of the quality of a written work, its literary-ness, is inseparable from the engines of history that formed the mechanisms of aesthetic determination, in addition to the text itself, the writer’s experiences, the audiences, and their larger historical contexts of production and

reception. An easy example of this change can be read in the critical response to Faulkner, probably the twentieth century U.S. author who is subject to the most extensive study, and whose representation of crime and punishment provide the basis for Chapter Two. In 1963, at the height of the New Criticism he in part produced through reading Faulkner, Cleanth Brooks could describe Faulkner's "masterpieces" and "greatest works" (*William Faulkner* viii, ix).

Just two decades later, the de-centering of aesthetics and the problems attendant on valuation in literary studies demanded an edge of historically specific cultural critique to such championing. Eric Sundquist argues, "Faulkner's best work reflects a turbulent search for fictional forms" to address historical racial conflict (*Faulkner* ix-x). Given changing trends in literary studies, a decade later, Philip M. Weinstein contends that Faulkner's best work is fulfilled in conflicts of subjectivity. "Faulkner's supreme novels are those in which the project of subjective coherence is under maximal stress" (2). The criticism of works that constitute the basis for formations of literary history thereby emphasizes the representation of the cultural tensions of national history as written in characters as models of subjectivity. Literary history in the vein of critics from Avallone to Rafia Zafar is therefore an account of representative men and women of diverse races, ethnicities, classes, and sexualities. History is the sum of actual lives, and recognizing difference offers a means of organizing what would otherwise be a Babel of proliferate voices, documents, and records. Given that these identity differences have not been value-neutral but written through with asymmetrical power relations, those performing

historically sensitive literary study trace those lines of difference, including that of incarceration—where lines of force are drawn with particular power and bleak consequences.

The texts surveyed in this dissertation often employ that very strategy—and in so doing, they maintain an imperative of dissent familiar in U.S. literary history.<sup>63</sup> In Brown's *Clotel*, George Green answers his death sentence by echoing the Declaration of Independence and itemizing the injustices inflicted on his race and himself: "For the crime of having dark skin, my people suffer the pangs of hunger, the infliction of stripes, and the ignominy of brutal servitude" (226). His words, echoing Frederick Douglass, themselves echo in the writing of Cleaver and the film *The Farm*. Such dissent has become not only associated with the self-representation of black men, but their representation by others, a rhetorical strategy often relating twentieth century imprisonment to nineteenth century slavery.

For example, the prison films around which Chapter Four groups its analysis all cite that race history. Vexed as its depiction of black masculinity is, Kaye's *American History X* closes its narrative of imprisonment and racist violence in the 1990s with an epigraph from Abraham Lincoln calling for racial harmony. *The Hurricane* draws verbatim from Rubin Carter's autobiography written in prison, where he identifies "Carter" as the "slave name" from ancestors working fields in the South (*The Sixteenth Round* 4). The documentary *The Farm* chronicles the lives of six inmates, four of whom are black, in the slave plantation turned penitentiary. Furthermore, Faulkner's *Go Down, Moses*, with its central conflict beginning in

slavery in the Antebellum South, ends over a hundred years later with Butch Beauchamp's imprisonment and execution, a trajectory rendered in his grandmother's echo of a nineteenth century spiritual—"Sold him in Egypt and now he dead" (363). Not only activists and historians but also directors and writers draw the comparison between slavery and incarceration, the latter as the extension of the former. The analysis of Faulkner's *Go Down, Moses* in particular occupies a chapter of this dissertation precisely because of that previously unremarked but crucial strand of narrative coherence. The cultural history the novel charts and its link between slavery and incarceration provides an organizing principle, as it suggests a decisive response to the question critics have raised since its publication as to whether the book even has a discernable structure.<sup>64</sup>

However, Faulkner's position in writing *Go Down, Moses* is not the same as that of Cleaver in *Soul on Ice* or Carter in *The Sixteenth Round* telling their histories; there is no ethical equivalency or naïve postmodern collapse of all distinction between novel and autobiography. While meaningfully related, there is a difference between the imprisonment of the character of Butch Beauchamp in a fictional 1940s and those actually in prison then. Mailer's articulation of masculinity in the characterization of the "white negro," though endorsed by Cleaver, does not equate to the blackness of Cleaver himself. I am not interested in discussions of authenticity as such, untethered from historical and cultural contingencies. However, critics such as Chevigny, Franklin, Barbara Harlow, and others usefully describe the literature of prisoners as *prison writing*, as opposed to prisons *in writing*, the representation of



prisoners by those not themselves incarcerated. The selection for this dissertation fairly balances views from within and without prison walls; while Faulkner writes and Kaye films from outside, there is Cleaver writing from behind bars, *The Executioner's Song* and *The Hurricane* both drawing from prison writing and the latter shooting on location, *The Farm* shot almost entirely within Angola State Prison with one inmate (Wilbert Rideau) receiving directorial credit, and “Live from Death Row” allowing prisoners to speak for themselves, an effort Webster’s *Jury Duty* takes pains to recreate.

Prisoners’ self-representations and their presentations by others are joined in order to offer views from the margin and center with an eye toward clarifying how the identities of prisoners are defined both from within and without. Such dual representation is a crucial component of identity formation. Incarceration as a place of identity underscores how it at once constitutes and is defined by individuals and social groups, including those in and out of prisons. If incarceration, like other cultural indices, can be understood as a category of difference, then, like those categories, identity is the hinge between the individual and the social, between the *I* and the *we*. The Civil Rights Act of 1964, along with expansion in writs of *habeas corpus*, provided the basis for much prison reform of the 1960s. The act makes this same point in its particular language prohibiting discrimination based on race, sex, nationality, or religion: “The term ‘person’ includes one or more individuals, governments, governmental agencies, political subdivisions” (emphasis added—sec. 2000e). Singular and plural conflate in cultural markers of difference.

Identity is therefore the axis between psychoanalytic and historicizing approaches so attuned to single and plural, the individual subject and social body. The books, films, and performances of this dissertation are all deeply invested in matters of human agency and the sense of its possibility with regard to criminality and imprisonment. Those investments invite different ways of reading, particularly psychoanalytic and historicizing, two approaches often understood as occupying opposite poles.<sup>65</sup> The difference can be understood as one of scope. Psychoanalytic approaches offer a microphysics of authority focused on the individual subject, wherein the origins of character can be traced to an uneasy combination of difference and universality: idiosyncratic personal history organized through psychoanalysis' cross-cultural and transhistorical terms describing human experience.

Historically nuanced study offers a macrophysics of power and its operation over time in cultural terrain split along fault lines of human difference: race, gender, class, ethnicity, sexuality, and other engines of history. This is part of the reason that most attempts to bridge the perceived gap between the two approaches have located themselves in the study of race<sup>66</sup>—psychoanalysis largely defined by Freud and Lacan, after all, was already organized by gender and sexuality. Some critics and theorists bridge this gap, though given the prevalence of historical study, such efforts can sometimes seem as offered by apologists, or an attempt to leverage the cachet of history. Cultural critics and theorists working in the register of psychoanalysis might object to this description,<sup>67</sup> but even the most fully developed dual approaches often open with an apology regarding psychoanalysis' traditional emphasis on individual

and family histories.<sup>68</sup> The question so famously posed by Carolyn Porter, “are we being historical yet?” continues to ring among critics bridging theoretical vocabularies.

This dissertation does not pretend to offer any unifying theory so much as traffic between the micro- and macro- approaches, as I am arguing these texts themselves do in their accounts of the individual and social forces that shape criminality and its attendant imprisonment. I use some psychoanalytic terminology to describe the representation of character and agency in narrative, because such depictions offer a literary mirror of subjectivity. Lacan’s sense of identification, originating in “The Mirror Stage as Formative of the Function of the I” (*Écrits*), provides a powerful tool for understanding how characters in books and films are situated within symbolic orders, as well as how audiences and producers of texts misrecognize themselves in books, films, and performances. However, Deleuze and Guattari also prove useful in their rejection of the primacy of that “I” and of psychoanalysis’ investments in personal history. They instead emphasize social context and place, nicely encapsulated in their claim, “A schizophrenic out for a walk is a better model than a neurotic lying on the analyst’s couch” (2).<sup>69</sup> That approach applies well to strategies of reading that locate textual production and reception in particular public contexts, the time and space of sociality rather than a transhistorical and cross-cultural couch.

Still, in the final analysis, I am less interested in reading these texts through the multiple and at times competing lenses of psychoanalysis than reading them

against one another, as well as alongside other texts, particularly the cause and treatment of crime and punishment as offered by prison officials themselves and national statistics of imprisonment. The tension of such contrastive reading is the basis for the arrangement of multiple texts in each chapter, as their groupings emphasize their differences, the conflicts and investments that fracture the autonomy of even singular texts—and subjects. In addition, the annual proceedings of the American Prison (and later Correctional) Association demonstrate that prison officials have relied heavily on psychological analysis with regard to the formation of the criminal. Employing particular psychoanalytic terms (whether Freudian, Lacanian, or Deleuzo-Guattarian) is thus not conducted as an ahistorical approach, but as a fulfillment of the investigations and taxonomies developed in the texts themselves, as well as in their contemporaneous history.<sup>70</sup>

For example, Faulkner's narration of criminal consciousness in *Sanctuary* and *Light in August* is coincident both with competing psychoanalytic models of individual development and with the employment of those models in actual prisons, as demonstrated in the transcripts of the American Prison Association. However, Faulkner's willingness in *Go Down, Moses* to emphasize racial injustice and broaden social agency would not be spoken by prison officials themselves until decades later. From the mid-1960s to the late 1970s, Cleaver, Mailer, and Deleuze and Guattari were all variously theorizing what they describe repeatedly as national or cultural "schizophrenia," which all specifically relate to race. *Soul on Ice* and *The Executioner's Song* undertake analytical and narrative methods with a level of

cultural and historical engagement that U.S. literary criticism did not broadly engage until the 1980s. Cleaver's (and Deleuze and Guattari's thereafter) attention to the revolutionary possibilities of black and carceral identities are at first shared and then largely dismissed by some of the officials writing prison policy and practice from 1968 to 1979, according to the American Correctional Association transcripts—and the beginning of a sharp increase in incarceration concludes that period.

As those trends intensified at the close of the twentieth century, race became the dominant sign in the equation of criminality (and its attendant incarceration) with black masculinity. The films of 1998 and 1999 surveyed here, as well as the performance “Live from Death Row,” variously challenge and capitulate to the misrecognition of blackness and criminality, the fears and desires circulating around black men in prison. *Jury Duty* departs in this regard from the prior texts, broadening who might be considered a criminal and thus a prisoner. However, though the drama does not reinforce the misrecognition of black masculinity with criminality, it does, like many of these texts, simultaneously draw attention to injustice in incarceration even as it thwarts identification with the prisoner. Facilitating such identification is likely a crucial step for creating meaningful investments between those outside of prison and those within. At the close of the twentieth century, the carceral identity—the criminal who is therefore a prisoner, as incarceration became the sole response to criminality—is split between lived experience for an unprecedented number of U.S. citizens and a polymorphous sign in the cultural imagination. Describing the relationship between the history and the representation of incarceration requires

historiographical approaches joined with ways of reading that illuminate and clarify evolving notions of the causes of criminality and imprisonment, the cultural identities of those incarcerated, and the social responsibility for prisons and prisoners. As Cleaver writes in a different though related context, “I think all of us, the entire nation, will be better off if we bring it all out front. A lot of people’s feelings will be hurt, but that is the price that must be paid” (*Soul on Ice* 36).

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The first two chapters are organized around the five literary texts surveyed in this dissertation, representations of imprisonment written from both sides of prison walls: Faulkner’s three novels from without, Cleaver’s account from within, and Mailer’s crossing back and forth. Chapter Two, “jails were the true records”: Faulkner’s Changed Sense of Criminality and Literary Execution,” examines representations of crime and punishment in *Sanctuary* and *Light in August* against *Go Down, Moses*. All three novels close with the deaths of characters condemned for murder; in the latter two, the characters are of mixed race. The earlier novels treat criminality as the product of a psychoanalytic model of the individual subject, with the attendant investments in family history and early childhood. It is a model that the narration in these early novels does not seem to trust but for which no option seems available. The views of subjectivity offered correspond to that of prison officials of the time, who viewed records of personal history and psychological classification as a strategy of individuation for prisoners. In contrast, *Go Down, Moses* offers a social rather than personal history producing the criminal, a genealogy spanning from 1840

to 1940 and ending with the execution of Butch Beauchamp. Its narrative trajectory implies a radical claim, suggesting that twentieth century incarceration is the inexorable conclusion of slavery and Jim Crow, and is thus an explicitly raced practice. In the final pages of the novel, responsibility not for the crimes but for the condemned falls to the white male business community, in effect acknowledging a social accountability for raced criminality. The crowd that gathers to see an executed black male character's body return home to Jefferson's "Corporate Limit" is not the unified voice and vision of many of the town's other representations in Faulkner's fiction, but an invoked diversity assembled to witness. The writer's representation of incarceration and execution at times capitulates to assumptions of blackness, masculinity, and criminality, but *Go Down, Moses* in the end challenges contemporary views of wardens and other prison officials as recorded in the transcripts of the American Prison Association.

Chapter Three, "Cleaver's *Soul* and Mailer's *Song*: Subjects in History, Schizophrenia, and Diminishing Possibilities," focuses on depictions of incarcerated black and white men in its paired reading and emphasizes the matters of testimony or "speaking for," as well as trading on their "true" stories. These narratives claim to unveil the actuality of how imprisonment shapes their characters, but their focus regularly shifts from individual identity to contemporary historical events, situating prisoners within larger cultural and historical frames. These two book-length and arguably non-fictional testimonials of imprisonment self-consciously write into and out of prison. In *Soul on Ice*, it is the discursive shift between biography and cultural

critique, while in *The Executioner's Song*, it is not genre but method that grows complicated as Mailer's multi-vocal texture unravels Gilmore's claim to autonomy. In 1968, both Cleaver and Mailer were participating personally through direct involvement and writing in efforts of cultural change at a time when radical transformation seemed possible, not only to them but to ACA prison officials of the time. That would change by the time of *The Executioner's Song* 11 years later, after the revolt at Attica in September of 1971 violently concluded under the orders of New York's then Governor Rockefeller, after he commissioned and then disregarded a survey of rehabilitation programs (which was thereafter widely misused), after his harsh drug laws became a national model even as he became Vice President, and after the beginning of the precipitous rise in incarceration rates.

The shift from *Soul on Ice* to *The Executioner's Song* is one from attention to the social and cultural implications of raced criminality, to a bleak account of seemingly inevitable, unexplainable, and race-neutral violence. That narrowing of possibility is reflected in the discussion of the ACA from 1968 to 1979 as well.<sup>71</sup> The causes of crime and the character of the criminal collapse in those transcripts and between the two books from race, socio-economic forces, and revolution to violent and intention-less phenomena without cause or direction. However, just as Cleaver locates his sense of self in multiple social investments, Mailer offers his bleak account of the character of Gilmore's effort to maintain autonomy even at cost of death through a narrative method sensitive to historicity and the unavailability of that very individual autonomy.



Films are the focus of Chapter Four, “Real, Imagination, and Telling the Difference: Prison Films from Realistic Fiction to Based on a True Story to Documentary,” which continues the focus on an engagement with history. *American History X*, *The Hurricane*, and *The Farm* share a stake in the real. They range from realist fiction featuring elements of *cinema vérité* to the social cachet of “based on a true story” to documentary, and all to varying degrees claim the real, show what prison is “really” like. All three of these films implicate personal and social histories, inviting critique inflected by psychoanalysis and history. Deleuze and Guattari’s expansion of subjectivity to be understood as a collection of social investments again proves useful, though for not wholly expected reasons. Transformations in the ways in which films are produced and viewed necessitate analysis attendant to media company mergers that make film distribution just one component of a supra-company’s efforts to market its products through various outlets, including theatrical distribution, rentals, cable viewing, and soundtrack sales. Realistic films such as these thus become part of a mediascape helping define the shape of a given reality. Furthermore, all three films have been screened strategically as part of one activist project or another. These three films in various ways produce history, repeatedly attempting to substantiate the actuality of their representations of incarceration, race, and masculinity.

The representation of carceral identity in these films draws attention to raced incarceration, though problematically. *American History X* overwrites its own anti-white supremacist tag line, “Some legacies must end”—accompanied by a skinhead’s

swastika tattoo—in its whitewashing of racism’s causes and costs. In *The Hurricane*, the combination of biographical and fictional elements, the juxtaposition of documentary footage with the feature film, poses risks to the “apprehension” of history, both the claim to history and the anxiety over its misrepresentation. Like *American History X*, *The Hurricane* offers racism not as a set of social structures but as consolidated in particular individuals. *The Farm* more successfully represents contemporary raced imprisonment as a consequence of history, but it also fills a shape established by prior fictional films, demonstrating how documentary can capitulate to the same popular expectations as would-be blockbusters. The elements of specific history are cited in popular fiction to leverage the real, even as narrative conceits of prior fictions shape the production of documentary.

The conclusion in Chapter Five, “Staging Prisons and the Performance of History,” turns from books and films to two performances from the fall of 1999 that directly concern imprisonment. Implicated in the ethics of criminality, incarceration, and execution, both make their claim to social justice with a stake in the real. A staging of “Live from Death Row” offers a chance for dialogue between a community audience and prisoners. To hear them speak is an invitation to take a stand against the death penalty, as well as against raced incarceration practices. *Jury Duty* is a play based on a true story and was performed in one instance as a fundraiser for a social work program. Ken Webster’s drama draws from his experience on a criminal trial jury to recount in a series of retrospective monologues a white female character’s crime and trial, as well as the deliberations of members of the jury. The former

demonstration emphasizes how race and class create the expectation of the criminality of black men and their consequent imprisonment, while the latter departs from the racial focus to point how gender and sexuality inform cultural expectations of crime and punishment as well. Like many of the texts this dissertation surveys, these performances make apparent the subalternity of prisoners. Furthermore, as events with materially present audiences, they also provide some insight into how performances situate themselves vis-à-vis audiences and cue particular responses, such as hailing their respective audiences as a social body.

“Live from Death Row” in particular goes the farthest in fostering communication between those in and out of prison, communication upon which the dismantling of the essentiality of their difference is likely predicated. More than any of the books and films previously surveyed except for *Soul on Ice* and *The Farm*, *Jury Duty* and “Live from Death Row” give voice to otherwise largely silenced populations. However, both performances also reinforce the difference between “we” and “these people,” a distinction that limits just how far the borders between social identities might be breached. Perhaps most importantly, as performances rather than texts, they provide a sense of the immediacy and actuality of incarceration in their claims for a broader social responsibility for prisons and prisoners. Lastly, as ephemeral performances whose interpretation here is a type of record of their passing into history, their incorporation into a broader survey of the representation of imprisonment in U.S. literature destabilizes what counts as “literature.” In the case of “Live from Death Row,” the analysis also reverses the historicizing of literary texts—

not the aestheticization of history in the manner that Walter Benjamin has famously associated with fascism, but a literalization of history, its textualization and the historically specific analysis as to how its fleetingly available experience operates rhetorically.

All of the texts represented in this dissertation feature characters (or real people in the case of Cleaver, the prisoners of *The Farm*, and those featured in “Live from Death Row”—or problematically “based on” real people, as is the case in *The Executioner’s Song*, *The Hurricane*, and *Jury Duty*) largely defined by their criminality and imprisonment. These representations of imprisonment and my own rendition of those texts, their arguments and contingencies, are understood as political. Depictions of incarceration demonstrate a set of assumptions about the causes and nature of crime, imprisonment, and prisoners. Because they depict imprisonment in the U.S., they mirror the over-representation of black men in state and federal facilities. In addition, I attempt, for the most part, to level the presumed value of their various media and literary-ness while remaining attentive to the distinctions among texts popular and canonical, fiction and non-fiction, and those written in and out of prisons. Imprisonment is a matter of discussion in various publics, from popular media to academic conferences to congressional committees. Those conducting work in prison studies, U.S. history, and literary criticism would do well to work more closely and critically with both dominant and subaltern texts, margins and centers, and writing in and out of prisons (and universities) to destabilize the distinctions and asymmetries that not only materially but textually produce those

differences. This dissertation attempts to participate in that difficult work by tracing the cultural force of literature in twentieth century prison writing and prison in writing, conducting its readings of books, films, and performances and their representation of incarceration circulating in the cultural imagination.

“Reading” is here a twofold term, describing both the process of making sense of the words and images and also rendering that meaning in one’s own writing. The readings this dissertation writes are situated in the most nuanced way I can manage within the respective historical moments of the texts not because I have taken an Althusserian turn to history without a subject, but because I find historicity a pedagogical imperative. In the teaching of literature, inviting students to read with a sense of history means inviting them to understand the ways that events, beliefs, and cultural forces contemporaneous to the writing and reading of a text shape the available meanings and strategies of that text. These efforts have proven the most convincing means by which to encourage them to view themselves as participating in the history of now.<sup>72</sup> Such pedagogy at least in part strives to work within Jameson’s description of the vexed term “postmodernity” as nothing more complex than the effort to think historically in an age that has forgotten how to do so (*Postmodernism* ix). That imperative is not merely a matter of teachers in classrooms, but attendant to this dissertation itself, given that scholarship itself teaches. Undergirding this dissertation is the explored assumption that scholarship and teaching operate as mutually constituting pedagogical performatives, reifying or contesting ideas such as *literature* and *American*. Gregory Jay makes only half of this point in his

introduction to *American Literature and the Culture Wars* (1997) when he claims, “For the humanities critic, the classroom is more often than not a laboratory, a place of experimentation whose hard-earned results eventually (with any luck) find their way into publication” (11). The reverse of this statement is of course true as well, that publications, or proto-publications in the case of this dissertation, make their way into classrooms, either directly (read and discussed by students) or indirectly (informing the teacher’s position). This dissertation embodies incompletely but as fully as I can my own position, the belief in the power of representation to imagine possibility and difference, to distill sprawling cultural crises into character and narrative, to present if not solutions at least situations that are not so much calmer or better, but more stark in laying bare the cultural wounds of history—and the power of teaching and scholarship to stage their redress,<sup>73</sup> to suggest how to get from here to there, from now to then.

## CHAPTER TWO

### Literary Execution: Faulkner's Changing Sense of Crime and Punishment

#### from *Sanctuary* and *Light in August* to *Go Down, Moses*

If I'm going to finish my crop in this county or finish somebody else's crop in Parchman county, I would like to know it soon as I can.

—Lucas Beachamp in *Go Down, Moses*

Most whites thought of Parchman as a model prison, and the press carried endless stories of its profitable ways [...]. William Faulkner lived in Oxford, only eighty miles east of the farm.

—David M. Oshinsky, "Worse Than Slavery":  
*Parchman Farm and the Ordeal of Jim Crow Justice*

William Faulkner's Yoknapatawpha County, his "own little postage stamp of native soil,"<sup>74</sup> offers a mythic South at once Old and New, fictional and immediately recognizable, a product of the author's imagination and his history, both the history of his personal experiences and the tensions of cultural difference deeply marking the United States from the 1920s to the 1950s. Nineteen novels and many shorter works in their aggregate produce the fictional county and survey over a hundred years a common landscape. Antediluvian characters with extended and entwined genealogies cultivate relationships among the 1,200 lively fictions populating the 2400 square miles of wilderness, farmland, hamlets, and towns.<sup>75</sup> To see what stays the same in Yoknapatawpha, and what changes, is to mark how Faulkner, his world, and his view of it alter as well. At stake is not the consistency or variance of particularities of character, determining for example whether the Lucas Beauchamp of *Go Down, Moses* is the same as that of *Intruder in the Dust*, or noting that houses built of wood are elsewhere brick. Instead, readers may note how in the passing of time, the

writer's representation of the set of human relations alters, how human agency and possibility change in the steepening shadow of history. It is the work of 1929 to 1942, particularly *The Sound and the Fury*, *Light in August*, *Absalom, Absalom!*, and *Go Down, Moses*, that most critics suggest includes Faulkner's most significant writing,<sup>76</sup> a historical period most recognizable as the Great Depression yielding to World War II, when harsh economic and cultural effects were suffered sharply in rural communities. Yoknapatawpha illustrates the poverty, class and race conflicts, transient populations, and shift to urban spaces experienced in the actual South as well as elsewhere in the country.

Less well known regarding this time is that it was the period of the greatest number of executions in United States history.<sup>77</sup> From 1930 to 1942, between 123 and 199 state executions took place each year, more than any other 13-year period since. During that time, black men disproportionately received the death penalty in comparison with white men. While the frequency of lynching reached new lows by the 1930s, some historians suggest a correlation of that racial violence to execution practices (Tolnay and Beck 202; Oshinsky 209-213). Furthermore, a statistical correlation between lynching and execution has received insufficient notice. Arthur F. Raper's groundbreaking study of lynching in 1933 demonstrates that while the terrorism of lynching rested upon the myth of a black man's rape of a white woman, just under one-sixth of the documented lynchings between 1880 and 1930 involved such accusations (36). Exactly the same proportion of state executions of black men between 1930 and 1942 were for the crime of rape, over eight times the frequency of



white men, hinting at a substitution effect between lynching and raced execution; arguably, the latter practice replaced the former.<sup>78</sup> It was against this historical backdrop of race-based lynching giving way to the relatively frequent state sanctioned hangings, shootings, and electrocutions that the first readers of *Sanctuary*, *Light in August*, and *Go Down, Moses* encountered the death sentences of Lee Goodwin, Popeye, Joe Christmas, Rider, and Samuel “Butch” Beauchamp. This chapter demonstrates that the three texts demonstrate a shift in Faulkner’s depiction of criminality, from its cause rooted in personal history to a social standpoint focusing on agency and social responsibility. Furthermore, those five characters split the difference between lynching and execution, but where the practices are only hazily distinguished in the earlier work—Christmas’ death is both—they are sharply distinguished and explicitly raced in the latter novel. That transformation is thereby a repudiation of racist lynching, even as it acknowledges that the turn from mob to jury does not release the society that executes from the responsibility for the condemned.

Noel Polk points that in Yoknapatawpha’s county seat, “The two chief features of Jefferson, Mississippi’s architectural landscape are the courthouse and the jail” (159). It is surprising, then, that crime and punishment in Faulkner’s fiction have received so little notice. Just as Faulkner studies have not addressed the matter of incarceration and execution, Guest’s survey of the representation of the death penalty in twentieth century U.S. literature, *Sentenced to Death*, does not touch on any of Faulkner’s novels. *Go Down, Moses* has heretofore received insufficient notice for its culminating representation of criminality as a crucible for human

agency, a motif developed in *Sanctuary* and *Light in August*. Correspondingly, the degree to which *Sanctuary* serves as a sort of raw material for the two later and more highly regarded novels deserves more attention. This essay first demonstrates the extent that the three novels develop from one another, each progressively offering a more complex view of human agency, at times lifting the same language wholesale from the earlier work.<sup>79</sup> Then, and at greater length, the focus narrows to Faulkner's representation of the origins of criminality and its punishment, most particularly Christmas' death contrasted with the execution of Butch Beauchamp at the conclusion of their respective narratives. Those closures differ as personal psychoanalytic history gives way to larger social, genealogical history in creating the criminal. *Sanctuary* and *Light in August* end with the romantic tragedy for which Faulkner is so well known, where the aesthetic of the language offers the saving grace, but *Go Down, Moses* closes with a starker vision that stages how criminality is the responsibility of a society defined in the cultural differences of a democratic Jefferson, the county seat of Yoknapatawpha.

The three novels offer a changed sense of crime, criminals, causes of criminality, and punishment. The definition of crime and the purposes of punishment have been and remain culturally and historically contingent. Relevant definitions are offered by the American Prison Association, which reaffirmed in 1930 the first of its Declaration of Principles, that crime "inflicts an injury upon others," criminality is determined by "competent courts, and punishment is "suffering" designed for the purpose of "reformation" (1930 249). The condition of criminality is treated through

punishment intended to reform, to re-make the criminal. However, what acts are considered criminal and the strategies of improvement vary in place and time. A variety of policy changes in the New Deal era of the 1930s were a culmination of Progressive efforts and addressed the matter of reformation, including education, paid labor, psychological classification and treatment, and parole programs. Such strategies of rehabilitation came under sharp scorn in Faulkner's own Mississippi, and one newspaper, the *Daily Clarion-Ledger*, claimed in a 1934 editorial that it was "dangerous for society to fall into the error that science can, through a little remodeling, make model citizens of all hardened criminals" (qtd. in Taylor *Down* 84). None of these five of Faulkner's criminals is remodeled; rather than reformed, made anew, they are destroyed in their death sentences. What this chapter describes is Faulkner's changed representation of criminality, its causes, its punishments, and the social responsibility for them.

My claim of an evolved sense of criminality in Faulkner's writing then involves matters of human agency and the sense of its possibility at particular times and places, and thus incorporates both psychoanalysis' emphasis on the individual consciousness and the plural sense of social history. Faulkner himself shifted from emphasizing the former to the latter in his account of forces that shape criminality between his writing of *Sanctuary* and *Light in August* and then *Go Down, Moses* a decade later. I do make some use of Freudian and Lacanian terminology to describe the characters of Popeye and Christmas. However, I am less interested in reading the three novels wholly within a psychoanalytic framework than reading them

comparatively as bracketing a change in the writer's sense of individual autonomy, state retribution for crime, and social responsibility. Their respective accounts here are situated with respect to other texts as well, particularly the credence prison officials gave to psychological classification and the individuation of prisoners from 1929 to 1942. The proceedings of the American Prison Association demonstrate the authority given to psychological analysis in the formation of the criminal by prison officials. That emphasis on personal history participated in their individuation. Most importantly, the causes of criminality and the relation between the criminal and society described in those transcripts provide a historical record in tension with the history Faulkner imagines.

The narratives of all three novels are determined largely by violent crime, and the commission, discovery, and punishment of those crimes serve as the points of gravity around which Faulkner's trademark style of narrative loops and whorls until it circles back to tell and retell events that, chronologically, occur before. *Sanctuary* builds in tension first until Popeye murders Tommy and brutally rapes Temple Drake, for which Goodwin is accused; Horace Benbow, in defending Goodwin, tracks Temple to a Memphis whorehouse, where Popeye has confined her. Temple falsely accuses Goodwin, who is thereafter lynched, while Popeye vanishes only to reappear and be tried, convicted, and executed by his tacit admission to a murder he did not actually commit. In *Light in August*, Joe Christmas' childhood memory of a sexual scene is linked through the racial epithet "nigger" to his ambiguous race. Those associations bind sexuality and racial violence for him until he finally kills Joanna

Burden, who has run the gamut from rape victim to lover, and he is thereafter indicted, escapes, and is then shot and castrated by a deputy of the posse.

Chronologically speaking, *Go Down, Moses* begins with Carothers McCaslin's rape of the slave Eunice and then their daughter Tomasina, a genealogy extending through that patriarch's white sons' pursuit and capture of the escaped slave who is their half-brother, which leads to the marriages that perpetuate black and white McCaslins both. Those raced and entwined genealogies provide much of the shape the baggy monster of the novel has. The narrative outline of *Go Down, Moses* is cast in sharper relief in noting its two ends. First, in the penultimate section of "Delta Autumn," the sins of the father, incest and miscegenation, are renewed in Roth Edmonds' son borne by his distant relation, she by four generations and he by five removed from Carothers McCaslin, the all-father. The second finish is Butch's execution in the titular chapter, a son four generations removed from McCaslin, though his is a genealogical dead end. It is also an official death in counterpoint to Rider's lynching at the midpoint of the novel. The narrative ends of Goodwin, Popeye, Christmas, Rider, and Butch are deaths brought about by the intersections of criminality, blackness, sexual violence, or some combination of these. Goodwin offers the exception proving the rule, a rare to the point of unique representation of the lynching of a white man in the twentieth century. The crimes and punishments of Christmas, Rider, and Butch Beauchamp are tied directly to their race, and Goodwin and Christmas are accused of rape, resulting in their sexual mutilation. Lynch mobs kill Goodwin and Rider, in contrast with the judicially sanctioned deaths of Popeye

and Beauchamp. Christmas' castration and death at the hands of the *ad hoc* deputy Percy Grimm falls between lynching and execution.

Juries sentence Goodwin, Popeye, Christmas, Rider, and Butch, or Faulker describes such verdicts as foregone conclusions. Goodwin's and Popeye's respective juries each deliberate just eight minutes before returning with conviction. For Christmas, the "Grand Jury was preparing behind locked doors to take the life of a man whom few of them had ever seen to know" (*Light in August* 416). Rider's lynching is a given to the deputy sheriff (and deputy narrator) of the second half of "Pantaloon in Black" even before the jailbreak, and news of Butch's impending execution is carried on the news wire. Indeed, incarceration in Faulkner's fiction at first seems anachronistic, as cells serve only to hold prisoners until their punishment in all of these cases, rather than the confinement serving as the punishment itself.

That is, pre-Revolutionary practices housed prisoners in jails to await their public and bodily punishment, but Enlightenment arguments offered in Europe by Cesare Beccaria and in the U.S. by Benjamin Rush shifted bodily punishment at the turn of the eighteenth century to the containment, concealment, and control of imprisonment (*On Crimes and Punishments*; "An Enquiry"). The incarceration in the cases of all five of these characters is only a brief period prior to their deaths by execution in the cases of Popeye and Butch, and lynching for Goodwin and Rider, while Christmas' death is held in tension between the two. Regarding these two practices, Faulkner in his letters—*belles* and otherwise—does not always significantly differentiate between the acts of mobs and juries. In a 1931 letter to the Memphis

*Commercial-Appeal*, he suggests that “both had a way of being right” (qtd. in McMillen and Polk 6). The mutual legitimacy Faulkner offers in that letter is at odds with the negative view of lynching in the short story “Dry September,” written the same year, or *Light in August* a year later. The attributed rightness of mob and jury is one that should trouble readers of Faulkner, but their relation in the South is a matter of historical record.

The seeming anachronism of punishment in these of Faulkner’s novels as well as his dangerous equation of mob and jury reflect related matters of criminality and race in early twentieth century punishment in the South in general and Mississippi in particular. First, the public spectacle of lynching perpetuated the visibility of officially conducted bodily mutilation and execution more common of eighteenth century punishment practices continuing until the Civil War. In addition, branding and other maiming for white and black criminals, even for minor crimes, continued in Mississippi decades past the national norm (Oshinsky 6). However, the overdue revisions to Mississippi’s criminal code in 1835 did not protect slaves, and postbellum racial tensions perpetuated violence against black men and women, particularly with the end of Reconstruction. Lynching decreased by the 1930s, during which time executions ceased being public, and states assumed the responsibility for executions from cities and counties. Given the identical statistics of raced lynching and the execution of black men in the case of rape, the latter practice may have perpetuated the practices of the former, offering another explanation for high rates of execution in Southern states.

The statistical parallel between lynching and official execution is not their only correlation. Law enforcement officials in the South regularly abetted lynch mobs, whether directly by handing over victims, or indirectly, by providing insufficient protection for prisoners. Such complicity drew national scrutiny in the 1906 lynching of Ed Johnson in Chattanooga, Tennessee. Three years later, the U.S. Supreme Court determined that law enforcement officers had insufficiently protected Johnson. The court initiated the only criminal trial in its history to find the sheriff and two deputies guilty of contempt of Court in *U.S. v. Shipp* (1909). Still, Congress' failure to pass the Costigan-Wagner Act in 1935, which would have made such complicity a federal crime, resulted from the opposition of Southern states. The blocking of the Costigan-Wagner Act demonstrates the embeddedness of lynching in Southern culture in the 1930s, thus establishing the basis for it to inform official execution practices as conducted by state governments. For example, a Mississippi sheriff initially appointed the rape victim's father as hangman in a 1934 case, a trial where the jury debated all of seven minutes (Oshinsky 211). The eight-minute juries of both Goodwin and Popeye in *Sanctuary* seem eerily prescient of such cases. The prison officials of the APA could "rejoice that their day of activity is 1930, rather than 1830, that vengeance of the state, of retribution, has largely given way to correctional ideals" (1930 69). However, the APA from 1870 to 1930 largely featured Northeast membership, and those ideals did not necessarily extend to the South, to Faulkner's Mississippi.



What this means for Faulkner's fiction is a reappraisal of distinctions between lynching and execution, and a treatment of the sensational and violently retributive cases of Goodwin, Popeye, and Christmas as less exceptional than representative. Goodwin's conviction in *Sanctuary* includes the District Attorney Eustace Graham's closing argument in court for lynching, to which Goodwin's defender Horace Benbow objects and the judge sustains; in the end, the townspeople have their will done. In like fashion, Percy Grimm is at once deputy and knife-wielding mob member. The blurring between the punishments, coupled with Faulkner's 1931 letter to the Memphis paper equating juries and mobs, offers them a mutual legitimacy in his writing of the early 1930s, an equation that Faulkner no longer found tenable a decade later. In place of a lawyer's argument for lynching in court or a deputy castrating a criminal, there is a sharp divorce between mob violence and jurisprudential decision in *Go Down, Moses*, between the tragedy offered in ironic register of Rider's lynching in "Pantaloon in Black" at the center and Butch's execution at the end.<sup>80</sup>

The shared narrative closures of jurisprudential decision and consequent violent deaths among these novels suggest their comparison, but the most interest lies in the differences among their criminals, their origins and executions, and the difference those differences make. From Popeye and Joe Christmas in the novels of the early 1930s to Butch Beauchamp in *Go Down, Moses* a decade later, there is a changed sense of criminality, a shift in cause from personal history to social history, with a corresponding shift in human agency and responsibility. Also, with regard to

race, the virtual equation of black masculinity with criminality—a calculus by no means Faulkner’s alone and one of the most pernicious in U.S. history—is not effaced in the later work, but their relationship is more complicated than in the earlier novels. Indeed, with its setting, which spans from 1840 to 1940, *Go Down, Moses* implies in its narrative trajectory a radical claim, suggesting that twentieth century incarceration is the inexorable conclusion of slavery and Jim Crow thereafter, and is thus an explicitly raced practice.<sup>81</sup> While more of *Sanctuary* likely takes place in jail than any other of Faulkner’s novels, possibly surpassed only by *Intruder in the Dust*, imprisonment serves more as a gothic set-piece rather than a culminating thematic force, as it does in *Go Down, Moses*. That novel’s sprawling historical setting and at times only tenuously linked characters has as one of its most central narrative drives the critical representation of the enslavement and imprisonment of its black characters. Tomey’s Turl as a slave in “Was” gives way to Lucas Beauchamp, who twice considers reaping cotton not on the Edmonds’ plantation but the prison fields of Parchman Farm (33-34, 68), yields to Rider’s incarceration and lynching, and reaches its conclusion in Butch Beauchamp’s seemingly inevitable execution. Faulkner breaks from the bleak certainty of that narrative trajectory in the final coda, when the white male business community takes financial responsibility for Butch’s funeral and the entire town of Jefferson assembles to witness his return.

To return to *Sanctuary*, the first of the novels for which crime and punishment are so crucial: much has been made of Faulkner’s dubious claim regarding *Sanctuary* as hack work cranked out to pay the bills, satisfying what he imagined to be the lurid

tastes of the popular reading public. At the opposite extreme are the critics variously championing the novel.<sup>82</sup> The scope of the present analysis does not allow for a resolution to this particular tension, but it is both relevant and worthwhile to point out the degree to which *Sanctuary* offers an early attempt to develop the investigation of criminality, justice, and execution that informs *Light in August* and *Go Down, Moses*. Faulkner critics from Joseph Blotner and Cleanth Brooks onward have pointed out Faulkner's tendency to mine his earlier writing for his near constant themes of race, family, and cultural history, as well as the characters, settings, and relationships of his Yoknapatawpha County.

More than most of Faulkner's such returning to the wealth of his earlier words, *Sanctuary*, *Light in August* and *Go Down, Moses* demonstrate an arc of revision and reworked views in which the third novel is the culmination of narrative events and themes Faulkner developed over the 11 year span of their publication. There are of course the author's well-noted idiosyncrasies, such as the ironic Christs of Popeye, born on Christmas, and Joe Christmas, left at the orphanage on that day. Of far more significance to the analysis at hand are the substantive resemblances among the three novels, and more importantly, how the differences in character and action among them chart a refined sense of agency, of act and cause. That changed sense of agency, particularly in the context of criminal acts, make for the tension between actor and acted upon, the subject-*to* and subject-*of* history written in scenes of criminal violence that precipitate the characters' eventual imprisonment and executions.

First, there are a multitude of similar events and identical phrasing across the novels, many relating to matters of chance and choice surrounding incidents of criminality and violence. The bootlegging pair of con and fool in *Light in August*, Christmas and Lucas Burch/Brown, gives way to the unwilling partners of trickster and clown, Lucas and George Wilkins in *Go Down, Moses*. The poker game that resolves “Was” in *Go Down, Moses* reproduces nearly word-for-word a scene from *Sanctuary*. In the earlier novel, there is an anecdote known in the town of Jefferson in which the District Attorney Eustace Graham bets in a livery stable against the owner, a Mr. Harris. After Harris recounts the bets, he questions his opponent.

“Hmmm,” the proprietor said. He examined his hand. “How many cards did you draw, Eustace?”

“Three, Mr. Harris.”

“Hmmm. Who dealt the cards, Eustace?”

“I did, Mr. Harris.”

“I pass, Eustace.” (263)

In *Go Down, Moses*, the wager is far higher and the game is stud rather than draw. But Hubert Beauchamp, after recounting the stakes, asks the same question of his opponent and folds in kind.

“H’m,” he said. “And and you need a trey and there aint but four of them and I already got three. And you just shuffled. And I cut afterward. And if I call you, I will have to buy that nigger. Who dealt these cards, Amodeus?” [...]

“I pass, Amodeus,” he said. (27-28)

The first dialogue is a throwaway set piece, only suggesting that the attorney cheats. The second scene establishes the complicity between “that damn white half-McCaslin” Turl (6) who dealt the cards and his half-brother Amodeus, which results in the former’s union with Tennie, thereby perpetuating the tangled McCaslin genealogy, generative of Lucas and therefore his grandson Butch.

The question of foreclosed chance here in the cards appears elsewhere in the novels as well. In their verbal sparring, Temple Drake and Popeye repeatedly tell one another, “I gave you your chance” (233), just as Lucas Beauchamp twice exclaims to Zack Edmonds, “I gave you your chance” and intimates that chance has been given back and forth between them in the exchange of the razor (52, 55).<sup>83</sup> Their contest, a mix of mutual assault and attempted murder with razor and pistol, murder only averted through the pistol’s misfire, recapitulates the face-off between Joanna Burden and Christmas of *Light in August*. The pistol in each novel’s scene even has two bullets chambered, one for each opponent, and both narrative moments feature the first bullet’s deciding misfire. Burden’s pistol’s failure, of course, ends not in uneasy reconciliation but in her near decapitation by Christmas’ razor. That violence is itself anticipated in *Sanctuary* by the black man imprisoned for slitting his wife’s throat, and followed thereafter by Rider’s murder by razor of Birdsong in *Go Down, Moses*, the killing he commits as an elaborate form of suicide on the pretext of Birdsong’s weighted dice. Then, in Christmas’ half-hearted escape, *Light in August* features the tragicomedy of the posse’s dogs pursuing Christmas, dogs that howl “with the passionate abandon of two baritones singing Italian opera,” a scene which is doubled

by the comic undertones of the McCaslin twins hounding their half-black half-brother in “Was”<sup>84</sup> (*Light in August* 297; *Go Down, Moses* 4-5). Across many of these replications and revisions is the common theme of possible actions, chances taken and given, though rarely equitably. Gambling in Faulkner’s fiction, like reading of the works themselves, is always as pre-determined as the novels’ endings when readers open the first page—the game is always fixed, and we always play.<sup>85</sup>

This network of intertextuality suggests the degree to which these novels draw from one another, and the reworked scenes share common themes of chance, agency, and criminality. The similarities are interesting in themselves, but become more meaningful when, in closer comparison, the subtle differences emerge, particularly with regard to the act and cause that constitute agency. Faulkner describes such causality at crucial points in each of these novels in terms provocative in their resemblance and compelling in their evolution. The narrative turning point of *Sanctuary* is Popeye’s rape of Temple Drake, of which she at its onset warns, “Something is going to happen to me [...] ‘Something is happening to me!’” (102). In *Light in August*, Christmas kills Joanna Burden, similarly setting in motion the subsequent narrative, and he describes his situation before he walks to her house, “*Something is going to happen to me. I am going to do something*” (104), which as he approaches the house becomes, “He didn’t even think then *Something is going to happen. Something is going to happen to me*” (118), bookended with “‘I have got to do something. There is something that I am going to do,’” as he waits still (271).

Faulkner writes Temple as subject to Popeye's rape, while Christmas views himself as exactly balanced between agent and instrument.<sup>86</sup> Less evident is the corollary moment in *Go Down, Moses*, though the closest is the battle between Zack and Lucas early in "The Fire and Hearth," the resolution of which establishes the uneasy balance between the Edmonds and Beauchamps, which continues in that section, through "Delta Autumn," to its end in the titular section, "Go Down, Moses." As Lucas waits to face Zack and resolve the place of his wife Molly between them, he thinks, "*He will do something and then I will do something and it will be all over. It will be all right*" (50). The resemblances among these passages include near identical phrasing of *something* happening, *something* done, further emphasized by the italics used in *Light in August* and *Go Down, Moses*. Furthermore, the narrative position of each of the iterations immediately precedes and comments directly on a violent crime.

Temple, Christmas, and Lucas all exclaim that something is happening or they will do something prior to the most crucial of the several scenes of violence in each book. There is a similar family resemblance among the novels with regard to how the characters situate themselves in time with respect to the violence so crucial to the respective narratives. Temple foresees Popeye's murder of Red with a balance of inevitability and indeterminacy: "it has already happened. [...] it couldn't have happened yet" (237). Related in phrasing and meaning is Christmas' musing as to whether he has killed yet, "'Maybe I have already done it,' [...] 'Maybe it is no longer now waiting to be done'" (111). Lucas' cast is more resolute: "*He will do something and then I will do something and it will be all over*" (50). "It," the

violence that the characters perceive as resolution, in the course of the narratives only begins the ending—and in the case of Lucas and Zack, the “it” of murder never happens between them. Like each articulation of *something*, the three accounts of “it,” of what will have happened for Temple, what Christmas will either do or wait to be done, and what Lucas will do, similarly chart a shift in agency, from its lack to its ambiguous enactment.

The similarity in language and narrative placement invites the comparison among them, and the critical difference lies in the subtle shift from Temple as acted upon, to Christmas held in tension between acted upon and acting, to Lucas as one actor of several, though even he does not know exactly what he will do. Gender informs the difference, as Temple’s actions throughout *Sanctuary* remain largely passive or subtle. Her most direct action, as Goodwin’s denouncer, is itself a lie, and several critics comment variously on Temple’s lack of agency.<sup>87</sup> In contrast, the two male and mixed race characters retain agency, however ambiguously. It would be reductive to suggest that race trumps gender for Faulkner generally, that even tenuously “black” characters are capable of action and female characters are not, either across Faulkner’s novels in general or even these three in particular, considering the mobility and endurance of Lena Grove and Molly Beauchamp. I am not suggesting that the textual power and agency of Faulkner’s female characters are unproblematic, as even a cursory survey of his fiction, or the criticism of it, demonstrates. However, in *Sanctuary*, more than the role of gender, criminality informs Popeye’s agency. He acts, and his criminal violence and the threat of it



largely guide the characters throughout the novel, whether in his rape of Temple and murder of Red, or in keeping Horace Benbow at the pond in the beginning to the silent threat he poses to Goodwin throughout.

And yet—Faulkner is not so schematic, even in this work that closely approaches genre fiction, and one of Popeye’s fundamental characteristics is his impotence, his inability to act sexually. In an extended coda to the novel’s primary narrative, Faulkner offers a near parody of a Freudian sketch for the cause of criminal character. The account offered in the vignette directly precedes Popeye’s hanging, an explanatory model that sees expansion in Christmas’ personal history and its end in *Light in August*. That account of cause for criminality rooted in early development is largely overturned in the case of the execution that ends *Go Down, Moses*, the case of Lucas’ grandson, Butch Beauchamp. A primary reworking in that work from the prior two novels of criminality is the relocation of agency, agency predicated upon subjectivity and identity, how characters act and what that makes them. The shift occurs from a subject determined by a personal history and original cause to a social subject in tension with a larger history. One of the most significant changes from *Sanctuary* and *Light in August* to *Go Down, Moses* is the difference in characters’ sense of themselves in the narrative action and their responsibility in and for it—in effect, the literary mirror of subjectivity and agency.

**“this modern trend” of crime—and psychoanalysis**

Faulkner’s depiction of Popeye’s impotence and the symbolic substitution of his sexuality take on explicitly Freudian implications numerous times, not the least of

which is Temple stealing his pistol or repeatedly calling him “daddy” (225, 229, 231, 236). Indeed, their sexual relationship, such as it is, mediated by Red though orchestrated by Popeye, at times seems not only derivative but also a parody of Freudian myths of erotic neuroses. With Popeye’s whinnying like a horse in his voyeurism, he is a gelding to go alongside the Rat Man, Wolf Man, and the rest of the mythological zoo of sexual disorders. Psychoanalytic readings are pervasive in the criticism of *Sanctuary* and accounts of Popeye, Temple, and Horace and Narcissa Benbow. Given the name of the last, Freud’s accounts of narcissism, the repeated motif of mirrors throughout the novel, and Lacan’s claim of mirroring in identity formation (*Ecrits* 1-7), it is not difficult to see why.

However, most relevant to the matter of criminality and causality at hand is the coda that takes place in the final chapter, the trial, after Goodwin’s lynching. Popeye’s arrest for killing a policeman when he was instead shooting Red immediately gives way to his unremembered infancy: his mother’s courtship, marriage, abandonment, and disease; Popeye’s own near murder as an infant, his sickness, curtailed sexual development, and homicidal tendencies even as a child (302-9). Framed as it is between his arrest and trial seven pages later, it is difficult not to read that curt life story as an explanatory cause, what Guest describes as a diagnostic biography and what prison officials at the time sought in a case record, retroactively tracing crime to early biography: “A case record should reveal a man’s very soul,” the criminal type determined in “the individual’s life history” (APA 1929 79; 1930 202). In the case of Popeye, the coda offers a causal narrative for the crime

he actually committed (the murder of Red) to balance his execution for the crime of which he is innocent (the murder of the policeman).

Faulkner claims in the introduction to the 1932 Modern Library edition of *Sanctuary* that his mercenary writing process for the novel deliberately catered to his imagined audience, “what a person in Mississippi would believe to be current trends” (vi).<sup>88</sup> Among those “current trends” Faulkner sought to exploit are criminality in general and its psychological cause in particular. The pulp detective fiction of the 1920s as well as films such as Alfred Hitchcock’s *Blackmail* (1929) and *Murder!* (1930) may have been some of the crime fiction Faulkner surveyed, and he was not the only one viewing that cultural landscape. The APA President George C. Erksine began his presidential address of the 1929 annual congress by pointing out the centrality of crime in the cultural imagination, and “the morning paper, the table of contents of the current magazines, a casual glance at the shelves of any book store [...] all bear witness to this modern trend” (1929 2). Erksine’s “modern trend” of the pervasiveness of the representation of criminality is likely one of the several “current trends” to which Faulkner refers; psychological analysis is another. Erksine closes his address with an emphasis on the necessity of psychologically profiling criminals (8, 9), and five of the 42 papers presented during the general session of the 1929 conference focus specifically on psychological approaches to criminology with an emphasis on childhood experience.

The approaches endorsed by the APA less resemble Freudian emphases on the unconscious and sexuality than the individual personality development described by

Alfred Adler, who split from Freud and his approach in 1907. One indicator of that association appears in the discussion following a paper given at the 1930 APA congress that treats criminality largely as a psychological disorder, prompting an anxious questioner to suggest that the profiling described in that presentation might give a prisoner “a real inferiority complex” (222). That complex is a misreading of Adler’s theory of self-assertion, though that slip, as well as the hazy distinction between Adler’s and Freud’s approaches, was common at the time. A 1925 *New York Times* article archly suggests that the psychological disorders “Freudians attribute to repressed sex impulse, Adler attributes to a deficiency in the mechanism of self-assertion to the ‘inferiority complex,’ which today is on the tongue of thousands who have no idea of what they are talking about” (*Oxford English Dictionary On-line*).

So “a person in Mississippi,” or the larger audience that Faulkner knew, believed, and hoped to gain might have difficulty sorting between schools of psychoanalysis which developed through the late 1920s, notably with the publication of Freud’s *Civilization and its Discontents* (1930) and Adler’s and *The Case of Miss R: The Interpretation of a Life Story* (1929) in the years immediately preceding the release of *Sanctuary*. Psychoanalysis as part of the texture of culture at the time thus informs the diagnostic narrative Faulkner offers, and Popeye’s seems particularly Freudian. The character’s infancy and impotence are fairly easily understood as a sum of the primacy of pre-conscious sexual development and anatomy as destiny, the two Freudian maxims of psychoanalytic subject formation. The explanation of Popeye’s criminality narratively follows the crime much as psychoanalysis

retroactively locates original cause as secreted in unconscious memory. Still, given its almost tacked on nature, it seems possible to read Popeye's biographical vignette as Faulkner's capitulation to a model of behavior he did not believe, but for which he did not have an alternative. Not until *Go Down, Moses* would he develop a social and cultural genealogy for subject formation as an alternative to a repressed personal history based largely on sexuality.

Though Faulkner radically expands the sophistication of character in *Light in August* compared to *Sanctuary*, Christmas' crime and thus his subsequent execution, like Popeye's, has an explanatory narrative, an original cause in the primal scene. Whereas Popeye's Freudian coda is triggered by his arrest, the return to Christmas' childhood occurs immediately after he begins walking to Burden's house, where he will kill her. The recollection of the primal scene, written through with the obligatory guilt, even opens with a fair description of the operation of a Freudian unconscious: "Memory believes before knowing remembers. Believes longer than recollects, longer than knowing even wonders. Knows remembers believes" (119). That introduction gives way directly to the description of the orphanage, the setting of his theft of toothpaste, his observation of the dietitian and Charlie's sexual encounter and the origin of Christmas' guilt, tied subsequently to Christmas' race when the dietitian names him "nigger bastard" to end the scene (122). That moment is easily read as simultaneously one of birth and entry into the social (symbolic) order, albeit an order of violence, sexuality, and racism. Upon Christmas' declaration of "here I am"—his

first speech offered as a child—to interrupt their intercourse, the dietitian drags him “violently out of his vomit” to name him.

That moment lays the basis for the subsequent 100-plus pages accounting for Christmas’ battles with that misplaced guilt, not the shorthand diagnostic biography of Popeye, but one still chronicling both his youth and his crucial violent acts: first, against the black woman in the shed, and second, felling McEachern. The first stages again the primal scene, and in case readers are to miss the association of sexual maneuvers in the dark, Faulkner provides Christmas’ recollection in that shed upon seeing the woman—“There was something in him trying to get out, like when he had used to think of toothpaste” (156). Whatever Christmas knows, remembers, or believes of sex is bound with that originary moment, his entry to a sexed system that names him “nigger bastard,” and links sex with blackness and violence. That first criminal violence against women rises with Bobbie, escalates further with the nameless prostitute beat nearly to death, and culminates in the murder of Joanna Burden.

Like the personal history that scripts the beginning of Popeye’s criminality and is offered narratively as the basis for his end, Christmas’ origins direct him to his death, though the strictly Freudian structure of the former gives way in the latter to one best understood through a combination of Freud and Lacan. The originary moment, his witnessing of the primal scene, is the one that enters him into the symbolic order, the “here I am” of linguistic participation in a world beyond himself. Those Lacanian associations increase when he fells the adopted parent McEachern at

the dance hall. The Oedipal violence of vanquishing the father ceases to be entirely literal and shifts to the symbolic. In assailing the elder McEachern with the chair, Christmas commits the “Shalt Not” (206-7), striking down the literal father, a scene Faulkner casts in the terms of the name-of-the-father in gesturing to the Ten Commandments. *Light in August* later repeats the scene of railing against the Father, down to the detail of wielding furniture, when Christmas suspends his own ambiguous escape to interrupt a revival hymnal to preach blasphemy from the pulpit, brandishing a bench leg (323). Whereas Popeye’s criminal psyche seems not entirely satisfactory, but either the best Faulkner could offer or what he considered his audience expecting, Christmas offers a much more complex figure in terms of his violence and its constituent causes. Still, a symbolic narrative larger than the self collapses back to the individual, the personal guilt of witnessing the primal scene. Faulkner returns to that admission for the adult Christmas, when he stops running and says to himself, “Here I am” (337). The repetition is a surrender to consequence, and its verbatim repetition links the two moments, traces his punishment back through his personal history to the emergent consciousness.

Christmas’ history is personal, its deployment determined, a chain of events tracing back through dysfunctional and raced sexual relationships, to an abusive father, to an unpunished theft of toothpaste. In that originary moment, Faulkner seems again to almost parody a psychoanalytic subject, a psyche unable to abandon the burden of unconscious guilt. That sense of self is entirely singular, determined by the circumstances shaping Christmas’ character, the rich description taking place

largely between the definition of the unconscious, “Memory believes before knowing remembers,” and Bobbie’s “*that will do*,” which halts Christmas’ beating, a command half-heard as he fades into unconsciousness (119, 219). I am not suggesting that the development of Christmas’ character takes place outside of history, for the racing and gendering of the sexual violence that are the beginning and the end of his criminality are matters of social difference and its powerful inscription. Instead, it is a matter of emphasis on the relationship between subject and history—in effect, the location of agency. One of *Light in August*’s many narrators, Gavin Stevens, describes one of its other storytellers, Christmas’ grandmother Mrs. Hines, as narrating in terms that “had already been written and worded for her” (448). Stevens describes Christmas’ criminality in a similarly determined manner, criminality defined by his incarceration, itself built from “whatever crimes had molded him and shaped him and left him at last high and dry in a barred cell” (448). According to Stevens, the criminal is what events have made him.

These are two different sorts of determination, one of scripted events as foregone conclusions, the other as the sort of naturalism Richard Wright would employ eight years later in *Native Son*, a comparison Sundquist makes as well in *Faulkner: The House Divided*. That sort of naturalist determination of criminality is also described by Howard A. McDonnell a year after the publication of Wright’s novel. McDonnell, a state Representative in 1941, suggested in a speech in the Mississippi House of Representatives that “crime and criminals are the natural results of a given cause” (qtd. in Taylor 86). Still, regardless of whether narrative events are



treated as scripted, “written and worded,” or determined by environmental conditions, both sharply curtail agency. Such agency, or personal choice in a given circumstance, is regularly described as the axis between the determining forces of heredity and environment at the APA conferences (1929 21-28; 1930 73-74, 202-3). However, what those forces of heredity and environment might be, specifically, remains largely unspoken in the discussions, and the question of race is never raised. Indeed, the proceedings of the annual congress from 1929 to 1932 never substantively mention race, and a census of prisoners provided in the 1929 report makes no mention of it at all (168-175).

The history not recorded there is imagined in Faulkner’s writing. For Christmas, the fundamental indeterminate determination is racial difference, and blackness in the novel is regularly associated with criminality. At one point in *Light in August*, to be accused of being black is worse than to be accused of crime. When Lucas Burch/Brown tells the marshal that Christmas is “a nigger,” the officer responds, “You had better be careful what you are saying if it is a white man you are talking about [...] I dont care if he is a murderer or not” (98). To the sheriff, being called a “nigger” is imagined as worse than being a murderer. Such logic reads in reverse as well, that to be black is to automatically be a criminal, the ruthless irrational logic of racism in early twentieth century Mississippi. One white local told a visitor in 1908, “When there is a row, we feel like killing a nigger whether he has done anything or not” (Oshinsky 100). Punishment does not actually require a crime when blackness and criminality are not separable in the cultural imagination of the

early twentieth century South. To the townspeople of Jefferson, the two compound one another. Hearing of Burden's death, they "believed aloud that it was an anonymous negro crime committed not by a negro but by Negro and who *knew, believed, and hoped* that she had been ravished too" (288—emphasis added). Like the description of Christmas' unconscious, which "Knows remembers believes" half-truths of Christmas' race and original sin, the town is of one mind and "knew, believed, and hoped" murder to be explicitly raced and sexualized.

Crucial to the town's unconscious, then, is the fantasy of a black man's rape of a white woman, an imaginary that inextricably binds lynching and execution even as it conceals the historical actuality of white male slave owners raping black women. *Light in August* reveals the former while concealing the latter, and so it largely would remain in Faulkner's writing until *Absalom, Absalom!* and to a far greater extent in *Go Down, Moses*. The Jefferson of *Light in August* sees the imagined unity in blood vengeance fulfilled in Christmas' execution on Grimm's terms, directly hailing that fantasy: "Now you'll let white women alone, even in hell" (464). It is toward this end that Christmas walks with an inevitability pervasive in the novel.

He leaves the scene of Burden's murder, "moving from his feet upward as death moves" (339), and thereafter sees, according to Stevens, "an incipient executioner everywhere he looked" (448). Given how any passers-by might join a lynch mob, Christmas might very well see in any face a potential executioner. Christmas may perceive his position as held in tension between actor and acted upon ("*Something is going to happen to me. I am going to do something*") before Burden's

death, and walk as if surrounded by executioners thereafter, but the killing is not the crux. Directly before the *thanatos* of walking toward execution, he thinks, “I have never got outside that circle. I have never broken out of the ring of what I have already done and cannot ever undo” (339). In fine modernist fashion, he is a circle enclosed on the outside. By race, deed, and name, he is the simultaneous capitulation and resistance to what other people have called him: “nigger,” Christian, McEachern. He repudiates the name of the father even as he assumes the implacable ruthless violence by which the father is defined and which constitutes Christmas’ string of sexual violence. In the last instance, he returns to the beginning, as circles do, in the repetition of “here I am” that binds the commission of murder with the originary moment, in which the perceived crime of toothpaste theft is inextricable from the observation of the primal scene.

Faulkner represents such doomed resistance to inevitability in the ironical romanticism with which he depicts Christmas’ end. Christmas’ executioner Percy Grimm’s very name links him to knightly court and fairy tales, but his actions are entirely shaped by the personal experience offered in his own brief coda, a complement to Christmas’—or Popeye’s, for that matter. He is introduced with the generic convention of fairy tales, *once upon a time* (“In that town on that day lived a young man”), and the subsequent few pages script a miniature biography to explain his actions (449-51). Indeed, his actions are so determined as to make him a game piece, and he is described as such, his actions governed by “the Player who moved him for a pawn” (462). According to Michael Oriard in *Sporting with the Gods*

(1991), Faulkner's characters are "engaged in desperate contests with a cruel but sportive deity" against the backdrop of "the social and political forces that lay behind those contests," forces of "race, sex, caste, religion, history" (296).<sup>89</sup> For Oriard, Christmas and others characters achieve what tragic grace they can through facing the challenge of an omnipotent opponent, through "sporting with the gods."

Oriard identifies at length how game and sport in the United States became complex tropes in literature, signifying at once conflict, play, and in the case of sport, the acknowledgment of a worthy adversary—games imply no such sense of fair competition. Thus, Christmas in his final footrace challenges doom not in Grimm but in a higher opponent with whom points are won and lost over a cosmic chessboard.<sup>90</sup> Oriard identifies *Light in August* as the novel in which Faulkner's use of "[t]he rhetorical figure of the sporting contest against fate is most explicit" and traces at length its various appearances in the text (304). The rhetoric of sport in Faulkner's fiction elevates the human subject, pits the character against a "sportive deity" in a contest at once doomed and triumphant.<sup>91</sup> Such a reading elides the degree to which that "sportive deity" is Faulkner himself, the "sole owner and proprietor" of the imaginary lives and land, but either way, Christmas is doomed in the contest.

Christmas in sport against his maker, whether God or Author, for control of his death is a romantic image, a noble and doomed gesture in the manner of Prometheus stealing fire or Ahab's mad pursuit of myth. However, Faulkner undercuts the romantic nobility of the contest by lacing its depiction with an ironical voice. For example, Grimm pedaling furiously in circles while pursuing Christmas

becomes “the delicate swiftness of an apparition, the implacable undeviation of Juggernaut or Fate” (460). The undermined dignity is not *either/or*, comic or tragic, fair or unfair, sporting or child’s play, victory or defeat, but maintains the resolute tension of *both-and*. Rather than strictly the fulfillment of either the death wish of the condemned or the capricious cruelty of an omnipotent opponent, Christmas’ execution ends for him—if not for the community—the play of tensions, of ambiguities of character and action. The uncertainty of his blackness and parenthood occupy the central ambiguity of a character encased in non-absolutes. Is he black or white? Was Joanna’s death murder or self-defense? Is his death execution or lynching? For Faulkner, too, there is that ambiguity, the complex and contradictory sense of race, crime, and justice. Nowhere is that “is-is not” of the riven self made more clear than in the writer’s equation of lynch mobs with juries in that both “have a way of being right” from the letter cited earlier and printed a year before *Light in August*.

There is no such rightness in Christmas’ death and mutilation, committed with sufficient savagery to see one would-be executioner vomit. Faulkner offers the violence as tragic, then transcendent in the dying Christmas, a romantic assumption wherein the character is lifted bodily into the community’s memory.

[Christmas] seemed to rise soaring into their memories forever and ever. They are not to lose it, in whatever peaceful valleys, beside whatever placid and reassuring streams of old age, in the mirroring faces of whatever children they will contemplate old disasters and newer hopes. It will be there, musing,

quiet, steadfast, not fading and not particularly threatening, but of itself alone serene, of itself alone triumphant. Again from the town, deadened a little by its walls, the scream of the siren mounted toward its unbelievable crescendo, passing out of the realm of hearing. (465)

Christmas' end in *Light in August* is the first of its three closures, the other two being those of Hightower and Grove. The ironical romanticism of contest with a sportive God of Christmas' last pages turns to the linguistic redemption of romantic style. The nameless, omniscient narrator foretells the future, knows the townspeople's memories present and future "for ever and ever." Christmas' ghost somehow looms in Jefferson's shared memory, forever harmless, calm, and somehow victorious. My repeated "somehow" draws attention to the indefinite quality of this description, the "seemed," the three times repeated "whatever" of valleys, streams, and children in a town whose courthouses, churches, and jails disappear in this imagined future of natural and transcendental imagery: "streams of old age" where time is a river in which one might fish. The indefinite description makes that future history as inevitable, impotent, and all too late as the siren's scream, which is "unbelievable" and fades to silence. The possibility for romantic redemption is worn out, but it lacks a substitute. Similarly exhausted but without alternative is a psychoanalytic model of character, the cause of criminality and its attendant incarceration and execution in *Sanctuary* and *Light in August*.

### **Invoking Jefferson's "Corporate Limit"**

Ten years later, in *Go Down, Moses*, Faulkner repudiated that model of criminality, and by extension subject formation. There are similarities across the characterizations of Popeye, Christmas, and Beauchamp, who as criminals all play the role of the stereotypical gangster, the hardman. In *Sentenced to Death*, Guest describes the myth of the "hardened convict, or criminal 'hardman' [...] a cold-blooded, unpredictable, and violent persona" (135). These are the definitive masculine traits of invulnerability, mastery, and activity. Christmas reproduces Popeye's gangster caricature nearly to the last detail, with his sloping hat and drooping cigarette, his casual violence and more casual crime of selling liquor, and the rumors of business with a gun in Memphis. In *Go Down, Moses*, Butch is literally hard, his face "impenetrable," his hair "lacquered" and head "bronze," his name "Butch" a parody of masculinity, and he answers the census-taker question about what will happen to his corpse with the words of the hardman: "What will that matter to me?" (351-52). The hardman does not resist his death sentence, but according to Guest, "accepts it and seems to welcome death" (135).<sup>92</sup> Like Christmas, Butch plays the hardman.

However, how they each became that way differs dramatically between the novels. Instead of personal history as the first cause of criminality, the sum of determining forces embodied in a single life but nevertheless traceable to an originary moment, there is a larger social frame, history as the tracing backwards of genealogy. Whereas Quentin Compson cuts his Psychology class in *The Sound and the Fury* in

order to play his own analysis in the talking cure of stream-of-consciousness narrative, the schooling offered by Cass and Ike at the heart of “The Bear” is History, assembling the ledgers to envision and revise a narrative of their family, and by extension the South. *Go Down, Moses* ends as the original text of *Sanctuary* begins; in the drafts prior to its final publication, *Sanctuary* began with a black man accused of murder awaiting his execution.<sup>93</sup> Butch, like Popeye, is condemned for the murder of a policeman. Popeye offers no defense, and Butch does not offer much of one, though what he says of himself is at least true of Popeye: “It was another guy killed the cop” (352). The substitution of accusation for actuality in the case of Popeye is a sheer unknown for Butch, for readers are never sure whether Butch did in fact kill anyone. That ambiguity features in Christmas’ crime as well, as his murder of Burden is at least partly self-defense. Nevertheless, while their respective narratives leave undecided or at least problematic the question of agency in the commission of crime, all three characters are named as criminals in courts, which the APA’s first principle defines as separate from the commission of crime.

The novels themselves cannot fully resolve that uncertainty, as the moments of the crimes are not narrated; with regard to punishment, only Christmas’ death is directly rendered. The narration of Popeye’s execution stops just short of his actual death, as the sheriff opens the trapdoor of the hanging scaffold, and description does not as closely approach Butch’s end. Readers encounter him in his cell the day before his execution and then afterwards, his casket returning to town. Most important, though, is the lack of an explanatory narrative for Butch’s criminality. The



explanation of biography offered for Popeye and Christmas lacks a parallel in the case of Butch, one end of the McCaslin genealogy. Like Edgar Allan Poe's Fortunato, Beauchamp is introduced to the reader only to be sealed away behind walls to his death for reasons obscure and unavailable. What little readers know of Beauchamp's past we know through the District Attorney Stevens' remembered reading of the "papers of that business," the authoritative discourse that scripts the condemned man as "some seed not only violent but dangerous and bad" (355). However, that narrative is not the only one available, and the reader possesses the preceding episodes of the novel, also "papers of that business," which offer a competing narrative, an entire other discourse. That narrative, its chronicle of miscegenation and sexual violence, of tangled or misplaced desires, writes a history of character thematically similar to that of Christmas: raced and gendered violence shaping the acts that make the criminal, the prisoner. However, Butch's story is different in terms of scope, as he is claimed by a social body extending beyond his own skin.

I am highlighting distinctions of individual and social subjects and their histories as well as between atomistic and social senses of selfhood, because the process of individuation is one means by which institutional forces such as incarceration function. Discussions at the annual APA meetings were rife with the aim of individualization: "We must learn to individualize"; "Throughout our prisons we need individualization" (1929 293; 1930 41). That repeated imperative seems most often to refer to treating prisoners either in humanist fashion as unique, or in line

with Adler and as the products of their respective personal histories. However, there is a less favorable reading available. Individuals and the means of their production are framed in two specific claims made at the APA conference at moments contemporaneous to the publication of *Light in August* and *Go Down, Moses*. One member, Maud Ballington Booth, was in 1932 a sufficiently prominent Volunteer of America and member of the APA that she received a standing ovation in introducing another speaker later in the conference (440), and years later would have service award named in her honor. In her presentation, “Individualization in Prisons,” she describes the means of making prisoners into individuals in terms of work and emotion, that they should perform hard labor to earn individual, personal, congratulatory attention from wardens and officers. She suggests that the discipline of such work and its rote affective response will transform convicts into soldiers, prepared so that upon leaving prison, “they go out into the world and they take up that burden and they fight that battle” (189). Recognition as reward purposed to further good works sutures the rhetoric of hailed individuality—Althusser’s “hey, you there!”—to the Victorian hymnal “Onward Christian Soldiers,” made popular as a marching tune in the early twentieth century.

Ten years after Booth’s speech, the rhetoric of war became tenuous in the context of actual battles and required refining. The 1942 APA conference proceedings include much commentary on the role of the prison system in wartime. One lecture in particular focuses on military service and the psychopathology of criminality and determines that some released, paroled, or even current prisoners may

be drafted for military service—such as is the case of Lee Goodwin’s service in World War One in *Sanctuary*. However, those with long records of even minor criminality must not serve. Even if such a person has only a single and minor conviction, a long arrest record (even without conviction) demonstrates “a wholly undesirable fellow,” a psychopath, discipline problem, or gangster (50). Given that a record of arrest rather than conviction determines the nature of such a prisoner, the truth of guilt is not legislated by the judicial system but rather by the police, the prison board, and the Selective Service. Such a practice is the sort Foucault critiques in his analysis of a prison system that continues surveillance of released prisoners, “pursues as a ‘delinquent’ someone who has acquitted himself as an offender” (272). The surveillance of records thus produces the psychopath and gangster through the selective reading of criminal history. Such a man cannot be drafted because he already is a soldier, one at war with the U.S.

For governing bodies to interpret criminals as at war with the U.S. effectively legitimizes violence against them. One definition of a nation-state is the right to the legitimate enactment of violence; such is the legality of war. Imprisonment, the forcible incarceration of a citizen or a population, demonstrates one means by which a nation-state wages war on its own people, and execution demonstrates the most severe expression of that war. Isolating inmates demonstrates the military strategy of *defeat in detail*, where an army beset by a superior number isolates one component of that force to develop localized superiority.<sup>94</sup> There is a race-based precedent dating back to the eighteenth century, when Boston Selectmen proclaimed, “If more than

two Indians, Negroes or Mulatto servants or slaves were to be found in the streets or highways [...] every one so found shall be punished at the House of Correction” (qtd. in ACA 1972 109). The eighteenth century ruling is one of white racist hysteria manifesting itself in the refusal to allow to the extent of criminalizing any social body distinct from its own whiteness.

The military metaphor of divide and conquer seems particularly apt in the case of incarceration, given the understanding that defeat in detail when applied to prisons presumes at some level the superior numbers of criminals—which is true inside prisons, where there are proportionally fewer number of correctional officers and administration. In the South of the early twentieth century, those numbers were similarly disproportionate, and Faulkner’s account of Yoknapatahwa County’s population as “Whites, 6298; Negroes, 9313” in the map included in the first edition of *Absalom, Absalom!* speaks to actual population proportions in Mississippi. Jim Crow era laws, through such ill-defined “crimes” as mischief and loitering, effectively criminalized blackness. Criminalization and incarceration then function as a strategy of racial containment, and individuation demonstrates the fullest extent of that detail,<sup>95</sup> and execution the grimmest defeat. Prisons defeat in detail through isolation, producing individuals in order to overcome them, and the death penalty does so absolutely. Such individuation then favors biographical first causes and the personal histories of Popeye and Christmas.

*Go Down, Moses* presents a different case. Instead of a personal story as diagnostic biography, a social and genealogical history is the only explanation readers

have for Butch's criminality and execution. At one point in *Light in August*, Gavin Stevens suggests that Christmas literally embodies the conflict of black blood and white blood. The conflict between black and white blood ending in Butch is staged not in his singular body, but in the sequence of battles perpetuated through the book, the incest and miscegenation that make the book and Butch, and text and character both end in Death Row and the return to Jefferson. The contests of black and white blood begin with Carothers McCaslin's presumed rape of Eunice and their daughter Tomasina, and continue in her son Tomey's Turl fleeing from his half-brothers and dealing the cards to Hubert Beauchamp. The blood feud carries on in Lucas' violent physical contest with Zack and battle of wits with Roth thereafter, the same Roth who sees Butch leave Jefferson. Butch lacks a personal diagnostic biography, but his genealogy locates him as emerging from a history of racial violence.

At first glance, Christmas and Butch, their deaths, and the histories that precede them seem quite different. Readers have substantial access to Christmas' thoughts, actions, and perceptions leading up to his crime and following it, and we have a fairly clear sense of Joanna Burden's death. Beauchamp remains a cypher, his story brief, the murdered policeman unknown and Butch's own culpability for it far less known than that of Christmas. Also, Faulkner renders Christmas's execution at the hands of a single rogue deputy in horrific detail, while the scene of Beauchamp's death by anonymous penitentiary officials is textually absent. Christmas' personal history, which comprises much of the novel, offers the forces of race, childhood experience, and circumstance to shape the hand that holds the razor. Since we know

virtually nothing of Samuel Worsham Beauchamp's narrative, it is neither *Sanctuary's* brief interlude of Freudian coda or *Light in August's* lengthier description of Christmas' upbringing, but the acts of generations scripting his end. However, despite the differences between the streams of action that lead to the executions, and the wake that follows each, Faulkner includes textual cues that suggest and even demand a paired reading, particularly in the appearance of the District Attorney, Gavin Stevens.

Stevens appears at the close of each novel as a sort of psychopomp, shepherd of the dead and arranger of funerals. In each case, Stevens negotiates with the condemned men's grandmothers to make sense of the raced deaths of their grandsons. In *Light in August*, Stevens is the "District Attorney, a Harvard graduate, a Phi Beta Kappa: a tall, loosejointed man with a constant cob pipe, with an untidy mop of irongray hair, wearing always loose and unpressed dark gray clothes" (444). Clearly Faulkner has his mind on that description when he writes the attorney ten years later in *Go Down, Moses* as having "a wild shock of prematurely white hair," "a thin, intelligent, unstable face, a rumpled linen suit [...] Phi Beta Kappa, Harvard, Ph.D" (353). In the earlier novel, the lawyer imagines Christmas' end for his friend the professor, a proxy for readers of the novel. He plays the role Shreve makes axiomatic for Faulkner's most acclaimed work, the "let me play a while now," which so many scholars have gestured towards as the crux of Faulkner's most involved narratives, the hinge of meaning-making where various audiences, including readers, share in narration.

Part of Stevens' play in the narrative is a lengthy account of Christmas vexed escape attempt, which the attorney describes in terms of competing black and white blood. Faulkner critic Jay Watson indicts that racing as "at best shaky, at worst racist and absurd" (93). However, Stevens undercuts his narrative authority with regard to what the grandmother, Mrs. Hines, might have told Christmas before his doomed escape, as he admits, "But of course I dont know what she told him. I dont believe that any man could reconstruct that scene" (448). Not any single narrator in *Light in August* can tell the story, but a decade later, several might. Narrative reconstruction is method and topic of that central section of "The Bear," where Cass and Ike mirror Shreve and Quentin, retelling not only much of the narrative to that point, but the Civil War and Reconstruction as well.

The Gavin Stevens at the end of *Go Down, Moses* does not tell the story of Butch, whom he knows, remembers, and believes to be a "bad seed"; he does not because he cannot. Instead of assuming the role of narrator for a story not his own, like the deputy who tells Rider's story but remains unmoved by it, Stevens is less narrator than actor at the end, less unmoved than constantly in motion through Jefferson's square, from his office to that of the newspaper editor, back to his office, back to the newspaper, then from "store to store and office to office about the square," then to Miss Worsham's. Stevens is no analysand on a couch, but a man of two minds out in the city, believing Butch a "bad seed" but offering time and money for his return.<sup>96</sup> Stevens has added to Worsham's \$25 what change he collects from

the businesses in the square and nearly \$200 out of his and the editor's pockets to buy Butch's passage back to Jefferson.

That return figures differently to those who bring him back, and not only in terms of money. To his grandmother, Molly Worsham Beauchamp, Butch is understood in symbolic terms, in biblical terms, Benjamin sold by pharaoh; to Stevens, Butch is somehow the responsibility of a white, middle-class community. While first convinced that the death that has not happened yet can be ignored or concealed, Stevens at the unmade bequest of a woman he barely knows ends up footing much of the bill in labor, time, and money for bringing the body back to Jefferson. Stevens' act is an acknowledgement of half-understood responsibility. In *Light in August*, Christmas bears a personal guilt, which sets him to self-destructive behavior such as taking the braggart Lucas as his partner in the moonshine operation or confronting the black parishioners. *Go Down, Moses*, in contrast, features a social responsibility in Stevens' work to have the town bring home its own, funds gathered as coins in a door-to-door mission to retrieve a man described in Stevens' words as "a dead nigger" but acknowledged in his actions as a native son of Jefferson (360).

Stevens' concluding actions and their result demonstrate a far richer model of community than the singular town whose memory Christmas is to haunt. Beauchamp does not vanish into memory but returns to become materially present in town, as the funeral procession circles the twin bastions of the New South, the "Confederate monument and the courthouse" (364), to bury him just outside it. The sign passed—"Jefferson. Corporate Limit"—marks Butch's return to the social body, his life and



death to be recorded in the public voice of the local newspaper at Mollie's demand.<sup>97</sup> Butch's relationship with the social sphere, then, represents a different sort than that of Christmas, the mixed race criminal of a decade before. Faulkner offers Christmas' isolated individuality in terms of an atomistic self, and the location of that self—"Here I am"—is an acceptance of punishment. Elsewhere in *Light in August*, Byron Bunch describes that self-declaration as "I-Am, and the relinquishment of which is usually death" (393). Ten years later, in *Go Down, Moses*, Faulkner's Beauchamp is claimed by a wider social system that acknowledges his body as part of a "We-Are" when he returns to the town's corporate body, the simultaneity of collective and singular that is Jefferson. In *Light in August*, Jefferson as a town often has a single and typically white point of view. Of Bunch's Saturday work, "the town itself or that part of it which remembers or thinks about him, believe that he does it for the overtime" (47). That unified point of view is brought home at Christmas' death and assumption to memory, when Jefferson knows, remembers, and believes as one mind.<sup>98</sup>

The differences between this conclusion and that of *Go Down, Moses* are tremendous. Jefferson's town square in the latter novel is not that *a priori* monolith, but is far more deeply divided. Stevens must call on the town's members individually in his breathless request for funds for the funeral: "It's to bring a dead nigger home. It's for Miss Worsham. Never mind about a paper to sign: just give me a dollar. Or a half a dollar then. Or a quarter then" (360). Like Lucas facing Zack, Gavin is

going to do something, then other people are going to do something, and then it will all end, and be all right.

Of course, it will not be all right. History is not corrected so easily, accounts so simply set in balance. However, Stevens succeeds in some regard when he hails them, calls on them with his rote speech for donation without writ petition or receipt, a sort of Progressive activist. What change he gathers offsets his and the editor's personal expenditure, but what he largely gains is the crowd itself, the body of people to receive the casket, a reception narrated not as of one memory or single opinion, but by a crowd described in the differences of those who come to watch. There are "the number of people, Negroes and whites both." There are the "idle white men and youths and small boys and probably half a hundred Negroes, men and women too." There are those "who had given Stevens the dollars and half-dollars and quarters and the ones who had not" (364). No longer the monolith, Jefferson is black and white, young and old, men and women, jobless and working class and businessmen, an audience made of their differences of race, age, gender, and class that nevertheless, however briefly, is one crowd of watchers to witness the history that Mollie demands be recorded. It is no request she makes of the editor, but a command: "You put hit in de paper. All of hit" (365). Where Christmas somehow enters an imaginary unconscious memory of a singular town, Butch's staged return before an audience and entry into the records of history is conceived and midwived, bought and paid for by four people working and paying together, the four who ride behind the body: Mollie Beauchamp, Miss Worsham, the newspaper editor, and Stevens.

I do not mean to suggest that Butch's funeral and the audience for that return are the saving grace of *Go Down, Moses*, its relief, a reparation or absolution of racial injustice, letting anyone off the hook. Faulkner describes the editor and attorney in ironic register, as "the designated paladin of justice and truth and right" and "the Heidelberg Ph.D.," respectively (364). Their acceptance of responsibility constantly is forced upon them, directed by others—other in terms of race and gender—by Mollie Beauchamp and Miss Worsham. Stevens capitulates without being asked not to repudiate but to accept, to be made accountable in a manner that does not level the balance but acknowledges the existence of debt.

Many critics have missed this. Erik Dussere's "Accounting for Slavery: Economic Narratives in Morrison and Faulkner" compares the ledgers in the fourth section of "The Bear" in *Go Down, Moses* with Toni Morrison's *Beloved* (1987) and *Sula* (1982) to draw excellent points regarding the challenge to and impossibility of balancing the historical debt of slavery. However, by restricting his reading of *Go Down, Moses* entirely to "The Bear"—a common misreading of the novel—he misses the role Butch's return plays. Phillip Weinstein, rather than ignoring him entirely, reads Butch as "not there" and at some level Faulkner's failure (63-64). Similarly, though worse still, Eric Sundquist suggests *Go Down, Moses* would be better off without Butch. In *Faulkner: The House Divided*, his survey of the author's writing from 1929 to 1942 and a landmark critique, an early component of the more historically and culturally nuanced approaches developed in Americanist study in the

1980s and 1990s, Sundquist suggests that *Go Down, Moses* would be improved if it ended with “Delta Autumn” (159).

I am not suggesting that Butch is the novel’s focal point, a move akin to Thadious Davis’ polemical gambit in *Games of Property* (2003) of treating Tomey’s Turl as the main character of *Go Down, Moses*. However, reading him as “not there” or wishing him gone misreads what I am suggesting is one of the dominant narrative trajectories that structure the novel, not a novel of Aristotelian accord of time and place, or one united by the modernist emphasis on the external world interpreted by the singular consciousness. Instead, the framework for the novel is a patchwork history, disjointed and barely held together by the force and the struggle for its making and telling, its span over a century, narratively suturing slavery, to Jim Crow and lynching, to raced incarceration and execution. The fictional Northern court convicts Butch and sends him to death; however, the townspeople of Jefferson are assembled as a court of public opinion that fulfills the right of *habeas corpus*, in that the accused is present for their judgment. Lynching demonstrates the complete equation of courts of public opinion with judicial process in the execution of mob “justice”—such is the case in these novels for Goodwin, Christmas, and Rider. *Go Down, Moses* in its final pages presents a different resolution, in which Stevens painstakingly brings back the body of Butch and assembles a public to witness the return.

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*Go Down, Moses* in that last instance offers a thick description of how history is staged in a community comprised of the tension between singular and plural, a collective of individuals called together, however briefly. *Light in August* relies on an exhausted rhetoric of redemption to imagine social unity at Christmas' death in the first of its three closures. *Sanctuary* does not even offer that much in its two endings, the first of which is the nearly parodic account of Popeye's execution, when Popeye's curt scaffold request for the sheriff to fix his hair receives the reply, "I'll fix it for you" as the trapdoor opens (*Sanctuary* 316). That death sentence also precedes flights of language, though the turn to Temple seems not redemption but indictment. She departs with her father from a "gray day, a gray summer, a gray year" into dissolution, in the final line into "the embrace of the season of rain and death" (316, 317). *Go Down, Moses* does not rely on either strategy, the exhausted and unbelievable siren over Christmas' assumption, or the ironic dissonance of execution quips juxtaposed with Temple's fading into a Baudelairian vignette in three anapests and an iamb. In contrast, the two finales of the titular "Go Down, Moses" are offered in the register of simple circumstantial description, Butch stripped and shaved before his execution, and Stevens commenting that he has been away from his office these past two days.

However, it is not Stevens' last words but Butch's final sentence that grow richer in a reappraisal of the final section of the novel—"What will that matter to me?" In the atomistic terms of the hardman, it will not matter at all, for the death of

the self is the end of history. However, it does not end there, because Butch does not end there. Stevens thinks it ends, “it’s all over and done and finished” when Mollie Beauchamp sees her grandson “come home right” (365). That echo of Lucas seems as unlikely to finally resolve racial and filial tension as Lucas’ own thoughts as he faces Zack: “*He will do something and then I will do something and it will be all over.*” Butch’s death and homecoming are recorded in the paper, written down, but that cannot finish the matter completely. As the ledger section of “The Bear” emphasizes, and what the novel’s reworking of Faulkner’s previous themes of criminality and human agency demonstrates, what is written down allows for its own reading and rewriting.

It has become something of an accepted practice to read Faulkner as writing a sort of Southern history in Yoknapatawpha County. Morrison, whose own work, like Faulkner’s, demonstrates a deep commitment to telling history, suggests that her investment in reading Faulkner and his “subjects had something to do with my desire to find out something about this country and that artistic articulation of its past that was not available in history” (296). In *Go Down, Moses* in particular, that history and its writing are at once personal and extend into a broader cultural frame. Michael Grimwood treats Faulkner’s final version of *Go Down, Moses* as the author’s redress for his negative stereotyping of blackness in some of the stories that in their aggregate served as an early draft of the novel (267).<sup>99</sup>

However, there is a larger history and broader acknowledgement the novel makes. A provocative passage from *Intruder in the Dust* proclaims that “not courthouses nor even churches but jails were the true records of a county’s, a community’s history” (320), and the Gavin Stevens of *Requiem for a Nun* similarly locates “the history of a community” written in “the walls of the jail” (616). Those later novels demonstrate the raced expectation of criminality, as Lucas Beauchamp spends most of *Intruder in the Dust* anticipating a lynch mob motivated because he refuses to “*be a nigger,*” and Nancy Mannigoe is repeatedly termed “nigger dope-fiend whore” or variations thereof (*Intruder* 296, 299, 327; *Requiem* 511, 513, 515, 518, 520, 553, 554, 557, 579, 612).<sup>100</sup> It is in *Go Down, Moses* that Faulkner offers his first and fullest account of the historical process linking blackness and criminality, where social history in large part defined by race shapes human agency, from Butch’s presumed criminality to the community that sees the executed criminal return home. In Faulkner’s fictional South, there are painful connections between lynching and execution, between slavery and imprisonment, and these too need to be put in the paper—so that like Molly Beauchamp, we know where to look.

## CHAPTER THREE

### **Cleaver's *Soul* and Mailer's *Song*: Subjects in History and Diminishing Possibilities between Two Prison Narratives**

From the beginning, America has been a schizophrenic nation.

—Eldridge Cleaver, *Soul on Ice*

He had come to believe that the center of America might be insane.

—Norman Mailer, *The Armies of the Night*

In the decades following the publication of *Go Down, Moses*, the history equating blackness and criminality that contributed to containing black men in prison in Faulkner's South became a matter not of region but of nation, even as Southern politics and problems became national matters in the 1950s and 1960s. The rise of the South might be charted in any number of ways, including Lyndon Johnson's renewed presidency in 1964 as the first elected Southerner in 92 years, Texas Representative Sam Rayburn's extended tenure as House Speaker from 1949 to 1961, and specifically regarding prison policy, the increasing Southern leadership of the American Correctional Association, formerly the American Prison Association.<sup>101</sup> Such Southern representation mandated its own difficult negotiation of regional and national conflicts, and Johnson capitulated to Southern states in limiting the civil rights bills he oversaw in 1957 and 1960 as Texas senator and majority leader. Thereafter, the national political implications of southern racism, of social and electoral disenfranchisement, like the compromises of one hundred years before, could no longer be reconciled.



The divisions were most stark in the violence and riots of the first of the “long, hot summers” surrounding the 1964 Civil Rights Act and 1965 Voting Rights Act, the highest profile of Johnson’s “Great Society” initiatives, enforced by federal troops, unlike the earlier toothless recommendations. The civil rights ruling in particular provided a constitutional basis for prison reform. For example, in 1970 the U.S. District Court in Arkansas ruled in a culmination of a series of cases through the late 1960s that the entire state’s prison system violated prisoners’ civil rights, constituting cruel and unusual punishment under the Eighth Amendment.<sup>102</sup> The 1972 *Furman v. Georgia* decision regarding the death penalty ended a decade-long series of appeals, ruling in favor of three black men sentenced to death in the South, one for murder and two for rape. In their decision, the Supreme Court placed a moratorium on the death penalty because the racial bias of its practice violated not only the Eighth Amendment but also the Fourteenth, enacted after the Civil War to protect the newly established rights of black Americans.<sup>103</sup> However, while the court’s decision sanctioned what had been an unofficial moratorium since 1967, the ruling also laid the grounds on which states could make the death penalty constitutional. The Supreme Court ruled on the constitutionality of those revised codes in 1976, and the moratorium ended in 1977 with Gary Gilmore’s voluntary execution, a matter that drew the nation’s (and Mailer’s) attention. Again, prison history is national history, and inseparable from divisions of race.

This chapter turns to Cleaver’s *Soul on Ice*, Mailer’s *The Executioner’s Song*, and the ACA transcripts from 1968 through 1979 in order to demonstrate how this

period marks a fundamental shift in the direction of cultural change in the nation as embodied in the stories of its prisoners. This central place of the dissertation is most attuned to offering a detailed narrative account of historical transformation, a shift from revolutionary possibility, from politicized racial and criminal identities and the social responsibility for them, to a nation exhausted by perceived threats of change, race, crime, and plural identity. Deleuze and Guattari's theorization in *Anti-Oedipus* of tensions such as these helps elaborate what is at stake in the collapse of Cleaver's cultural and political "we" to Gilmore's alienated and apolitical "I." The bleakness of the latter's autonomy is undermined in Mailer's discursive process of simultaneously implicating Gilmore in history and documenting its narrativization, the process by which the past "becomes." *Soul on Ice* and *The Executioner's Song* exemplify reverse accounts of the process of a carceral identity, an emergence and a disappearance. Cleaver gained his release in the attention his prison writing elicited from Mailer and others, while Gilmore's defining act is his acceptance of his death sentence. In more theorized terms, *Soul on Ice* demonstrates a social subjectivity, an implication of an individual's acts within a social body and its history, while Gilmore's desire of autonomy is not a becoming, but sees its fullest expression through his desire to "not be."

I offer this argument in three sections. First, an account of prison history bracketed by *Soul on Ice* and *The Executioner's Song* demonstrates that transformations in the views of crime and punishment parallel the shift between 1968 and 1979 in Cleaver's and Mailer's writing. During that time, there was a radical

foreclosure in the potential for alternatives to imprisonment due to the expansion of criminalization and sentencing through the Rockefeller drug laws, the perceived lack of alternatives in treatment, and the fear of black militancy. This shift in carceral practice contributed to the widespread imagination of prisoners as “not only violent but dangerous and bad”—as Gavin Stevens reads Butch Beauchamp—even as prisons grew overcrowded, filling with drug users. *Soul on Ice* and *The Executioner’s Song* each testify on behalf of prisoners, enacting a sort of *habeas corpus* in the cultural imagination, and both Cleaver and Mailer in 1968 use the term “schizophrenia” to describe the racial divides they describe.

The second section focuses on *Soul on Ice* (and to a limited extent, the short story “The Flashlight”) to demonstrate Cleaver’s focus on cultural difference in terms of race, gender, and the carceral in a manner resonant with what Deleuze and Guattari would later term schizoanalysis. The prominence of Cleaver’s prison writing in the late 1960s cut a wake in history that echoed in the discourse of those he critiqued, from then California Governor Ronald Reagan to the prison officials of the ACA. The third section has its own three parts: Mailer writes national history in Gilmore’s story; the writer identifies not with his ostensible subject in the prisoner, but with the producer Larry Schiller and thereby the process of telling history; that historical narrativization demonstrates Gilmore’s double-bind, his want to not be that is the impossible desire to both autonomy and opting out of history. The culmination of Cleaver’s and Mailer’s respective senses of subjects in history describes the diminishing possibilities in prison (and thereby national) history between 1968 and

1979, between a politicized Black Panther who ran for president, and the aimless violence of a white sociopathic racist fighting for his own execution.

*Soul on Ice* and *The Executioner's Song* are not idiosyncratic accounts of imprisonment pulled from the dustbin of history, but, in their prominence at their release and resonance with the historical record of the ACA transcripts, indicative of larger cultural trends both contributing to and affected by U.S. prison policy. The shift between them is one from revolutionary possibility and a sensitivity to the politicality and historicity of raced carceral identity, to a bleak account of seemingly inevitable, inexplicable, and race-less violence that demands its own incapacitation. Cleaver articulates a subjectivity of “becoming” in prison, constituted both in history and in its various and sometimes conflicting desires and cultural identities. Mailer’s narration of Gilmore offers a far bleaker vision of an atomistic self: unified and violently aimless, an intentionless phenomenon careening on a path to execution. However, even as the object of Mailer’s analysis emphasizes the individual and personal, the writer’s method privileges the multiple, the social, and the historical. Indeed, *The Executioner's Song* documents not only historical events and their representation but also the process of becoming history, of historical narrativization.

While demonstrating those narrative ends makes some use of theoretical vocabularies, this chapter is not exclusively a Lacanian and Deleuzo-Guattarian account of the degree to which Cleaver and Mailer describe a psychoanalytic or historical subjectivity.<sup>104</sup> Instead, this chapter emphasizes the degree to which *Soul* and *Song*, in their testifying, bracket a critical period in U.S. imprisonment, a time

when the possibility of radical change tilted first to progressive reform and then veered to an extreme expansion of incarceration. A rich history of prison policy drawing from the ACA conference proceedings remains to be written. What follows is a partial account of those meetings organized largely around discussions of social change and race that provide an annual record of the history bracketed by *Soul on Ice* and *The Executioner's Song*. In the beginning of that 11-year period, not only Cleaver and (at times) Mailer, but also prison wardens and ACA leaders recognized the possibility of radical reform, viewed criminality often as a political matter, and emphasized the factor of race in incarceration. By 1979, diverse strategies of rehabilitation widely disappeared as more frequent and longer sentences became standard, the term “political prisoner” met disparagement, and race dropped as a broad topic, replaced by the problems raised in the overcrowding brought about by increased imprisonment

### **Correctional history between *Soul* and *Song***

The domestic “war on crime” effort Johnson sponsored as the Safe Streets and Crime Control Act passed Congress in 1968 as the Law Enforcement Administration Act, with a \$63 million budget that grew ten-fold by 1971. Nearly half of those increased funds were dedicated to corrections programs and dramatically expanded the ACA, while increasing crime rates and perceived failures of imprisonment drew national attention.<sup>105</sup> The sense of social crisis in 1968, the simultaneity of hope and catastrophe, is as apparent in the discussions of wardens and other prison officials of the ACA as it was elsewhere in the U.S. In his presidential address, the warden

Parker L. Hancock describes the present in terms of radical change, claiming that “the pace of American social revolution is accelerating,” and “the past blurs and the future seems uncertain” (ACA 1968 13). Hancock adopts a historically informed and progressive approach, claiming that more severe punishments during cycles of increased crime are both a transhistorical phenomenon and counterproductive. Instead, he observes that prisons are adopting a “more enlightened correctional philosophy,” including community-based alternatives, increased access of inmates to education, work, and counseling. All told, “Corrections today is experimenting with programs that hold promise for the future” (15, 19). He associates university protests with an evolving view of crime, and the potential for transformation in national culture. “The revolt of youth, as seen in student demonstrations from New York to California,” has caused crimes committed in the name of war protest, drug use, and civil protest against racism, and he concludes that “we must reaffirm our traditional values or create new ones” (23). The ACA, like the universities “from New York to California,” seemed poised to consider broad cultural changes—specifically, a changed sense of criminality and how prisons might recognize and respond to it.<sup>106</sup> The overall tone of the 1968 presenters is open to reform, optimistic, and suggests the possibility of broad-based transformation of carceral practice.<sup>107</sup>

Eleven years later, in 1979, all that changed utterly—indeed, the change in tenor begins in 1972, the first conference after inmates revolted in Attica Prison in New September 9-13, 1971, in which 43 people died, 11 of them hostages, 39 shot by the state troopers sent by Governor Nelson Rockefeller. Rockefeller’s Goldman

Panel, established to ensure prisoners' rights after the riot, cleared the authorities of any wrongdoing, and the ACA's 1972 panel concerning "Rights of People" appropriated liberal rhetoric, employing the language of human rights in safeguarding prison authorities against criticism.<sup>108</sup> In 1973, a "tough on crime" posture fueled the changes in the criminal code for drug violations that Rockefeller implemented in New York, including broader criminalization, mandatory sentencing, and longer sentences.

That approach dismantled the state's extensive treatment program and signaled a departure from the rehabilitation the Governor seemed to have endorsed just a few years before (ACA 1972 50; 1975 106). In 1967, he had established a special committee to recommend transformations for the state's prison programs, and that committee conducted a survey of 231 best rehabilitative practices as published in journals. The committee headed by sociologist Dr. Robert Martinson had their review ready for publication in 1969, but the state suppressed the findings until a subpoena released them (ACA 1975 107). With the widespread adoption of the Rockefeller laws and their lengthy prison sentences for drug use and sale—for example, possession of a distributable amount of marijuana mandated a minimum 15-year sentence in New York (Schlosser 56)—Johnson's "war on crime" largely became President Richard Nixon's war on drugs, which expanded further in the 1980s and 1990s.<sup>109</sup> Increasing criminalization and mandatory sentencing created a prison overcrowding crisis that by 1976 would be a national one and initiated an unprecedented period of prison construction and accompanying spending.<sup>110</sup>

However, New York's budget shortfall in terms of how to pay for new prisons was no longer Rockefeller's problem, as he became President Gerald Ford's Vice President in 1974. That same year, Martinson's "What Works? Questions and Answers about Prison Reform" appeared in *The Public Interest* and immediately received widespread misrepresentation (King 591). The survey of programs from 1945 to 1967 concluded that no single treatment significantly reduced recidivism, regarded as the *sine qua non* of rehabilitation. According to Martinson, Nixon's Attorney General William B. Saxbe and many newspapers inaccurately distilled the findings to "nothing works" (ACA 1974 108-109).<sup>111</sup> Martinson sought to redress those misconceptions, but the damage had been done—a 2000 *Newsweek* cover article points to Martinson's research as providing the "intellectual rationale" for shifting from a treatment model to more frequent and longer prison sentences (Cose 48). That increasing rate of incarceration beginning in the mid-1970s disproportionately affected black men.

The beginning of that contentious period saw a split in the perception of criminality and race. In *The Cultural Prison* (1996) and its survey of the representation of imprisonment in common U.S. periodicals, John Sloop identifies the popular view of black male inmates in 1968 as at the cusp of change. His terms speak directly to characterizations of Cleaver. The view of black inmates as violent and irrational felons shifts to a divide between on the one hand revolutionaries and on the other irredeemably dangerous criminals, though potentially violent either way; white male prisoners remain "forever open for rehabilitation" (16, 63, 91).<sup>112</sup> The



transcripts of the ACA largely follow that split perception of black inmates. In the years immediately following 1968, discussions of black inmates are sharply polarized between accounts that recognize a legitimate political grievance for black prisoners, and derisive and occasionally hysterical descriptions.

For example, on one side, a director of a correctional council in 1969 draws from empirical research to depict an “exaggerated” fear of crime in big cities, where those living in the safest neighborhoods are the most afraid of violent offenses.<sup>113</sup> He is critical of these predominantly white and affluent citizens who make baseless demands that police begin “cracking down on black militants” (ACA 1969 85-86). The same year, a U.S. Army Major and Director of Mental Hygiene offers a very different description of the “Militant Black: A Correctional Problem.” The administrator portrays such activists in terms of generally lower intelligence scores, possessing “infantile, narcissistic needs,” psychological disorders “of psychotic proportions,” a “primordial people using primitive functioning,” and highly paranoid (1969 222-224). The director suggests that education in black history, group counseling, and role-playing can prove constructive for borderline cases, but “the very militant inmate” is a lost cause, demanding psychiatric hospitalization and segregation (224, 227-228). In this view, the black militant cannot be a U.S. soldier because he is already at war with the U.S., a matter clarified when a later participant, an Associate Warden, describes Cleaver and those like him as committing an “act of war against the state” (ACA 1972 113). At this same time, the formation of a chapter of the Black Panthers at Angola State Prison prompted its associate warden to claim

that “a certain type of militant or revolutionary inmate, maybe even a Communist type” must be held in constant isolation (qtd. in Fleming 230).<sup>114</sup>

That view from the radical right was not the norm in the ACA, and District Court Judge Leon Higginbotham asked in 1970, “Is Yesterday’s Racism Relevant Today in Corrections?” (ACA 19-35). The answer, he implies, is yes. The judge traces a Philadelphia prison superintendent’s blame of a riot on “hard-core black militants” to the U.S. Constitutional Convention and the revisions to the constitution that allowed for slavery, then to the 1857 Dred Scott case, then to *Plessy v. Ferguson* (19, 24-26).<sup>115</sup> From 1968 to 1972, the divide over the perceptions of black inmates’ activism and the surrounding violence seems informed not just by a conservative or liberal bias, but by the degree to which those on one side or the other are prepared to situate contemporary problems in a historical framework.

The revolt at Attica in September 1971 and the state troopers’ violent incursion that concluded it further galvanized both sides at the next ACA conference. A New York correctional commissioner recognizes that administrators must acknowledge the self-appointed political prisoners and the basis for their arguments regarding raced and classed adjudication and sentencing. However, he immediately dismisses those concerns—while “the problem is there, [...] it has no merit” for corrections (1972 108). The next speaker, an Illinois prison administrator, performs the same reversal, acknowledging that the system of justice is racist and economically discriminatory, but that systemic injustice does not equate to political imprisonment (110). A chaplain’s paper titled “Attica: Anatomy of the New Revolutionary” first

cites the prevalence of racism in prisons and the general failure of corrections, then characterizes and subsequently condemns black militancy at length, even including verbatim two pages of Black Panther Party materials (1972 193-195). The chaplain demands that corrections administrators not confuse legitimate criticism with revolutionary critique.<sup>116</sup>

Other participants found those two inseparable. Also in 1972, Vernon Fox, a Florida State University criminologist, argues that prison officials must maintain an awareness of history, especially slavery, offering statistics of slave populations and quoting at length a deed of slave ownership, and identifying the 1964 and 1965 race riots as another iteration of regularly occurring conflict (1972 175-178). He claims that a history of inequity produces contemporary racism in law enforcement, courtrooms, and prisons, thereby resulting in both an ideology of black resistance and a white reactionary response.<sup>117</sup> He concludes with a detailed account of the violence at Soledad Prison from 1970 to 1971 and its fallout, including the deaths of Jonathan and George Jackson, tracing the latter's shooting as the immediate cause of the riot at Attica, within the larger social causes of racism that can only be addressed through education involving cultural history both in and out of prisons (181-82). Several other papers in that session support the necessity of understanding contemporary racial problems in prison as implicated in broader social struggle outside of imprisonment, and the product of a history of racism.<sup>118</sup>

However, as quickly as the storm of Attica raised discussion of race in the ACA in 1972, those voices almost entirely disappeared, and the legitimacy of

political prisoners thereafter sees only derision.<sup>119</sup> Race was a central issue in eight presentations from 1968 to 1972, but entirely disappeared thereafter until 1979. That year, both plenary addresses deal centrally with race and imprisonment, including the keynote address “Race, Crime, and Corrections” by Charles Silberman and a follow-up by Higginbotham. However, his speech “Is Slavery Relevant to Corrections Today?” repeats almost verbatim in its title, argument, examples, and language his 1970 conference paper. Apparently, so little had changed in the nine years that the same material could serve anew. Questions of race and social struggle were broadly discussed as underlying issues of carceral policy and practice from 1968 through 1972. Thereafter, the vast majority of presentations ignore these matters, instead reflecting the national shift in favor of more frequent and longer sentencing, which precipitates the over-crowding crisis. Numerous participants remark that corrections was shifting away from a rehabilitative paradigm based on psychological classification and treatment, but no new model had appeared to take its place. The rise of “just deserts”—flat sentencing irrespective of mitigating individual or social circumstances<sup>120</sup>—as the prevalent punishment matched the “tough on crime” rhetoric adopted by Rockefeller and others to promote broader and harsher criminalization and incarceration, and thereby initiated the dramatic expansion of imprisonment in the U.S. beginning in the late 1970s.<sup>121</sup>

Cleaver and Mailer document the tumultuous time between 1968 and 1979, each in his own unique register. *Soul on Ice* is alternately autobiography, literary criticism, myth, cultural theory, and a prison cell view of the mid-1960s, the Watts

riots, protests of the Vietnam War, and the conflicts of race, class, and gender in the history of his now. The book quickly sold over a million copies and was named a Book of the Year of 1968 by the *New York Times* (Rout vii), and Cleaver leveraged that prominence to run for president with the Peace and Freedom Party, a cross-racial alliance between that group of largely young white radicals and the Black Panther Party. Mailer describes Cleaver in terms of his blackness and criminality, as the “talented Black writer and convicted rapist” in *Miami and the Siege of Chicago*, and he suggests he might vote for Cleaver for president (213, 223). Cleaver for his part admires Mailer as well, describes his “The White Negro” as “prophetic and penetrating,” containing a “solid kernel of truth” (*Soul* 123). Drawing further associations between the two, one subsequent reviewer disparagingly describes “Cleaver’s Mailerian rhetoric,”<sup>122</sup> and *Playboy* in 1968 began its calendar interviewing Mailer and ended it in dialogue with Cleaver. Each in his writing that turbulent year emphasizes a shared sense of political investment in cultural transformation, though Cleaver’s revolutionary fervor is buoyed by optimism, while Mailer’s participation in the protests chronicled in *Miami* and *Armies of the Night* is cut through with the doubt that radical change might make anything better.<sup>123</sup>

By 1979 and his Pulitzer winning *The Executioner’s Song*, Mailer’s brand of cynical hope had considerably decreased, and Cleaver had swapped extremes, a wholesale switch from revolutionary to reactionary.<sup>124</sup> The most significant connections between Cleaver’s and Mailer’s texts lie in the blurring of genres and methodologies as each turns to an actual setting of incarceration to explore their

mutual fascination with what they view as the painstaking task of writing the prisoner as a participant in history. The Cleaver of 1968 looks to hope of revolution, whereas Mailer writes Gilmore's desire for his death sentence and escaping into language in the telling of his story. Cleaver and Mailer emphasize in the shared settings of imprisonment matters of history, representation, and testimony, bearing witness and speaking on behalf of both one's self and others.<sup>125</sup> In Cleaver's critical account of his crimes and imprisonment as they relate to U.S. cultural history in the 1960s, and Mailer's complex narration of Gary Gilmore's crimes, execution, and the media circus that surrounded him in 1976 and early 1977, the writers each present book-length and arguably non-fictional testimonials of incarceration, and their respective publications bracket not only tremendous transformation in U.S. imprisonment policies but several Supreme Court cases concerning the development of U.S. prisoners' right to self-representation and writing.<sup>126</sup> Like those plaintiffs, Cleaver and Mailer contest for representation and against silencing, and each text demonstrates what Brook Thomas describes in another context as a "power of engagement" (x), an imperative to confront readers with history. And, like the officials of the ACA, Cleaver and Mailer are shaped by their historical moments even as they write the words that in part define that history.

Cleaver's *Soul on Ice* is a difficult book. There is of course his immediate acknowledgment that "I've been a rapist"—and it is easy enough to stop there, and perhaps many readers do.<sup>127</sup> Furthermore, its packaging regularly misrepresents the text. The back cover of most paperback editions identifies it as a "spiritual

autobiography” or “classic autobiography.” The front cover operates in the convention of a whole corpus of writing by black prisoners<sup>128</sup> and former prisoners of which *Soul on Ice* is both a part of and apart from: Cleaver’s face in a close-up black and white photograph, a view similar to the most common book jackets of *The Autobiography of Malcolm X* (1964), George Jackson’s *Soledad Brother* (1970), and Rubin “Hurricane” Carter’s *The Sixteenth Round* (1974).<sup>129</sup> *Soul on Ice*, however, is far more a work of cultural theory and criticism than it is any sort of conventional autobiography, its discursive legacy in Frantz Fanon more than Malcolm X. Cleaver’s carceral identity as number A-29498 is the result of his criminality, but its meanings and effects are offered less in personal than national history.

Of its four parts, only the initial “On Becoming” of “Part One: Letters from Prison” conducts a retrospective account of the author’s life, and the subsequent eight letters are snapshots of the time of their writing during 1965, offered out of chronological sequence. “Part Three: Prelude to Love—Three Letters” conducts a correspondence between Cleaver and his lawyer and is by far the shortest section, shorter than some of the individual chapters of Parts Two and Four. The analysis conducted in those sections, the longest parts of the book, distances itself rhetorically from the “I” so prevalent in the letters of Parts One and Three, which feature a litany of “I was eighteen years old,” “I was black,” “I love you,” “I hate you,” “I declared myself for Malcolm X,” “I seek the profound.” The identity of the perceiving eye of Parts Two and Four is occasionally the first person, but rather than the close quarters of self-reflection, the expository gaze spans culture and history: youth activism, the

racial connotations of boxing and literature, the Vietnam War and riot suppression as concomitant police actions, the legacies of slavery, all offered with wry wit in tracing their connections. Cleaver's prose is indeed "Mailerian," though he not only follows him as he claims ("I say, after Mailer") but advances beyond the other's far more self-absorbed view in *Armies of the Night* and *Miami and the Siege of Chicago*<sup>130</sup> to a more centrifugal rhetoric. To read *Soul on Ice* as Cleaver's life story is to undo its outward direction and read the political as personal, cultural history as a person's past, and theory and criticism as autobiography, which overturns the trajectory the text itself maintains, wherein the self is constituted in and understood through its social investments.

*The Executioner's Song* seems to highlight an opposite sense of identity, beginning as it does with personal history, memories of childhood. "Brenda was six," the novel begins, a vignette that ends, "That was Brenda's earliest recollection of Gary" (5). However, the multi-perspectival accounts that define the discursive method of narration begin here, for it is not Gary's memory but Brenda's. More significant than that brief recollection is the first chapter's title, "The First Day," suggestive of beginnings as mythic or allegorical in the tradition of biblical Genesis. The first six pages telescope the nearly three decades from Gilmore's childhood through imprisonment to parole, a period offered primarily through Brenda's sense of their letters back and forth. Gilmore is arrested for two murders 260 pages later, meaning that three quarters of the book's over 1000 pages cover a period during which he is in jail awaiting trial, in prison, then executed—and the trial occupies only 30 pages. So



the book Joan Didion famously describes as “absolutely astonishing”<sup>131</sup> largely concerns one character in prison and the various and conflicting efforts of those who would contact or conceal him, including his family, newspaper and television reporters, tabloids, lawyers, judges, activist organizations, television and film producers, writers, and prison officials. The representation of the prisoner by the self and others and the struggle for agency in that prisoner’s life and death determine the events Mailer offers in a structure of literally thousands and thousands of fragments.

*The Executioner’s Song* is divided into two halves, “Western Voices” and “Eastern Voices,” each of which features seven parts. The last of the first is “Death Row,” itself comprised of three chapters, the first two with nine numbered sections, the last with four. Each section further subdivides by line breaks into bits from a few lines to almost a page. That patchwork narration of many points of view is not only a consequence of Mailer’s work from the hundreds of interviews, court transcripts, and other documents, but a reflection of communication in prison itself. As Mailer has Gilmore describe it, “I like language, but I tell the truth [... ]n the hole you can’t see the guy you’re talking to, ‘cause he’s in the cell next door or down the line from you. So it just becomes necessary to . . . make yourself clear and heard because there might be other conversations going on and a lot of other noise” (850). Self-representation through communication means sorting among the “other conversations” in pursuit of clarity amid other noise—but Gilmore acknowledges well earlier that he refuses to appeal his death sentence because “the noise is too much for me” (489). Two days before his execution, he says to his lawyers in an

interview, “It, man, is so noisy. If I could have some quiet” (868), but the subsequent 120 pages before the execution bring no quiet, continuing to include other conversations, the noise of news excerpts, dozens of points of view.<sup>132</sup> The sounds Gilmore seeks to escape in his death are exactly what Mailer strives to reproduce in writing him.

The respective narrative ends of *Soul on Ice* and *The Executioner’s Song* differ dramatically, most obviously in the conclusions of Cleaver’s imminent release and Gary Gilmore’s execution—Cleaver is, after all, released by the time the book is published, though he thereafter becomes a fugitive, and Gilmore is already dead in 1979. More to the point, Mailer writes Gilmore on the latter’s path to death while Cleaver quite consciously speaks his own life. Cleaver’s self-declarative, auto-performative *prison sentence*—nine years, the time during which he “began to form a concept of what it meant to be black in white America” (21)—writes him into becoming with and through the very awareness that only in communication does a self-aware subjectivity emerge.

There are Lacanian (and Foucauldian) resonances to that equation of language and the subject, but the wording of the Supreme Court ruling in favor of the authority of writ lawyers supports it as well. In *Johnson v. Avery* (1969), it upheld a District Court decision against a prison regulation prohibiting writ lawyers, prisoners serving as legal representatives for other prisoners, because according to the court, that ordinance had “the effect of barring illiterate prisoners from access to federal habeas corpus.” In basing their ruling on *habeas corpus*, the court effectively equated one

prisoner representing another's legal interests in writing with the actual physical presence of that prisoner in the courtroom. In that decision, Justices Hugo Black and Byron White dissented, suggesting that the writ lawyer was less "motivated by altruism rather than by self-aggrandizement, profit, or power." While an aside might note the circumstantial racing of the dissenting justices' surnames or suggest the degree to which Mailer's writing of Gilmore matches their minority opinion, the emphasis of this chapter lies more in the majority ruling, the incontrovertible binding of subject and statement—even when, as in *The Executioner's Song*, where Mailer tells Gilmore's story, the language that speaks the subject belongs to another. There are moments where Gilmore does write himself, as in his letters to Nicole Baker and his occasional poetry, a parallel to Cleaver's letters to Beverly Axelrod and his own "To a White Girl." Such writing in prison offers a linguistic escape past bars and walls and is a right upheld by the Supreme Court in *Procunier v. Martinez* (1974).<sup>133</sup> However, the necessity not only to provide a space for prisoners to speak for themselves but to recognize the need for those not in prison to speak on their behalf underwrites this entire dissertation.

Cleaver's account of himself and Mailer's chronicle of Gilmore each demonstrates the struggle of a prisoner to enter history, to communicate an identity beyond the carceral. Still, while Cleaver's *Soul* and Mailer's *Song* share investments in history and employ similar discursive strategies by which those investments are made manifest, they do not operate the same rhetorically. Cleaver's strange text, a mix of cultural theory and self-representation, demonstrates his effort to write in

order to make himself; Mailer's Gilmore presents a different sort of prisoner, deliberately unwriting himself in his diminishing letters, until only Mailer remains. Having scrupulously recorded the conditions surrounding the crimes and subsequent execution, the realist author scripts that consequential death as inevitable—it is what happened after all, the novelist of non-fiction might say with the hipster's shrug. That trajectory projects inevitability onto situations of imprisonment and execution. Like Joe Christmas walking toward death, Gilmore's is not a becoming, but a want to not be. While the strict truth of that deathward plotting unravels when we recall that Mailer's meticulously documented text opens and closes with the titular "old prison rhyme" that the author has in fact invented—and others have charted Mailer's bait and switch of journalism and fiction<sup>134</sup>—his account of imprisonment shares with Cleaver's autobiographical writing not only a powerful *engagement* with history but a *contest* with history. Theirs is a struggle to have one narrative of imprisonment and self-determination write alongside or over and thereby compete with other accounts available.

Both writers combine various discursive strategies in describing self-conscious identity formation inside prison walls. Cleaver's and Mailer's accounts demonstrate the concomitancy of language and subjects in history, both personal and social. Mailer's *The Executioner's Song* conducts a meticulous historicization and narration of Gilmore that sharply demarcates possibility, while Cleaver's *Soul on Ice* writes the author as a tense reflection of larger national history in transformative ways. Each embodies a reverse trajectory (Cleaver making himself, Gilmore

unmade) with regard to the conflicts of writing a subject constituted in the tensions of a specifically national history, which both define as schizophrenic. Cleaver writes, “From the beginning, America has been a schizophrenic nation. Its two conflicting images of itself were never reconciled”: the white image of “freedom and justice for all” and the black image of oppression and resistance (98-100). The same year, Mailer regularly identifies schizophrenia as a definitive characteristic of U.S. culture. In *Miami and the Siege of Chicago*, Mailer writes, “We call it hypocrisy, but it is schizophrenia, a modest ranch-house life with Draconian military adventures; a land of equal opportunity where a white culture sits upon a Black.” His description of “the hierarchies of schizophrenic ranch-house life in America” appears in *The Armies of the Night* as well (*Miami* 140; *Armies* 197). Cleaver and Mailer both employ “schizophrenia” as the popular misreading of multiple personality disorder. In the medical discourse of psychology, the medical study of disorders of the brain, schizophrenia is actually a disassociation from reality, the inability of the subject to engage the world around him or her. However, Cleaver and Mailer both articulate schizophrenia in plural and raced terms that make explicit the power differential in culture, a disease of the *social* body that produces a failure to acknowledge the fault lines of history, the cultural differences that must be named and engaged. Though Cleaver and Mailer generally view the term negatively, the more positive description in how Deleuze and Guattari theorize it clarifies aspects of *Soul* and *Song* when they are read alongside *Anti-Oedipus*.<sup>135</sup>

Deleuze and Guattari's titular aim is the rejection of the Oedipal "I," the autonomous, unified self, in which Oedipus is the offspring of Freud and Lacan, whole in his divorce from totality in a psychoanalytic version of the paradox of the Fall. The loss of completeness is the split, the cause of the lack upon which the sense of self is predicated, the *manque-à-être*, the lack that is the want to be.<sup>136</sup> Deleuze and Guattari turn to Friedrich Nietzsche and Antonin Artaud for a different sense of self: if "*every name in history is I*," then "I have been my father and I have been my son." (14, 21).<sup>137</sup> "I" thereby loses its power. Their hypothetical schizophrenic says, "I won't say *I* any more, I'll never utter the word again; it's just too damn stupid. Every time I hear it, I'll use the third person instead, if I happen to remember to. If it amuses them. And it won't make one bit of difference.' And if he does chance to utter the word *I* again, that won't make any difference either. He is too far removed from these problems, too far past them" (23). Writing against psychoanalysis means overwriting its privileged categories with those of the schizoanalytic: replacing the Oedipal subject with the schizophrenic, the individual with the social, the symbolic with the concrete, the expressive with the productive, and theatre with history (381). The schizophrenic is an ever-shifting body of "we's," and schizoanalysis is the project of tracing such various social investments.<sup>138</sup>

Schizoanalysis works against oedipalization, an individualization that is less a matter of a Freudian sexual dynamic of desire for the mother than desire for the Other, the strategy by which selfhood itself is interpellated, brought into being through divorce from an imaginary whole and thereby defined by the lack of the

whole it desires. Paranoia is a condition of oedipalization whereby the self misrecognizes its autonomy, a separate-but-equal individuality situated in a world of stable meaning. Paranoia thus describes a condition in which meaning is one with fact, social structures are inviolable, and power maintains an a priori fixity not even in institutions but is unified, indivisible under a god-ordained leader.<sup>139</sup> Schizoanalysis attacks the primacy of “I” and its stable singularities. Of course the joke is that “I” saturates their text and Cleaver’s as well, and “I won’t say *I*” doubly violates itself, invoking the forbidden as both the subject and the object of saying, of discourse. However, the contradiction does not make any difference for those who situate themselves beyond these difficulties, as such plural selves are accustomed to living with contradictions.

Cleaver and Mailer both describe identity in a manner that gains clarity when understood in terms of the Deleuzo-Guattarian schizophrenic. Cleaver writes, “I was very familiar with the Eldridge who came to prison, but that Eldridge no longer exists. And the one I am now is in some ways a stranger to me. You may find this very difficult to understand but it is very easy for one in prison to lose his sense of self” (35). Certainly for the prisoner, this claim is a self-serving dodge. Imprisonment rests upon the assumption that the person in prison is the same one who was determined in court to be a criminal; to be any other than the “Eldridge who came to prison” is to no longer need to be imprisoned, as he has been corrected, reformed. However, Cleaver’s point is that the subject in history is ever in flux. For the self to be constituted in its social investments—in the first passage after the

opening section “On Becoming,” these identities include being a prisoner, black, and a convicted rapist, as well as having a “Higher Uneducation” (36)—is to shift in the ebb and flow of those partial and conflicting participations in the social.

As Mailer has it in “The Man Who Studied Yoga” (1952), “Modern life is schizoid” (179). That claim is less interesting than the opening description of the character who utters it, Sam Slovoda, rendered by a narrator who begins, “I would introduce myself if it were not useless. The name I had last night will not be the same as the name I have tonight” (157). That narrative dissimulation, the first person sleight of hand at once revealing and concealing the speaker, is refined slightly in Mailer’s account of himself in *The Armies of the Night* and *Miami and the Siege of Chicago*, in which he generally refers to himself in the third person. Still, the “Mailer” in the text and the “Mailer” of the book cover are presumed the same—indeed, the Pulitzer for non-fiction of the former depends on it, the authority of the narrator contingent to the credibility of the writer. In those two texts, though, there remains the disproportionately heavy weight of the single point of view. In *The Executioner’s Song*, Mailer’s best work is produced as he faces his toughest challenges: not writing about himself, and representing the social investments of a man who builds his identity on the self-realization performed in his own death. Imprisonment in its practice as described in both *Soul* and *Song* seeks to oedipalize; it individualizes, isolates, and alienates, produces paranoia and surpasses that paranoia, such that the question in the condition of Cleaver’s and Gilmore’s imprisonment is not, am I paranoid, but am I paranoid enough? These texts resist that oedipalization,



though the history in which each seeks to implicate character has diminished in terms of the social transformation it offers. Separated by that gulf of possibility, each author traces different models of the subject in history, actor and acted upon, the subject *of* and subject *to*, a tension of identity and agency perhaps written most severely in the position of prisoners.<sup>140</sup>

### **“You’re crazy” – Henry Louis Gates, Jr. to Eldridge Cleaver**

Cleaver’s prison writing of 1968 demonstrates the implication of imprisonment in broader historical and cultural contexts, the black man in prison as part of a larger network of misplaced desires. *Soul on Ice* functions to a significant degree as an integrated schizoanalytic critique as described in *Anti-Oedipus*: the combination of radical politics, aesthetics, and historical analysis, the synthesis of “the artistic machine, the analytic machine, and the revolutionary machine” (136-37). In a definitive passage of such practice, Deleuze and Guattari turn to a letter from Vincent Van Gogh to Artaud, an image of prison escape, a wall “penetrated with a file,” where the effort is not escape but, “at once the wall, the breaking through this wall, and the failures of the breakthrough” (136, 389 n. 64). The metaphor of imprisonment, the simultaneity of the wall and the breaking of it, and the integrated critique all aptly describe *Soul on Ice*. At a literal level, Cleaver acknowledges that the political project of the book keeps him incarcerated. “If I had followed the path laid down for me by the officials, I’d undoubtedly have long since been out of prison” (36). The text itself, in its account of the radicalization that Cleaver claims prolongs his stay, is the wall, while the letters back and forth in and out of prison and his own

becoming are the breakthrough. The failures of that breakthrough might be viewed as the lack of the transformation of U.S. domestic and foreign policy Cleaver envisioned. The breakthrough and its failure are bound to the degree to which the self Cleaver writes is a subject constituted in history, even as he tries to rupture that history, not break from it, but fracture history itself—for what else is revolution but the shattering of history?

Cleaver in 1968 was in search of revolution, a political project that superseded divisions of incarceration and race. He regularly identifies with the young white and black protesters of 1965 and points out his desire to “look with roving eyes for a new John Brown,” acknowledging that Malcolm X would “accept John Brown [to the Organization of Afro-American Unity] if he were around today” (38, 79). The degree to which race as a signifier slips from skin color to radical action is a gesture to the revolt against barriers of racial difference and oppression Cleaver views as epitomized in imprisonment.<sup>141</sup> Speaking for himself also becomes the means by which he can invite cross-racial identification.

*Soul on Ice* demonstrates Cleaver’s effort to articulate himself, to speak his position in and view from prison and thereby re-orient himself (and thereby those that identify with him) politically and personally, to put his individual situation in the larger context of U.S. racial history. Much of *Soul on Ice* accounts for the acts of the self historically, and it often reads like a litany of pairings of the personal and historical: Cleaver’s imprisonment and *Brown v. the Board of Education*, his violently divided and raced sexual desire and the lynching of Emmitt Till (21, 29).

The implied argument is that personal acts are best understood within narratives larger than personal history. The Cleaver of the book is schizophrenic, in Deleuze and Guattari's terms. His account of his psychiatric treatment in prison grows in focus and importance when viewed in the context of Deleuze and Guattari's exchange of the autonomy of Oedipus for the social subject in history.

I had several sessions with a psychiatrist. His conclusion was that I hated my mother. How he arrived at this conclusion I'll never know, because he knew nothing about my mother; and when he'd asked me questions I would answer him with absurd lies. What revolted me about him was that he had heard me denouncing whites, yet each time he interviewed me he deliberately guided the conversation back to my family life, to my childhood. That in itself was alright, but he deliberately blocked all my attempts to bring out the racial question. (30)

This parody of psychoanalytic treatment, the tracing of all experience to the childhood relationship with the mother and the attendant blocking of the desire to address socio-cultural concerns, demonstrates Cleaver's rejection of his oedipalization. He instead opts to understand himself in terms of "the dynamics of race relations in America" and a Marxist critique of U.S. capitalism (30-31). Deleuze and Guattari describe that shift as the schizophrenic turn from "daddy-mommy" to the "economic and political spheres" (23, 105). The Oedipal self impedes the flow in the circuitry of the social, which, in the case of Cleaver, blocks the attempt to rupture the boundaries of skin color and prison walls, to act and write across lines of difference in

terms of race and incarceration. In *Soul on Ice*, Cleaver is writing against conventional psychoanalysis, as Deleuze and Guattari would later do, the latter even abandoning his personal practice for cultural critique.

Cleaver's rejection of his psychiatric session can be viewed in the comic tone he engages so often and so successfully, as when he applauds the revolutionary possibilities of desiring beef steaks or prepares to describe the mystery of the holy trinity as three-in-one oil (49, 51). However, tricksters have regularly masked their masterstrokes in humor, and keeping in mind the schizoanalytic imperative—the political psychoanalysis of desire in social bodies—foregrounds the richer implications of Cleaver's argument. Analyst and analysand must alike leave behind the reductive, isolated, and isolating interpretation of personal history for wider contexts. *Soul on Ice* effectively invites the racial history of now to get up from the couch and walk around the city in order to talk about its troubles. He adopts the theoretical approach of implicating the seemingly autonomous author and book in intertextual relationships with the diachronic and synchronic milieus, with their historical and cultural situations.<sup>142</sup>

The discursive impulse of such contextualization guides Cleaver's best writing in *Soul on Ice* and his short story "The Flashlight," which appeared in *Playboy* in 1969 and won an O. Henry Award. The story features the becoming of the main character, Stacy Mims. He transforms from leader of a band of petty criminals, to a loner with the titular flashlight who uses it to interrupt drug activity in his neighborhood, to becoming a participant in the gang of "Marijuanos." In her

commentary in *Eldridge Cleaver* (1991), Rout under-reads “The Flashlight,” missing its emphasis on the social. Overall her book offers far more a critical and (meta-critical) survey of Cleaver’s primary writings than a biography, but the story merits less than a page and half, describing it entirely in terms of a coming of age story emphasizing the singular individual, replete with the stock psychoanalytic terms of Freud and Adler both, from “phallic symbol” to “self-assertion” (10). However, Cleaver takes pains to implicate the main character in a particular cultural space, written in social rather than personal history.

The initial description of Stacy is in terms of an incarnate social body comprised of himself and his gang members, made in “knowledge of each other, the thick glue of the brotherhood of youth, of their separate selves bound into one” (120). The subsequent thick description of the main character emphasizes the neighborhood as its own sustaining environment with its own history, but it is described as already passing into the past, both literally, as the dilapidated but storied houses are replaced by projects, and figuratively, as the nearby diminishing wilderness is cast in terms of the pastoral, from the gang’s hunter/gatherer activities there to its “Indian burial ground” and shepherds (124).<sup>143</sup> The middle passage describes Stacy’s own poorly understood resistance to both his gang’s criminal activities, which have lost their meaning for him, and the terrorism of surveillance he initiates on the drug users and dealers, until he becomes first their target and then their peer. Cleaver describes the process of becoming in terms of two warring voices in one body—resonating both with DuBois’ famous claim and a sense of the schizophrenic—as Stacy identifies

himself joining them through the ritual of smoking (and presumably, later selling) marijuana. “He had the sensation of being two disembodied beings fighting to inhabit one yielding body. His body, offering no resistance, became a battlefield on which two rival armies contended” (302). His identity at the close is that of “Marijuano,” part of a different social body than his previous gang.

The story trades on the cachet of Cleaver’s fame as a former prisoner and fugitive as of November 1968. The term “prison” appears on each of the first three pages of the story, and it is easy to do as Rout does and read Stacy as Cleaver, who in 1954 first went to prison for selling marijuana, then a felony in California. By 1969, the cultural climate had changed, and a cartoon accompanying the story in *Playboy* features a doctor telling his patient, “I want you to lay off that alcohol and switch to pot, Mr. Fuller. Your kidneys are in terrible shape” (288). Also alongside Cleaver’s story in that issue is the article “Hunger in America” by U.S. Senator Jacob Javits, who joined Senator and later President Johnson in supporting the 1957 and 1964 civil rights bills. The story itself chronicles a material and spiritual poverty that precipitates Stacy’s pursuit of meaning caught between his desire to act and to belong. Identity becomes a plural, social sense of selfhood defined in space, subculture as a place of mind, described as “that underground world, psychologically as far beneath the consciousness of a city’s solid citizens as a city’s sewerage system is beneath its streets” (288). Individuals and social groups are both understood as collectives, and ghettoized communities become the cultural unconscious of the society that suppresses them. In a related vein, the two issues of *Playboy*

immediately prior to that featuring “The Flashlight” offer articles on “the demise of Freudianism” and survey psychoanalytic approaches less invested in personal history than community. So the very psychoanalytic emphases on individuation and personal history that Rout reads in “The Flashlight” are resisted not only in the text itself, but in the context of its original publication.

Cleaver’s own most fully developed theoretical framework of socio-historical analysis focuses on the racial difference and oppression he describes as blocked in his earlier parody of Freudian psychoanalysis. In “The Allegory of the Black Eunuchs” (183-204) and “The Primeval Mitosis” (205-220), he offers a structure of difference on the twin axes of race and gender, defining black and white men and women with respect to one another in terms of sexual desire, power, body, and mind, all key points of reference in *Anti-Oedipus* as well. Cleaver identifies four allegorical types. The white man as Omnipotent Administrator, the mind of systemic power suffering from the “negation and abdication of his Body,” is in dialectical opposition with the black man, the Supermasculine Menial. The white woman as “beautiful dumb blonde” and Ultrafeminine, is desired by men black and white but available only to the white, who, lacking the body, can never fully satisfy her. The black woman is therefore the abject object, Subfeminine, subordinate by gender and race, but nevertheless the “strong self-reliant Amazon.” The image binding these types is drawn straight from confinement, the “two sets of handcuffs that have all four of us tied together” (191). The allegory escapes the symbolic for the concrete in being embodied in Cleaver’s own desires, which are symptomatic of the history of racism and slavery in the U.S.

that situates white men as conceiving of themselves as superior to black men. Given the economic circumstances of production, that superiority made black men the force of labor, body without mind to white men's mind without body. Raced femininity doubles and exacerbates this double hierarchy.

In Cleaver's description, the surrender of the body inadvertently relinquishes the (Freudian) phallus to black masculinity while maintaining social power (the Lacanian phallus), creating a network of blocked desire in a set of relationships of gender and race, the relationships that determine class and sexuality. Estranged from their bodies, white masculinity hysterically asserts dominion over the physicality it lacks and thus desires in blackness. Black masculinity desires the white femininity from which it is barred, and is separated from black femininity in the shame of its inferiority. White femininity can only be satisfied by the bodily engagement whiteness has surrendered, and black femininity "is lost between two worlds" (219).<sup>144</sup> There are of course clear problems with this model, the greatest of which include how class becomes a symptom of race and gender, homosexuality is denigrated, and black women are doubly subjugated.<sup>145</sup> Still, that model has some critical use-value with regard to literary study, though only a few have noticed. In 1974, Robert Felgar points out in *Negro American Literature* how the theory might apply to Richard Wright's *Native Son* (235), and Lucas Beauchamp's relationship with his landlord Roth Edmonds in *Go Down, Moses* works within this framework even as the former's success in the physical and mental worlds of the trickster subverts it.<sup>146</sup>



Cleaver recognizes the introductory nature of his analysis. “Just how this [psycho-sexual dynamic] works itself out is a problem for analysis by sociologists and social psychologists on the mass level, and the headshrinkers and nutcrackers on the individual level” (217). The pejorative terms here (“headshrinkers and nutcrackers”) mark Cleaver’s reiteration of his dismissal of conventional psychoanalysis, focusing instead on outlining study for “social psychologists on the mass level.” He is less concerned with what such ideological structures *mean* than with what they *do*. Deleuze and Guattari would similarly challenge psychoanalysis in their own formulation of schizoanalysis. Cleaver’s attention to indices of difference and the interplay among diverse textualities in *Soul on Ice* should be better recognized in cultural studies and postcolonial theory approaches sensitive to history, identification, and subjugation. Certainly his analysis is preparatory: “What we are outlining here is a perspective from which such analysis might be best approached” (217). Cleaver’s heuristic is provocative because it develops a model of cultural psychology implicated in historical process; it is compelling because its deployment even acknowledges its preliminary role. He advocates a plural psychoanalysis in order to trace the historical causes of cultural conflict—specifically, the national divides along lines of race, class, gender, and sexuality, of which, he argues, his own criminality and incarceration are symptomatic.

There were clear difficulties for some in treating violence as a symptom. In 1968, the year of the publication of *Soul on Ice* and the student strikes at Berkeley, where Cleaver was teaching an experimental course, California’s then Governor

Ronald Reagan warned, “If Eldridge Cleaver is allowed to teach our children, they may come home one night and slit our throats” (CNN). That year also saw Reagan contend for the Republican nomination for president against both Nixon and Rockefeller, even as Cleaver headed the Peace and Freedom Party. The Oedipal fear demonstrated in the warning by the then California Governor is generalized in the address of “our children,” a generational anxiety that begs the sort of mass level social psychology Cleaver advocates.

Reagan was not alone in his condemnation of Cleaver. Prison officials comment on Cleaver regularly from 1970 to 1972, and some do so derisively even as they, like Cleaver, dismiss psychoanalytic inquiry—but without proposing an alternative, as he does. For example, one ACA presenter in 1970 suggests that penal practices are about to undergo a paradigm change, making the requisite gesture to Thomas Kuhn. That participant suggests that the rehabilitation model of the individual is “attributable to Sigmund Freud,” but it is about to change to a model of a community of citizens (1970 335). However, that speaker then specifically distances himself from the primacy on social environment and its history maintained in *Soul on Ice*. “Eldridge Cleaver tells his followers that crimes committed by members of the Black minority are not crimes at all but protests against and compensation for deprivation. Of course this rationalization will not do” (337). The speaker does recognize a need for change and recommends a social renewal akin to Johnson’s “Great Society” in broad-based social programs, but the present and the past, and the social and the particular, cannot have any bearing on one another in his view.

The year after Attica that saw the divided image of the black prisoner as incorrigible and revolutionary further divide is reflected in the split between perceptions of Cleaver. Another ACA participant similarly dismisses both psychoanalysis and self-proclaimed political prisoners. A San Quentin Associate Warden writes, “During the 50 years of the psychoanalytic fad, prisoners became quite skilled in tracing their aberrations to unhappy early experiences,” and he makes a joking reference to prisoners exchanging the Oedipal epithet—possibly the only reference to “motherfucker” in the 134 years of the ACA proceedings (1972 112). In addition, he claims contemptuously, “Handsome rewards have been furnished men who gave themselves whole-heartedly to the role of ‘political prisoner,’” a part he links specifically to Cleaver (112). Like Reagan’s hysterical fears, the warden demonstrates the social anxiety Cleaver inspired in the fusion of his various identities of black man, convict, political prisoner, writer, teacher, political leader, and candidate for office—at various times, he campaigned for president, senator, mayor, and city council member. That social fear was the sort of phenomenon for which he offered an investigative approach.

Some participants in the annual conference recognized aspects of this. Two participants suggest *Soul on Ice* to prison administrators because it describes contemporary “racial questions.” One, a sociologist, recommends the book twice and describes how a colleague “became physically ill for three days because of his reaction to reading” it (ACA 1972 180, 188). The individual body’s illness itself becomes symptomatic of its social investments, a description of physical sickness that

has its own parallel in *Soul on Ice*, when bodily illness is the response to the estrangement of and challenge to racial expectation (185, 229).<sup>147</sup> That anonymous prison sociologist's violent reaction to the book is a physical embodiment of the "convulsive spasms of change" perceived as imminent in the U.S. in 1968, according to both the ACA president and Cleaver (ACA 1968 13-14). Personal and social bodies and their violent reactions are understood best historically not in terms of personal past, but in the larger cultural histories of difference and struggle.

In his own analysis, Cleaver's utopian vision is one in which the bodies of black men and women are the "wealth of a nation," the "human raw material upon which the future of society depends and with which, through the implacable march of history to an ever broader base of democracy and equality, the society will renew and transform itself" (220). But the mechanics of that utopian Marxist history give way to a romantic utopia in the subsequent and final ending of the book, in which Cleaver invokes the black woman to claim her place not as Subfeminine but sovereign: "But put on your crown, my Queen, and we will build a New City on these ruins" (242). While previously adopting the social and historical sense of self that Deleuze and Guattari type as schizophrenic, he remains enamored with the individual autonomy that is quite literally Oedipus, the singular King to match the Queen. It is difficult to sort exactly to what degree desire here flows away from the postulate of a social subject, to what extent the allegorical singular is part-for-whole, or a retreat to imagined autonomy. Likely, the problematic final section so at odds with much of the rest of the book is in part an apology for the third part, the letters to and from his

white female lawyer, letters that Ishmael Reed dismisses as “gushing” and “cloying” (3).

It is also possible that the final conclusion is less a bait and switch of individual and social subjects than a consequence of the book’s difficulty: Cleaver shifts so rapidly among various approaches, including conflating personal and historical, so as to often (though not always) substitute vitality for rigor. He clarifies that his theorization of race, class, gender, and sexuality in “The Allegory of the Black Eunuchs” and “The Primeval Mitosis” is preliminary, and, like subsequent literary critics of a historicist bent, he ranges among documents literary, historical, and popular to provide the basis for his cultural critique. However, he does so in a wide-ranging rush and with a reliance on an extended quotation of others that at times borders on bricolage and can be hasty or wrong.<sup>148</sup>

Most often, though, he is more successful. One of the final sections of the book, “Convalescence,” is a culmination of the earlier theorization of the raced and gendered split of mind and body. It reads like a Birmingham School polemic, starting with *Brown v. The Board of Education*, and continuing through an analysis of 1950s and 60s popular music and writing inflected by racial critique, to a litany of injustices including the lynching of Till, to a reading of the Beatles as minstrels playing a black Jesus performing the Eucharist (222-235). This approach is so broad as to seem scattered, though it is held together by Cleaver’s fierce style and wit and remains a powerful and playful model of cultural criticism as a capstone to a book that has a too unremarked place in the history of theory. As the investigations Cleaver engages

have taken firmer root and seen tremendous elaboration in historically nuanced cultural studies, critics have mistakenly passed over his work that adopts, combines, and deploys what were at the time largely nascent lines of inquiry in U.S. letters. *Soul on Ice* is valuable strictly in this regard. Cleaver's is an adaptation of Marxist historicism, part of a tradition that transformed Marx's single gravitational point of class to a more complex system of race, gender, and class, to which others would add.

In addition, his indictment of 1960s U.S. geo-politics speaks directly to the history of now, at the outset of the twenty-first century, when international police actions are regularly compared by some to those of 1968. Cleaver argues that a conservative presidency and Congress can "manipulate the people by playing upon the have-gun-will-travel streak in America's character" (117). Cleaver's point of Vietnam echoes in criticism of the U.S. at the beginning of the twenty-first century, the international and domestic policies of violence and domination, particularly with regard to the war in Iraq and the limits on civil liberties. "Justice is secondary. Security is the byword"<sup>149</sup> (137). Furthermore, as catalogues and studies of prison writing in the vein of Chevigny's and Franklin's expand, *Soul on Ice* demonstrates that the tendency to autobiography and testifying on one's own behalf also includes not only the prison writer's self-reflection, or mirroring of the culture that incarcerates, but reflection *on* that culture, situating the condition of imprisonment in a much larger cultural history. Celebrating those efforts faces its own difficulties, given the crimes of theft, assault, and rape that precede his imprisonment, and the degree to which he argues that those criminal efforts were part of his will to

become.<sup>150</sup> However, the most vituperatively dismissive critics of *Soul on Ice*—the conservative non-profit Intercollegiate Studies Institute places it, along with *Armies of the Night*, among the 50 worst books of the twentieth century—read it as if it were an apologist autobiography, a blame-casting story of “I,” though Cleaver far more often writes against that sense of self. Speaking for himself becomes Cleaver’s strategy of testifying to larger scars of history.

**“the deepening schizophrenia of America” — Poirier on Mailer’s obsession**

Mailer goes further than Cleaver in exploring how “modern life is schizoid,” but by 1979, carceral difference loses all but a small trace of its raced practice. *Schizophrenia* is one of Mailer’s preferred words, which he associates variously with: “modern life”; an “American public” in its view of Nixon, its international wars and domestic race relations, its policemen and criminals the same; the American dream, activist students, the popular perception of the Vietnam War (“The Man” 157; *Miami* 42, 140, 174; *Armies* 141, 161, 188, 189, 197, 270). Mailer is not particularly consistent in his use of the term, nor rigorous in his pursuit of it—it is among his favorites, after all, so he wears it in a wide range of fashions.<sup>151</sup> Still, like Deleuze and Guattari’s schizophrenic, the narrated “Mailer,” the “reporter” of both 1968 texts, is constituted in his partial and conflicting investments with various groups, both a part of and apart from the cocktail party of liberal academics, the marchers at the Pentagon, and his fellow protesters in jail in *The Armies of the Night*.

In particular, racial conflicts are cast in the terms of the “schizophrenia” he describes in each book as the “ranch-house life” split on cultural lines, the normalcy

of the American dream concealing sharp divides between black and white (*Miami* 140; *Armies* 197). He documents his own participation at the line of that very division at the Chicago Democratic Convention. He distances himself from sharing ideals with black leftists, until his guilt gets the better of him when, on stage, “some young Negro from the Panthers or the Rangers or from where he did not know” raises their black and white hands clasped together, and he “felt rueful at unkind thoughts of late” (190). These thoughts that include Mailer earlier grudgingly admitting that “he was getting tired of Negroes and their rights” (51).<sup>152</sup> Like the Cleaver early on in *Soul on Ice*, loving and hating white women, the Mailer of 1968 proves deeply divided in his allegiances.

Eleven years later, *The Executioner’s Song* shows rather than tells this sense of the schizophrenic—though as the nation fulfilled Mailer’s expectation of exhaustion at the questions of race and revolution, the schizophrenic becomes less specifically aligned with racial difference than drawing attention to the oppositions beyond those contained in the writer. Mailer’s use of the term in 1968 describes lived contradiction; his writing in 1979 embodies it, as it shifts from the individual point of view to the social. *Armies of the Night* opens with *Timemagazine’s* account of Mailer’s speech at the Ambassador Theater and then his arrest at the Pentagon (3-4), a shred of the historical record the book in its entirety retells and expands. The point of view may be the third person, but the author remains the first character, his unspoken “I” the reader’s eye, his point of view the guide as much as Cleaver’s in *Soul on Ice*. On the other hand, Mailer is absent as a character in *The Executioner’s*



*Song*, and the entire work consists of competing points of view, incorporating diverse documents to record not only history but its narrativization, the way those who tell the story shape the events even as the participants do. The book in topic and focus capitulates to the virtual abandonment of racial questions, cultural change, and plural identity that characterize the shift in national tenor from 11 years before, instead emphasizing an anti-social and apolitical Gilmore's relentless quest for the death that asserts his individual autonomy. However, the means by which Mailer narrates that want to not be demonstrate that there is no way out of the sociality of history and its conflicts, in which individuals embody political positions and narration is at once a matter of personal identification and the retroactive production of contradictory views.

Toward the end of the book, at Gilmore's execution, the warden reads what one viewer describes as "some official document," which he hears only as "blah, blah, blah." Mailer overwrites the official papers of that business with competing responses to Gilmore's own words, "Let's do it." Gilmore's uncle Vern Damico views the statement as demonstrating the "most pronounced amount of courage," but the lawyer Ron Stanger sees instead that his former client "couldn't think of anything profound" (983, 984). Such accounts are not merely different interpretations of the same event but exactly opposite, the conflict in perception rendered visible as Mailer offers some 20 competing fragments of seven points of view of the execution.<sup>153</sup> Furthermore, much of the second half of the book incorporates not only the transcripts of interviews but excerpts from newspapers as well, and two lengthy

accounts following the execution include stories carried by *The Salt Lake Tribune*: “ACLU Calls Hansen Murder Accomplice,” and “Justice Has Been Served, Hansen Says of Execution” 1024-25).<sup>154</sup> Again, the juxtaposed articles offer diametrically opposed perspectives of the same event. Cleaver describes his simultaneous love and hate for white and black women, his raced desires and crimes, as symptomatic of larger cultural divides. Mailer largely dodges the issue of race and desire in depicting such divisions. Schizophrenia in *The Executioner’s Song* functions as a social negative capability, wherein it is not an individual’s capacity to sustain mystery or contradiction, but a society’s ability to do so and not tear itself apart.

Like *Soul on Ice*, *The Executioner’s Song* faces challenging questions of genre between biography and history, between non-fiction and fiction, and the book itself cannot determine the matter for certain. The back cover of the 1998 Vintage International Edition<sup>155</sup> splits the difference, as its category code lists it as “Literature/Current Affairs.” The accompanying praise from the *Miami Herald* identifies it as “Literature of the highest order,” but Random House broadens that claim to begin the jacket summary with, “In this monumental work of journalism.”<sup>156</sup> In a *Harper’s* review, Jonathan Dee turns to that problem of genre in terms that speak directly to the guiding imperatives of this analysis, suggesting that such blurring imagines that “the chasm between action and self—between the record we leave behind on this earth and the hidden complexity of the living mind—has been closed. We can call it, for lack of a better term, the birth of the psycho-historical novel” (80). Dee condemns this impulse, concluding that such works signal the surrender of the

novel's "unreal power to apprehend, and meditate on, the nature of our existence" (84). Dee's use of the term *unreal* emphasizes both fiction's extreme power and lack of the real.<sup>157</sup> In effect, constructing the interiority of actual people based on their historical documents represents a disavowal of the novel's proper authority, a slip from meditation to mediation, from philosophy to history, from imagination to psychology.

However, the differences between these categories have grown complicated in the wake of deconstruction and other aspects of postmodernity in the writing of fiction, history, and the analysis of each. Furthermore, this dissertation focuses on texts that challenge distinctions between personal and social history, restlessly and relentlessly trafficking back and forth between imagination and history. In addition, Mailer's method of writing *Gilmore* by integrating various textualities has as much to do with illuminating *Gilmore* as it has to do with the writer's own dissimulation. Mailer encounters the difficulty of representing imprisonment defined by concealment, and the text regularly features the subterfuge and mediation of television producers, journalists, lawyers, and others attempting to interview *Gilmore*, often thwarted by prison policies and Supreme Court rulings such as *Nolan v. Fitzpatrick* (1971) and *Pell v. Procunier* (1974) either allowing or limiting such contact. However, Mailer's meticulous account working with so many sources is also a vain effort to conceal his discursive authority in a surfeit of documents, the effort to write a story of nation with an invisible hand.

Because of that effort, contextualizing *The Executioner's Song* within larger fields of discourse seems a little redundant, particularly with regard to documents of law and history, as those tactics of literary scholarship of a historicist bent are already part of the discursive strategy of the novel. There is the author's general treatment of history as a novel and the novel as history, the declared subtitle of *Armies of the Night* and undeclared assumption of so much of his work, most especially the "true life novel" account of Gilmore's difficult end. These are not actual events rewritten as fiction, as Richard Wright acknowledges in "How Bigger was Born," where "the newspaper items and some of the incidents in *Native Son* are but fictionalized versions of the Robert Nixon case and rewrites of news stories from the *Chicago Tribune*" (xxviii). Mailer interweaves his piecework account of the time of Gilmore's time with headlines and opening excerpts from the *Salt Lake Tribune* and other papers and their account of events Mailer sees as related to the events of his text.

For example, one page incorporates a letter from Gilmore to his lover Nicole, a narrative account of the Utah Attorney General's citation of *Pell v. Procnier*, and a newspaper excerpt on Gilmore's execution status complete with a neighboring headline, "Carter Wins Election" (511). Mailer in his text offers a flurry of claims and counterclaims for the reader to sort. However, juxtaposition is not analysis, and Mailer acknowledges in the afterword that his hand has shaped the material not only in selection but in choosing for and against competing accounts, reorganizing, rewriting, and entirely recreating certain moments (1051-52). To some degree, Mailer's effort to write himself out of *The Executioner's Song* functions as a response

to the excesses of *in propria persona* in *Armies* and *Miami*, where he speaks too much for himself.

In comparison with both Mailer's earlier work and *Soul on Ice*, where Cleaver at times testifies for himself, *The Executioner's Song* seems to offer a much different puzzle, as it attempts to efface the author's view in a meticulous documentary narrative through which to locate Gilmore. That effort bears on the central question here of testimony and the competing forces of the want to not be and the will to become, of unwriting and writing the prisoner as a subject in history. Mailer, in incorporating hundreds and hundreds of "interviews, documents, records of court proceedings, and other original material" (1051), creates a pastiche of competing scripts regarding Gilmore's plotted execution. Mailer's involvement is inextricably bound with the work of Larry Schiller, who purchased the media rights to Gilmore's life and death, and is thus the proprietor of the records and the recorders. Mailer acknowledges in his postscript his debt to the interviews Schiller conducted with Nicole, the basis for narrating "this factual account—this, dare I say it, *true life story*, with its real names and real lives—as if it were a novel. [...] Without Schiller, it would not have been feasible to attempt the second half of *The Executioner's Song*" (1053).

The Schiller of the text offers more than an indispensable source for the narrative; in his obsession with recording the truth through documenting history, he becomes a stand-in for Mailer. In the attempt to write Gilmore (and the U.S.), Mailer instead writes himself in the mirror of Schiller; Mailer misrecognizes himself in

Schiller, perhaps because he expected but failed to do so in Gilmore. The shift occurs in part because of the schism between Mailer's schizoanalytic method and his desire for a romantic subject, a unified self that finally proves impoverished in the face of historical process and its narrativization that thereby shapes subsequent history.

Mailer works from a diverse set of texts in writing the bulk of *The Executioner's Song*, the three quarters set in jail and prison and thus having the most in common with *Soul on Ice*, the section that has seen less critical review (Merrill 129), the bulk of which is interspersed with excerpts from local and national media accounts. Many of those newspaper, magazine, and television descriptions have been regulated by Schiller and Gilmore: the photocopied letters, the interview questions and transcripts, their piecemeal publication in *Playboy*, the reports Schiller's team has leaked to the press or the reports from journalists who have accessed Gilmore despite Schiller's best efforts.

The writer Schiller contracts for that *Playboy* article, Barry Farrell, begins the role of writing Gilmore, a role that Mailer plays more fully in *The Executioner's Song*. What Mailer writes of Farrell he could as well write of himself. Gilmore "was being his own writer, [but Farrell] was being given the Gilmore canon, good self-respecting convict canon," and "was loving the job even more than expected. [...] What a delight to be altogether out of himself. By God, Barry thought, I have all the passions of an archivist. I'm proprietary about the material" (793, 831). Drawing upon the prisoner's own letters to write the prisoner resonates with the expansion of habeas corpus in *Johnson v. Avery*, but unlike the writ lawyers Cleaver describes

(*Soul* 69), Farrell is not in prison. The thought Mailer locates in Farrell here is a provocative one: there is an attitude of ownership in “proprietary” balanced by the abandonment of his own identity in being “altogether out of himself.” The textualization of the prisoner charts a discursive space in between and mutually occupied by Gilmore and his writer, two men who have never met but whose language together produces “Gilmore,” who is thereafter shaped by Mailer.

*The Executioner’s Song* conducts in the register of fiction a historiography of its present as it simultaneously conducts and reveals the historical narrativization in the stops and starts of multiple channels of communication. There are the questions invented and revised by Farrell and Schiller, posed to Gilmore by the lawyers Bob Moody and Stanger, answered by Gilmore and recorded on tape by the lawyers, and transcribed by Schiller’s secretaries. They become documentation that serves as a sort of raw material first for Farrell and then for Mailer, even as Schiller releases pieces of the story to the news agencies in an effort to control the wider representation. Critics too quick to underwrite that mediation thereby overwrite the relationship between Mailer and Gilmore.<sup>158</sup>

Gary Gilmore in 1976-77 offered Mailer a true life Stephen Rojack from *An American Dream* to make it real, a proxy for “the themes I’ve been dealing with all my life” (*Conversations* 263), but a person other than the author so that he could try his hand at writing himself out of the story. As he does for Schiller, Gilmore presents for Mailer the opportunity to render history through writing a person. Mailer does face a problem in that he admits that “when I started *The Executioner’s Song*, I

thought I would like him [Gilmore] more than I did” (*Conversations* 348). Mailer is not alone in that response, as the various writers involved in the process of collaborative narration regard Gilmore similarly, including the convict himself, Farrell, and Schiller. Gilmore regularly recognizes himself in negative terms, harboring uncontrollable, source-less violence, but he repeatedly blocks any desire to trace that criminality to any childhood cause (715, 734, 736, 799, 802, 833, 850-851).

Others attempt to resolve that difficulty in searching for conventional psychoanalytic causality for violence. According to Farrell, “The key to every violent criminal could be found in the file of his childhood beatings, but Gilmore claimed his mother never touched him, and his father never bothered to” (834). Like Farrell, Schiller turns to such an Oedipal model as an interpretive framework as he questions Gilmore with regard to his childhood relationship with his mother, offering in that interrogation the recognition, “Maybe that’s psychoanalytic bullshit, and if so, I stand accused” (851). Gilmore’s mother Bessie is more circumspect, suggesting that regarding her son, she did not know “how much was her fault, and how much was the fault of the ongoing world” (496). From the late 1960s through the 1970s, Cleaver, ACA prison officials, and even *Playboy* may have begun acknowledging that Freudian and Adlerian emphases on childhood history were limited and limiting, but in 1979, journalists and producers were still testing those worn paths of inquiry.

Even Mailer occasionally turns to such psychoanalytic expectation, as the first of the book’s three endings turns back to Gilmore’s mother saying she has the same guts Gary has, before turning back to himself with his own prison rhyme, then his



apologia (1049, 1050, 1051-56). However, Mailer more often turns away from the psychoanalytic, using the symbolic and personal as a springboard for broader inquiry. For example, Nicole once asks Gary if he is the devil, a comparison her sister makes as well, and in a long letter to her, he writes, "I might be further from God than I am from the devil," a letter that concludes with him referring to her as Angel, a repeated nickname (106, 235, 305).<sup>159</sup> The psychoanalytic talking cure of such freeform letters becomes a methodological starting point for exposition extending well beyond the personal.

Rather than leave the devils and angels in the realm of the symbolic, expressive of the personal, Mailer makes them concrete and social. He titles Chapter 32, "The Angels and the Demons Meet the Devils and the Saints," which focuses not at all on Gilmore directly but entirely on the legal struggle, the contest among many groups for determining his fate. Deleuze and Guattari overturn psychoanalysis in favor of a schizoanalysis that nevertheless depends on its predecessor as something to push against (just as postmodernity does). Cleaver uses the personal and historical as twin focal points for his looping, swirling cultural analysis, while Mailer sees in the person of Gilmore a center of gravity by which to organize the claims and counterclaims, the Eastern and Western Voices that are the two halves of the book and the nation.

In the process of writing how Gilmore in his celebrity becomes a screen for the nation, it is not Gilmore but the producer Schiller who becomes Mailer's proxy in the text. Mailer repeatedly describes Schiller as obsessed with recording history, in

part for personal prestige, to be a man of truth. He tells himself, “You recorded history right. If you did the work that way, you could end up a man of substance” (600). More often, however, his attention is less to his own “substance,” what he is made of, and more to the stuff of the real, history as truth. In a telegram Schiller writes to Gilmore, the former states, “I am here to record history, not to get involved in it. Regards”—a claim he immediately overturns in acknowledging that he is already in the story (714). To the lawyers, Moody and Stanger, the interview mediators Schiller uses to communicate with Gilmore once he has been banned from the prison because he is a film producer, Schiller says, “‘Forget Larry Schiller the businessman,’ he told them. ‘That’s a side of me, but we’re forgetting it. We have history here. We have to get that. [...] It’s all part of history’” (719). When he tells himself the story of what he is doing, Schiller says, “For the first time, Schiller, you can’t fictionalize, you can’t make it up, you can’t *embroider*,” as such embellishment would run counter to his “desire to record history, true history, not journalistic crap” (857, 859).

Schiller obsesses over how he might maintain a posture of objectivity, capturing history and placing it on view like a curator, accessing and representing an unmediated real. Like the character of the District Attorney Gavin Stevens at the end of *Go Down, Moses*, who no longer narrates out-of-hand but must turn to the “papers of that business” and meet with the newspaper editor to track down what has happened to Butch, Schiller wants not to tell a story but reveal it even as he orchestrates the revelation. It requires some interpretive acrobatics not to read

Schiller's account here as a proxy for Mailer's own purposes in the book, particularly after the incessant self-aggrandizement of *Armies of the Night* and *Miami and the Siege of Chicago*.

The proposition that Schiller's and Mailer's points of view are deeply implicated becomes more compelling with the later history of their collaboration. Schiller directed the television film *Master Spy: The Robert Hanssen Story* (2002) from Mailer's screenplay based on the life of the FBI agent and Russian spy, and Schiller subsequently authored the novelization of Mailer's screenplay. The working title of the project was *Into the Mirror* (Lacayo 8), richly suggestive of the degree to which the discursive work of each reflects the other. The mutual identification that began in their collaboration in the case of Gilmore also begins their twin tendencies to write national tragedy in particular biographies. Both are obsessed with reading U.S. national culture in the lives of its imprisoned anti-heroes, as Mailer and Schiller collaborate on the stories of Gilmore and Hanssen, and Mailer wrote the screenplay adaptation of Schiller's book account, co-written with James Wilwerth, of the O.J. Simpson trial, *American Tragedy* (1996). Then, Mailer has his *Oswald's Tale: An American Mystery* (2002), while Schiller interviewed Oswald's killer Jack Ruby on the latter's deathbed. Schiller titled his film on Dennis Hopper *American Dreamer* (1971), and then there is Mailer's fictional novel of celebrity murder, *An American Dream* (1964)—and Mailer considered titling *The Executioner's Song* "American Virtue" (Mailer *Conversations* 239). In their mutual fascination with imagining the dream of America told in the representation of its anti-heroes, and through their

frequent collaboration to the extent of re-writing one another's work, Mailer and Schiller offer a reversal of the popular misreading of schizophrenia as multiple personality disorder, two voices in one body. Instead, the voices of their two bodies become one.

At stake in those various "true" stories around which they grouped their often collaborative efforts is the ability of a criminal case to represent a sort of national consciousness. Mailer had grappled with these questions before. In an overall negative review of Mailer's *Of a Fire on the Moon* (1969), Richard Poirier quotes Mailer's claim that "there is an unconscious direction to society, as well as to the individual" (167).<sup>160</sup> To a far more successful degree, *The Executioner's Song* conducts its narration of a nation's fears and desires vis-à-vis Gilmore's death sentence through the diverse array of texts from and through which Mailer writes the novel. Steve Shoemaker suggests that Mailer's "The White Negro" (1957), in its cross-cultural observation, serves as a proto-New Historicist examination in an anthropological vein (343, 349, 353). In that essay, then, Mailer offers a sketch of a method for interpreting the subject *of* culture through the subject *in* culture.

Eleven years later, in *Armies of the Night*, Mailer extends that project to understanding cultural history in a novel form, the history of now as written by the author participating in it. Eleven years after that, *The Executioner's Song* refines that historiographic imperative by writing the author out of the book, though Mailer cannot help but read himself in Schiller. The evolution of discursive technique represented in these three works also marks the high points of Mailer's oeuvre in

terms of critical acclaim, as the first is among his most anthologized essays and the two books won Pulitzers for non-fiction and literature, respectively. Like Cleaver, then, Mailer works best when blurring distinctions between fiction and non-fiction in the challenge of tracing the outline of the subject constituted in history. Like Schiller, who does “get involved in it,” becomes one of history’s characters whose choices affect the narrative, Mailer also plays his part in describing how the narration itself changes the course of the action.

The game of finding Mailer is of interest in its own right. However, that effort takes on greater meaning when keeping in mind the degree to which the schizophrenic self is constituted in its participation in history, even as that history is mediated. Mailer is like Gilmore in that he may “like language” but is committed to “tell the truth.” However, unlike Gilmore (and far more like Schiller), the Mailer who drafts *The Executioner’s Song* recognizes that the truth of history is multiple, conflicting, and shaped in the telling. It is Gilmore who is tired of the sounds of others and Mailer who reproduces that noise in the competing scripts. That incessantly multi-perspectival narration is at odds with the object of his analysis, with Gilmore’s effort to gather himself at the culmination of his violent and aimless personal history that in retrospect fulfills his deathward trajectory. He admits upon returning to jail for the two murders, “I am in my element now” (359), and later tells his lawyers-*cum*-interviewers, “I figured I’d probably spend the rest of my life in jail or commit suicide, or be killed uh, by the police” (797). Paradoxically, all of those

ends reach fulfillment when Gilmore calls the state's hand in his death sentence, resists the stays of execution purposed on his behalf, and faces the riflemen.

That will to death contrasts with the lack of clarity he has regarding the crimes themselves,<sup>161</sup> a reverse of the case of Wright's "Bigger" Thomas, whose life gains focus in the killings even as his fatalistic trajectory toward execution is orchestrated by social and historical machinations. Gilmore looks even less like Cleaver, who views his criminality largely as the product of the forces arrayed against him. Gilmore instead in his carceral identity resembles Butch Beauchamp, described by Gavin Stevens as "some seed not only violent but dangerous and bad," just as Gilmore is frequently violent and describes himself as "not a likable person" and "vicious" (715, 799). However, the execution of the character Butch comes at the culmination of a genealogical history providing coherence for much of the prior episodes of *Go Down, Moses*. The nearly 1000 pages prior to the scene of Gilmore's execution do not provide a similar sense of cause situating the personal in broader social history.

The book has less to do with tracing cause for effect—Gilmore's personal or cultural history leading him to commit senseless murders—than the complication of causality, agency, of personal and social history. Just as acts are never entirely ours, they affect more than just us. Documenting "true history" in *The Executioner's Song* has less to do with meditation on the nature of Gilmore's crime than with recording the mediation, the media flurry surrounding his impending execution, reporting that consequently affects the case. Writing history produces a version of events that in its

telling shapes subsequent events, and Mailer represents the process of that narrativization and its effects. In response to a *New York Times* front-page article on Gilmore, David Susskind, who early on competes with Schiller for the rights to Gilmore's story, recalls a story by his friend Stanley Greenberg.

Stanley had written a TV story fifteen years ago about a man awaiting execution. The man had been so long on Death Row that he changed in character, and the question became, "Who was being executed?" Metamorphosis the play had been called, and Susskind always felt that it had had some effect on the end of capital punishment in New York State, and maybe even a little to do with the Supreme Court decision that saved a lot of men's lives on Death Row. (602)

The teleplay was a script for the series *The Defenders*, and the Supreme Court decision at hand is *Furman v. Georgia*, a moratorium on executions that would end with Gilmore's death sentence. The assumption is that telling a "true" story can affect history. In a discussion between Susskind and Greenberg regarding a television or film account of Gilmore, the latter says, "I even think that reaching a large audience can probably save the guy's life" (603). Early in the development of his case, popular representation of Gilmore might make him sufficiently recognizable or sympathetic so as to offer reprieve. However, that hope quickly gives way to the emphasis on a voluntary execution to end the ten-year hiatus as a more valuable media event than a life sentence. The turning point comes at a press conference featuring Farrell and Gilmore's lawyer prior to Moody and Stanger, Dennis Boaz.

“Don’t you think,” said Barry Farrell, “that if Gilmore isn’t executed, he’ll slip right back in with four hundred and twenty-four other condemned men and women? A lot of them may have more tragic stories than Gilmore.”

“Gary is the only one,” said Boaz, “who has the courage to face the consequences of his act.”

“How,” asked another reporter, “is Susskind going to do the film?” (627)

Farrell and Boaz’s dialogue emphasizes the tension between individual agency and social identification, foregrounding one of the novel’s central questions. The immediate transition to the reporter’s banal question undercutting their debate is one of the book’s most powerful moments. In *The Armies of the Night* or *Miami and the Siege of Chicago*, such a disjuncture between history and its narration, between a man’s death and the film style of its narration, between the high and low of human possibility, likely would merit an extended expository rant. Here, the sharp turn is not even emphasized with a line break. However, it would be too easy and inaccurate to cast the reporters as the ones whose participation makes Gilmore’s life or death a matter of publicity, ratings, and money. When *Newsweek* puts Gilmore on the cover, they caption his mug shot with “DEATH WISH.” His lawyer, Moody, “felt it gave a big push to the bidding [for his story]” (651). The lawyers themselves, Moody and Stanger, are as much Schiller’s link to Gilmore as Gilmore’s own legal representatives, transceivers in a network that includes Gilmore, Schiller, lawyers on both sides of the case, the Utah Attorney General, the reporters, and the larger media networks themselves. The prison administration is involved as well, as the Director



of Corrections Ernie Wright demands, “No movie producer is going to make one dime out of Gilmore.” Gilmore’s lawyers—one of whom is a member of the State Building Board that approves prison construction expenditures—contest that claim, demanding the written policy preventing it. “Oh, it isn’t written,” the Director responds, “It’s prison policy” (711-712).

Of course, as the ACA transcripts demonstrate, some policies *were* written, but the Director’s complaint sees partial fulfillment: producers such as Schiller may still profit, but most prisoners will not, as cases such as Gilmore’s encouraged state laws passed in the 1980s barring prisoners from accepting royalties (*Franklin Prison Literature* xii). Different versions of events compete with one another as newspapers pick and choose among reports, and Schiller carefully chooses the reporters with whom he works and what he tells them. “A pipeline into the biggest local paper could enable him to affect the output on the AP and UP stories” (669). However, not all papers make use of the material in ways the producer anticipates. What Gilmore’s earlier lawyer Boaz says regarding himself to reporters is also true of Schiller; he is “a character,” “being acted upon by the real author of these events” (627). In the “true life story” Mailer authors, Schiller is a one of many in a narrative in which he has partial but not complete agency.

So is Gilmore, though his stakes are far higher. His desire to opt out of the social sphere becomes his definitive characteristic in the second half of the novel, and it is part of the narrativization that subsequently scripts his acts. Farrell asks if Gilmore appeals, “he’ll slip right back in with four hundred and twenty-four other

condemned men and women?"; later, he suggests that "if less attention had been paid to Gilmore he might have changed his mind and looked to avoid his execution. Now Gary was trapped in fame" (831)—no execution, no film, no book. In a paradoxical and quite literally anti-humanist reversal of the Lacanian subject, the subject constituted in the symbolic order of language, for Gilmore to enter language, he must die—becoming "Gilmore" means no Gilmore. His narration is predicated on the certainty of his death. Gilmore's self-erasure offers his only means of self-presentation, of establishing an identity differentiating himself from others in his similarly fraught position; his urge to be an individual trumps the desire to be alive. In Farrell's view, scripting his own death validates Gilmore's life more than the living of it, but Farrell (and Schiller) have time and money invested, while the prisoner has his life in the balance. Anthony Amsterdam, a consulting lawyer to Gilmore's brother and counsel in *Furman v. Georgia*, suggests that "discharging a competent lawyer, when you are under a death sentence, is a form of suicide in itself. Gary had raised questions about free will and self-determination" (703).

Gilmore in effect accepts the very same existentialist model of subjectivity that Lacan rejects in his trope of the prison in "The Mirror Stage," in which liberty "is never more authentic than when it is within the walls of a prison," when "a personality realizes itself only in suicide" (6). Whereas Cleaver writes in order to save himself, and his prison sentence is the time in which his reading and writing are the means of his becoming, Gilmore's entry to history as written by Mailer depends entirely on his literary execution as a historical fact. Willing the death of the self

becomes a gambit to realize that self and to escape the formative processes of history. Owning his death to the extent of orchestrating it resists the implication that in his life he is subject to forces beyond his ken, either the impulses from within that he cannot control or the historical forces from without.

However, as Deleuze and Guattari make clear (and Lacan suggests), there is no subject outside of history, and such is the case for Gilmore. Gilmore believes that his execution fulfills his own individual will, but Mailer writes that according to Richard Giauque, another lawyer peripheral to Gilmore's case, "Gary was being used by many people." According to Giauque, the Attorney General and others, "a great many other conservatives obviously wanted to use Gary's willingness to die for their own political ends. [...] Right now, to recognize one man's right to die could have a deadly effect on four to five hundred lives in death row" (841). The fear then becomes that Gilmore's will to death could legitimize a broader sense of the righteousness of the death penalty, execution as a fulfillment of the prisoner's own intent. Mailer offers the similar view of ACLU representative Shirley Pedler: "Capital punishment was not only wrong, but his execution might touch off others, for it would demystify the taking of life by the state. [...] A methodical, calculated turning of the machinery of the State against the individual" (773).

Still, Mailer records Farrell's consideration of the exact opposite possibility, that "if Gilmore were not executed, a major wave of executions might be touched off. Every conservative in America would say: They couldn't even shoot this fellow who wanted to be shot. Who are we ever going to punish?" (639). Farrell's position

seems far less likely, though Mailer's inclusion of his view emphasizes the simultaneous and competing points of view in the participatory spectatorship that is culture. The larger social context of competing ideological positions demonstrates that the potential effects of Gilmore's execution extend beyond his own life and death; like it or not, agree with it or not, he is part of a larger body of death row prisoners whose fates are attached to his. Also embedded in the available responses—either Gilmore's execution or its stay will set off a string of executions, depending on who Mailer records—is a sense of the schizophrenic, where instead of the individual's life until death as a single vanishing point, life and death both offer disjuncture and undecidability.

Unlike Cleaver, who constantly places his own imprisonment in the context of allegiance with other prisoners, Gilmore himself resists the political implications of his execution in contesting his own representativeness. When the ACLU and NAACP turn to Gilmore's case as a point of leverage to maintain the moratorium on executions, Gilmore's response is immediate and vituperative. *The Provo Herald* published his open letter to the NAACP: "I'm a white man. Don't want no uncle tom blacks buttin (sic) in. Your contention is that if I am executed then a whole bunch of black dudes will be executed. Well that's so apparently stupid I won't even argue with that silly kind of illogic. But you know as well as I do that they'll kill a white man these days a lot quicker than they'll kill a black man" (784). History proves Gilmore wrong with regard to raced execution, and this is only one of Gilmore's many racist comments. However, the prognostic veracity of Gilmore's claim is less

significant than Mailer's curious narration some pages later. Gil Athay is a lawyer who involves himself in contesting Gilmore's execution not for Gilmore, but because he seeks to avoid the death penalty for Dale Pierre, a black man he believes to be innocent, convicted "because he was black, a condition to avoid in the state of Utah" (872). Working for Gilmore's stay would help maintain the moratorium of *Furman v. Georgia*, staying Pierre's as well. For Athay, both of them being on Death Row is a more important bond than one being white and the other black. The social category of condemned prisoner necessitates cross-racial identification; the death sentence writes over color. Athay's involvement, which began with him as an unwilling court-appointed defender, has cast him as lenient on crime and thereby cost him the race for Attorney General versus the "tough on crime" Bob Hansen, who pursues Gilmore's execution.

In an odd passage, Mailer describes Athay supporting Pierre because he saw him as innocent, and as "a complex man, a difficult man, but now, to Gil Athay, rather a beautiful black man, and besides, Athay had always hated capital punishment" (873). Mailer is quick to insert the attribution "to Gil Athay" between "difficult" and "beautiful," almost writing in the quotes to attribute the description to an interview transcript rather than to himself. Athay's perception of "a beautiful black man" possibly speaks to the race slogan of the linguistic reversal, "Black is beautiful"—or it is some other recognition of Athay's, or just one of many words offered in interview that Mailer seized and rewrote. Regardless of what the description *means*, what Mailer's direct attribution *does* is distance Athay's view

from his own. Athay views a black man as innocent, complex, and beautiful, but Mailer had grown even more tired of race since he stood on a platform 11 years before and clasped hands with a young black man moments after telling his assembled audience, black and white, men and women, “You’re beautiful” (*Miami* 190).

Athay is just a bit player in the proceedings, and Pierre never appears directly. Black characters are scarcely present in *The Executioner’s Song*, largely mentioned only in racist comments by Gilmore as he attests to the over-representation of black men in prison and thereby their local superiority there. The cross-racial identification Athay engages is absent in Mailer and Gilmore. The racism of the latter, coupled with his adherence to imagined autonomy, means that he cannot, will not ally himself with a larger social body of prisoners, so many of them black men, and it is Gilmore’s story that Mailer tells. It would be historically inaccurate to suggest that Gilmore was or is representative of U.S. prisoners in general or Death Row prisoners in particular. Mailer’s chronicle makes exceptional what was in 1977 already a special case, given that his would be the first execution following the *Furman v. Georgia* decision. And in a final analysis that extends beyond the scope of the book itself, Athay’s fears, as well as those of the lawyer Giaque and the ACLU, seem justified, as Pierre was executed in 1987, 10 years after Gilmore, and the number of executions since increased in the 1990s to the levels of the 1950s. Perhaps if Mailer had written about Dale Pierre instead of Gilmore—but there is no place outside of history from which to

judge that conjecture, and at the end of the 1970s, Mailer and the majority of the ACA (and America?) had grown tired of racial questions.

The historical events and the real people who participate in them as narrated in *The Executioner's Song* quite literally know that they are its characters, taking part in the various actions that are its story, and that awareness shapes the telling. Before his execution, Gilmore tells his brother Mikal that he does not know how to conduct himself for his execution. "Maybe that's why I need Schiller. He'll be there recording it for history, so I'll keep cool" (860). Schiller in the story and Mailer in the account of it—so dependent on Schiller's own interviews—set the stage for the "true history" of this "true life story" to be performed, and its very pretense of objectivity scripts the roles for its characters. Gilmore will "keep cool" so that his posthumous representation meets his expectations of how a man should behave. Given that Schiller functions as Mailer's proxy in the novel, the last exchange between written subject and writer is especially telling: when Schiller says goodbye to Gilmore at the execution, he shakes hands and says, "I don't know what I'm here for," to which Gilmore replies, "You're going to help me escape." Schiller responds, "I'll do it the best way that's humanly possible" (983). Where Cleaver writes in order to save himself, Gilmore paradoxically opts out of events to become the story by which Schiller, via Mailer, will write him into history. Writing Gilmore offers him escape from participation in the world.

Except, of course, it does not. Gilmore's will to not be as orchestrated and contested by the condemned himself, the Utah judicial system, the ACLU, the prison

officials, the NAACP, the U.S. Supreme Court, and as rendered by his doubled narrators, Schiller and Mailer, all make his unmaking not his own but the result of a cascade of claims and counter-claims. And in the final analysis, Gilmore's effort to escape the prison system capitulates to the very ends of that system: his ultimate silence and erasure, historically two of the primary functions of incarceration in the U.S. Gilmore's case as offered by Mailer in *The Executioner's Song* at one level perpetuates a dangerous myth, a myth alongside those of prisoners as universally guilty of violent crimes and of blackness and criminality as equivalent—the myth that death row, the most final expression of incarceration, fulfills the self-erasure those imprisoned are themselves seeking.<sup>162</sup> The prison system may have made him and may control his life, but he maintains some control over his death, first in not appealing his execution and then twice in trying more directly to kill himself. Determining one's own death, however, is possibly the bleakest of all spaces for human agency and possibility. Deleuze and Guattari argue that schizoanalysis seeks to allow desire to circulate freely by destroying the unified Oedipal subject. Gilmore's want to not be perversely capitulates to their thesis, as his desire for a unified, autonomous sense of self can be fulfilled only in his death.

However, it is not Gilmore but Mailer who has the last word, and Mailer's multivalent narration of Gilmore locates him in a set of relations outside of himself. Mailer through his proxy, Schiller, at once abets Gilmore's escape in writing him into *The Executioner's Song* and blocks Gilmore's attempt to escape, to opt out of history as the course of human events, the condition of being subject to forces beyond one's



self. Farrell observes that Gilmore is “trapped in fame,” but Gilmore, Farrell, Mailer, and Schiller—writers all—are implicated in the media operations that are the trap and the means of fame. Gilmore’s celebrity status relies on and thereby perpetuates his demand for his own execution. That desire stems from how tired Gilmore is of the “noise” of prison, the sounds of other competing voices, the sum of everything ever said and done that is history. However, these are the very noises that fill the book, including, at the end, the rifle shots, the babble of Gilmore’s lawyers and writers, the doctor’s chatter over the autopsy, the conversation over drinks among the executioners, the conflicting newspaper accounts. Executed, Gilmore does not somehow ascend bodily into social memory like Joe Christmas; Mailer’s entire effort has been to sing the song that assembles the readers to view what it means for the state to kill a man. Just as Butch is the product of a town’s, a community’s history, Gilmore is part of a larger national self-image, its schizophrenic sense of itself in its death sentences.

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Mailer’s account of the prisoner’s participation in his individuation is nicely encapsulated at the end of the Chapter 17 of the second half, “I Am the Land Lord Here.” Like most of the chapters, it recreates many perspectives and textualities, including excerpts of Gilmore’s letters, many conversations, a fragment from the local newspaper, part of an interview transcript, and the chapter closes with a poem by Gilmore from which it takes its name. Gilmore answers one of Schiller’s questions, “*Right now, I’m a prisoner of my own body—I’m trapped in myself—*

*/Worse than jail!*” In Gilmore’s poem, written a few years earlier, the speaker goes inside himself to see “A *mirror of me reflecting myself.*”<sup>163</sup> Despite the harsh litany of sins and evil represented, “*There was no scorn to menace here,*” because “*I built this house I alone / I am the Land Lord here*” (736-738). The poem is subtitled “an introspection by Gary Gilmore,” so the speaker and author, like the “Mailer” as narrator and author of *The Armies of the Night* and *Miami and the Siege of Chicago*, are implied to be the same. There is a tension between the poem’s ownership of self-as-body and the response of feeling “trapped” in the body. Gilmore in prison stops at the skin but does not want to, his individuality limited, limiting, and inescapable.

In telling contrast, in his short story “The Flashlight,” Cleaver describes the body as at once a prison and extending beyond the self. He initially describes the main character as feeling like “a dynamo imprisoned in the blood, the flesh and bone of his own body,” a limit of bodily self which thereafter becomes his school and his gang, which all seem like prisons (120, 122, 289). Where Gilmore accepts the prison of his individuality, Cleaver challenges it. The point of view character Stacy likens his “own body” to a prison, but his body and the social body of his gang are described as mutually constituting composites, “separate selves bound into one.” Likening social organizations thereafter to prisons speaks as much to the duality of personal and social bodies as it does to the likeness of an organization with an excessive sense of its autonomy to a repressive state.

The distinction between the two is summarized in Foucault’s argument in *Discipline in Punish* that it is not the body that is the prison of the soul, but “the soul

is the prison of the body” (30).<sup>164</sup> The rhetoric of individual autonomy enacted by Gilmore represses the ability of the subject to participate in a social identity extending beyond the self, the social subjectivity Cleaver represents. It is worth noting that in these instances, both Cleaver and Gilmore write in terms of figurative imprisonment, a tendency critiqued in Chapter One of this dissertation. However, prison as a metaphor for those themselves incarcerated is a slippage that means differently than non-prisoners using it. Just as “black is beautiful” served as a rhetorical reversal of racism in the 1960s, metaphors of incarceration, like pejorative terms of identity, are re-appropriated and thereby transformed, such as when black rap artists Tupac Shakur, DMX, and Eve all employ the call and response of social belonging in re-writing a pejorative term, “Where my niggas?” Identity is not only in flux in the tension between subject and history, but changing as historically transitory associations and meanings themselves alter. Words may carry with them the places they have been, but the street makes its own use of them as well. The situational meaning and use of metaphoric imprisonment, like the racial epithet, changes depending on who employs it.

Cleaver’s *Soul on Ice* and Mailer’s *The Executioner’s Song* chart reversed readings of the process of identity formation in prison, a becoming and an erasure. At a quite literal level of identity, Cleaver ceases to be a prisoner through writing, as his writing encouraged the activist efforts (including Mailer’s) that saw him paroled, while Gilmore ceases to be a prisoner by dying. In a more theorized sense, Cleaver’s model of self produced in his narrative most often resembles a social subjectivity, the

self that extends past the skin to create space for radical consciousness beyond the isolation of individuality, while Gilmore's desire to be an individual and to die are one and the same.

The difference does not resolve neatly into Cleaver assigning too much responsibility for his criminality to social and historical forces, and Gilmore taking too much responsibility for his. Both books provide more space than that for the multiple points of view of lived experience situated in history, as opposed to the rhetoric of singular autonomy, of the individual versus history. Cleaver's book regularly implicates the self in history, and though Gilmore opts for a more impoverished model, Mailer's narration testifies to the inadequacies of imagined autonomy. In both books, there is a tension in the relationship between the singular and plural, the both-and of the subject in history. For Cleaver, this is manifest in how sexual desires of the body are shaped by the sedimentary history forming the social, how his desire for his white lawyer and his desire *to desire* the allegorical black woman belong both to him and to a broader culture in which he, she, whiteness, and blackness are all constituted. For Mailer, the tension is even sharper in his multi-perspectival, schizophrenic account of an individual autonomy that can only fulfill its desire in its death.

In 1968, readers of *Soul on Ice* were prepared to view the prisoner, particularly the black male prisoner, in political and historical terms. As demonstrated in the ACA transcripts, even some prison officials could accept the book and its author as resisting U.S. racism, understanding the book and its writer as

revolutionary. In 1979, *The Executioner's Song* met a different readership, and there is nothing political in Gilmore's defense for his murders of Ben Bushnell and Max Jensen, no larger historical injustice testified to in the narrative. When Mailer claims, "The public could live with a killer who was crazy, mixed-up, insane," the "public" to which he refers is as much the one initially reading the "true life novel" as the one inside the book (814). That particular observation of what "the public" can accept appears in a fragment sandwiched between two of Schiller's perspectives but without direct attribution to anyone in particular, thereby situating the view as ambiguously Schiller's and Mailer's, as is so much of the latter half of the book. The gulf between expectations of prisoners in 1968 and in 1979 offered in these two books parallels the discussion of actual imprisonment policies and practices in their cultural contexts. The ACA seemed headed toward a perspective of historical and social forces shaping incarceration, before turning instead in the 1970s to attempting to keep up with the radical expansion of imprisonment irrespective of mitigating factors or alternative judicial responses.

Cleaver and Mailer between 1968 and 1979 mark diminishing possibilities in the condition of prisoners as subjects of and representatives for the United States. The films of the next chapter all represent these of race, representation, and imprisonment in ways that directly address the tensions between history and its narration as explored in *Soul on Ice* and *The Executioner's Song*. Those films are further inflected by the events of the two decades following 1979. This period is one of an event horizon narrowing even further, so that incarceration is the final solution

to nearly every criminological problem, blackness equates to criminality without any sense of social or historical factors, and imprisonment in its imagination presumes guilt of violent, most often murderous crime.<sup>165</sup> In the last two decades of the twentieth century, the number of people incarcerated in prisons and jails ballooned from under 500,000 to nearly two million, and rates of incarceration increased almost fourfold, while the “war on drugs” targeted inner city communities largely comprised of black and Hispanic citizens. Even as early as 1977 and 1978, keynote speakers at the ACA conferences cite overcrowding as the most significant problem facing prison administration. Anthony Trivisono, the ACA Executive Director from 1975 to 1990, titled a 1977 article in *The American Journal of Correction*, “Prison Crisis – Over 280,000 Men and Women in Our Nation’s Prisons.” Presumably, if that number presents a crisis, then its over four-fold increase by 1999 is a disaster.

## CHAPTER FOUR

### History, Imagination, and Telling the Difference:

#### Prison Film as Realistic Fiction, Based on a True Story, and Documentary

The cinema provides us with an understanding of our own memory. Indeed we could almost say that cinema is a model of consciousness itself. Going to the cinema turns out to be a philosophical experience.

—Henri Bergson

Serving time is just like a puzzle, a 2000 piece puzzle. There it is, throw it to you, and it's scattered every which way. Now, put it back together. That's the way your life is. When you are sentenced to a penal institution, your life is scattered. You is the one who has to put it back together.

—Eugene “Bishop” Tannehill in *The Farm: Angola, USA*

Norman Mailer's *The Executioner's Song* stands as one historical landmark in U.S. audiences' attention to accounts of imprisonment that blurs the difference between fictional and actual. The story of Gilmore in prison seeking his execution was told several times, suggesting both book and television audiences' interests and producers' efforts to capitalize on related properties through multiple media. Gilmore's sentence, after all, appears in Mailer's Pulitzer-winning novel and Larry Schiller's television film starring Tommy Lee Jones and Roseanna Arquette (1982), as well as Gilmore's brother Mikal's own version in his book and its HBO film adaptation, both titled *Shot Through the Heart* (1994, 2001).<sup>166</sup> Two decades after Mailer's novel, three prison films further complicate the difference between reality and imagination in representing criminality and imprisonment. *American History X*, *Hurricane*, and *The Farm: Angola, USA* span the spectrum from realistic fiction to

biographical picture to documentary, and they demonstrate how incarceration functions as a field that organizes race and masculinity in the transformation of criminal character.

This chapter shows that the court-determined guilt naming the subject a criminal initiates the carceral identity, which all three films describe as man-making irrespective of the commission of crime. In these films, racial conflict directly leads to incarceration, and all three point out that to identify blackness is to misrecognize violent criminality. The process of imprisonment thereafter functions as a sign of redemption, whereby even men innocent of their crimes are personally improved while incarcerated, and cross-racial identification among inmates is the irreducible sign of transformation, wherein a raced “I” becomes “us.” The fallacy of these prison films’ redemption narratives lies in their implicit endorsement of the legal system they suggest unjustly imprisons but nevertheless improves black men. That fallacy becomes more pernicious when one places these three films in their historical context. All three appear in the last years of the twentieth century, a time when the U.S.’s three decades long experiment with incarceration reached enormous proportions, creating a system where black men are dramatically over-represented. That history is crucial for films making claims to the real. Even as fictions trade on the cachet of true life stories, historical records such as that of documentary film can conform to the shape of prior imaginings—as stories such as *The Shawshank Redemption*, a phenomenally popular film that consolidates nearly every component feature of prior



movies set in prison, affect the narratives of subsequent films with far greater stakes in historical actuality.

This chapter begins with a description of how and why the prison population expanded in the 1980s and 1990s, and how the ACA responded to that transformation. Then, I demonstrate how changes in the movie industry in general and the production and reception of *American History X*, *The Hurricane*, and *The Farm* in particular situate these films in a highly problematic tension between the cultural imagination and historical actuality. Thereafter, readings of each of the films draw attention to their shared characteristics, as a wholesale fiction's "documentary realism" gives way to "invented characters and fictionalized events" in one version of the story of Rubin "Hurricane" Carter, yields to a *verité* account of Angola with "nothing made up, this is for real." Each of those three sections emphasizes the cinematic construction of the carceral identity: crime or its lack, definition of criminality, and imprisonment as transformative. The chapter concludes by identifying the consequences of "reel" effects: these films at once imagine the real and realize the imaginary in a wish fulfillment that affects actual prisoners.

The nation's incarceration rates nearly quadrupled between the end of the 1970s and the release of these three films at the end of the century, largely because of increasing sentences for offenses that previously had not even merited prison terms, and the racial differences in those prison populations grew stark. Critical comment did not always accompany that expanding disparity, and the ACA Presidential Address in 1980 acknowledges the disproportionate increase in black inmates only to

then say, “I will not attempt to explain the reasons for the racial imbalance. Suffice it to say that they are complex and varied” (ACA 1980 21). The problems and their “complex and varied” causes expanded in the next two decades. The nature of the crimes yielding prison terms changed dramatically between 1980 and 1999, according to the U.S. Department of Justice Bureau of Statistics. Adjusted for the population increase between 1980 and 1999, the number of sentences for violent crime increased by 265%, property crimes by 221%, both more than doubling. However, during that same period, rates for both property offenses and violent crime actually *decreased*, property offenses steadily declining since the mid-1970s, violent crime remaining steady until 1994, at which point it decreased sharply each year (“Violent Crime,” “Property Crime”). Even more significantly, the number of sentences for drug crimes increased more than ten-fold, and the number of offenders imprisoned for public disorder offenses increased by a factor of nearly eight.<sup>167</sup> Compared with violent crime and theft, the proportionally far greater increases in prison sentences for drug and public order offenses are the defining factor in the rapidly expanding prison population. More than 30% of prisoners were incarcerated for offenses in 1999 that in the 1960s and early 1970s might have led instead to treatment programs, a matter driven home by the likelihood that according the *Atlantic Monthly*, approximately 10% of offenders have a mental illness (Schlosser 54). Those increases meant that in 1999, there were 476 people in prisons for every 100,000 U.S. citizens, a number that had increased every year since 1980, doubling in each passing decade (“Incarceration Rates”).

That increase has not been race-neutral. In 1999, there were 3,408 black men under state or federal jurisdiction for every 100,000 black men in the U.S., 1,335 Latino men per 100,000, and 417 white men per 100,000 (“Prisoners in 1999” 9). That over-representation of black men in prison means that more than one out of every four black men likely will be incarcerated during their lives, compared to a one in 23 chance for white men (“Lifetime Likelihood”). While white and black men reportedly use illegal drugs equally, black men are five times more likely to find themselves arrested for it, and U.S. prison historians and journalists describe white offenders as receiving a greater availability of alternatives to imprisonment by a prejudiced judicial process (Schlosser 54; Morris 215-216; Sloop 174; Tonry 19-20). Indeed, the reported narrowing of the wage gap between black and white men of the 1980s and 1990s is artificially inflated due to the uncounted joblessness of incarcerated black men (Western and Pettit). These are difficult numbers for a nation dismantling many Affirmative Action programs, locating its racism in the past. Imprisonment became the same response to a broad array of offenses, many of them “victimless crimes” and matters that had previously meant drug treatment or alternate custody such as that administered by the halfway houses.<sup>168</sup> Such a total solution meant that the increasing construction of prisons still failed to address overcrowding. If crime rates dipped, it was because of prisons and more were needed; if crime rates increased, more prisons were needed. As Franklin E. Zimring, director of the Earl Warren Legal Institute points out, regardless of the question posed to the criminal justice system in the past thirty years, “prison has been the answer” (Schlosser 52).

Throughout the 1980s and 1990s, prison officials returned to a model of inquiry—“what works?”—as opposed to the “nothing works” model that emerged in the 1970s. The reason for the shift is clear: the overcrowding that began in the mid-1970s rapidly accelerated thereafter, and prison administrators searched for alternatives. The keynote addresses of the ACA during these two decades remain as generally progressive as they had in the past, emphasizing shared responsibility for social inequity and long-term solutions to problems of crime.<sup>169</sup> For example, in 1982, Houston, Texas Chief of Police Lee P. Brown argues, “Crime is the natural consequence of the social, economic, and political systems of this country; and as long as unequal means of achievement exist, there will always be crime” (ACA 11). His criticism of national policy gestures to the rhetoric of war so often characterizing imprisonment: “President Reagan leads us in the crime battle, but in the wrong direction,” as the administration’s policies treat criminality as an innate matter of morality.

However, unlike during the 1970s, the willingness to treat crime and punishment as social phenomena is apparent not only in the plenary addresses in many of the general session papers, such as a Rehabilitations Commissioner from Atlanta evoking a “we” that understands that “poverty, discrimination, lack of opportunity and poor education cause crime” (ACA 1982 175). As prison populations soared even as crime rates dipped, the professionals most experienced with imprisonment saw firsthand the failures of the system. Presentations in the 1980s and 1990s suggest expanding parole options and call for alternate facilities

such as community-based corrections. At the same time, national legislation dismantled parole at the federal level and the furlough programs came under harsh attack following the Horton debacle. Prison officials of the late 1980s and early 1990s regularly repeat, “America can’t build its way out of the crowding problem” (ACA 1988 104; 1989 8, 12, 108; ACA 1992 5). However, state and federal lawmakers continued to try to do so, which identifies the political root of the dilemma. A survey of each state’s director of corrections in 1988 led the researchers to conclude, “The political climate clearly does not support” scaling back the increases in sentencing and reductions in parole (ACA 1988 108). Prison officials initiated stopgap measures to an escalating problem that they viewed as a consequence of at best uninformed and at worst pernicious legislation.

In the 1990s, the ACA intensified its criticism of the policies that increased the prison population. Its president in 1993 points to “unjust sentencing” and excessive criminalization and imprisonment (ACA 3-4); the Pennsylvania corrections commissioner identifies that the “fiscal and crowding crisis is the result of our having politicized the issue of crime around a ‘war on drugs’” (77).<sup>170</sup> At the same conference, the chair of the U.S. Sentencing Commission suggests scaling back mandatory sentences, and a senior circuit judge recommends their immediate reduction (107, 112). In 1996, a Virginia Democrat reiterates calls from the late 1960s and early 1970s for a long-term commitment to social programs of prevention rather than political expediency, and an ACLU director and Southern juvenile facility administrator both sharply criticize the political failures of escalating “tough on

crime” rhetoric (ACA 1-6, 19-22, 111-112). A Republican senator’s general address that year is substantially less clear in its criticism and offers the requisite paean to family values; nevertheless, he pushes for gun crime to be the top federal priority, a tacit departure from the emphasis on drug crime at the time (101-103). Critique of wholesale incarceration proved bipartisan and cross-regional.

Among the best approaches to posing the question of what works is that voiced in 1997 by ACA president Reginald A. Wilkinson. He offers a series of perspectives of those involved in corrections, evoking points of view of staff, administrators, and inmates, an unconventional rhetorical strategy surveying equally unconventional practices. In terms reminiscent of Deleuze and Guattari’s Nietzschean turn, he offers a litany of I’s: “Imagine that I am a records office supervisor”; “I have been a member of a street gang”; “I am a state probation officer”; “I am a fifty-six-year-old inmate”; “I am a lifer at a large prison for women” (85-91). If every name in history is I, then I am a prisoner and I am a warden. His recognition of alternate practices for corrections and his rhetorical approach are both innovative, and he acknowledges that it is “a risk to step over known boundaries” (92). Nevertheless, he proposes that such approaches are necessary to depart from increasing incarceration.<sup>171</sup>

However, the descriptions of prisoners the ACA president offers in his speech were not their only imaginative construction. As Wilkinson makes clear in his speech the following year, television and the “silver screen” shape the perception and thereby the actuality of incarceration (ACA 1998 85). At the close of the twentieth century

and the beginning of the twenty-first, the ACA itself capitulates to the power of media presentation. Keynote speakers of 1999 to 2001 depart from past tradition. Attorney General Janet Reno and Sarah Brady, chair of the Handgun Control lobby, spoke in 1995, and the ACA president and Michigan Governor gave the general address in 1998. However, in 1999, CNN's Greta Van Susteren and ABC News' 20/20's Hugh Downs offer the keynote addresses. The next year saw such speeches by singer Tony Orlando and a New England Patriots football player turned motivational speaker, as well as actress Patty Duke. In 2001, the general assembly was addressed by Hunter "Patch" Adams, the doctor whose biography informs the based on a true story film *Patch Adams* (1998) starring Robin Williams. That speech is immediately followed by one from Burl Cain, the warden of Angola, the Louisiana State Prison where the documentary *The Farm* is set and in which Cain features. Not only *American History X*, *The Hurricane*, and *The Farm* blur distinctions between actuality and imagination; the ACA complicates the differences among prisons, their representation in television news, entertainers and sports figures whose lives become news, and fictional and documentary accounts.

The actuality of carceral practice shapes films leveraging the cachet of the real, even as such films also capitulate to the historically inaccurate fantasy that all prisoners are guilty of violent crime, typically murder. In *Shots in the Mirror: Crime Films and Society* (2000), Nicole Rafter suggests that the bleak history of the past three decades of actual imprisonment sharply divides the two sorts of prison films, "commercial entertainments and [...] political truth-telling," and the "two may

eventually merge in some way” (137). The films of this chapter demonstrate that merging and its ramifications. *American History X* quotes directly the racial over-representation of incarceration patterns, though twisted to serve the interests of white supremacist characters. Raced criminality and imprisonment is the background to Rubin Carter’s story in *The Hurricane*, and the contemporaneous history of racial profiling and the over-representation of black men in prison gives its 1999 release further relevance. *The Farm*’s occasional voiceover recounts racial statistics of imprisonment even as the camera records black men of dubious guilt behind bars. All three films make claims to the real in representing imprisonment. The emphasis in this chapter on these films’ deployment of a carceral identity with conflicted purpose and dubious historicity is not an attempt to sort truth from fiction, questioning the veracity of the statistics Vinyard offers in his racist rants, pointing out where *The Hurricane* deviates from the “real” biography of Rubin Carter, or challenging the representativeness of *The Farm*’s six inmates. Instead, I am interested in demonstrating a far more vexed relationship of history and imagination in their account of the tensions of difference between black and white men, people in and out of prison, and individual autonomy and social belonging.

These films are not only part of the historical and cultural landscape by which viewers situate themselves, but are self-consciously crafted as such, not with the sly wink-and-nudge of late twentieth century irony and self-reflexive pastiche, but in the service of earnestness. They signify their own effort to tell the truth. They conduct that claim to the real—in all three cases, the actuality of carceral identity, of



criminality and imprisonment as formative of selfhood—through narrative techniques and film technologies that fracture a sense of unbroken reality. Non-linear, fragmented, multi-perspectival accounts stake claims as *really* real, a contentious matter given that the fictions and fictionalizations shape the patterns of prison film narrativization and thus documentary itself. The carceral identities produced in these films draw attention to raced incarceration, but the films in attesting to their truth-value thereby locate the resolution to that injustice within the reality constituted in the film. *The Hurricane* and *American History X* fulfill this logic, sharing a secret knowledge with viewers: we know the system of justice is racist, but in watching this film, and seeing justice be done in this film, then there is in fact social justice. That feature films fulfill culturally normative roles—what leftist critics a generation or two ago might have described as “bourgeois”—is not news. However, the stakes are higher for films attesting their historical accuracy in a cultural climate when audiences increasingly encounter “reality” entertainment. Therefore, before engaging the production of carceral identity in each film, it is necessary to note how recent industry changes have fundamentally altered how films operate in the contexts of their production and reception. In addition, each of these films has been strategically screened to particular audiences, demonstrating a consequence of their claims to historical actuality and social relevance.

The space of prison more than most places defines the position of its subjects—in this case, prisoners as participating in a carceral identity. For prisons films, in which the subject characters are incarcerated and thus relatively immobile,

the camera creates the sense of movement. In terms of Certeau and Deleuze and Guattari, inmates may not be out for a walk in the prison, but the camera is, and the fragments of shots are pieced together in editing like jigsaw pieces connected to the larger blocks of scenes in a puzzle whose overall shape and size is determined largely in editing, the process of assembly. That in itself has held true for movies for most of the twentieth century, but due to transformations in development and distribution, films themselves are freed from the theater and circulate in space in a manner that invites a combination of various ways of viewing. Much film criticism in the U.S. has been guided by psychoanalytic inquiry, the study of how fear and desire operate in identification, the misrecognition of the self vis-à-vis the screen.

It is not difficult to see how this became the case. The vocabulary of psychoanalysis and the technology of film developed concurrently. The interpretation of dreams structured early Freudian analysis, and theatrical film could be addressed as shared dreams, the audience seated in darkness alone, together, watching the projections of the fantasies they had paid to see. However, industry restructuring of the past two decades coupled with technological developments radically transformed the ways in which films are made as well as their conventional viewing experience, changes that include the horizontal and vertical integration of the film industry, the expansion of cable networks, and the development of VCRs and then DVDs. Therefore, while I occasionally make use of Lacanian and Deleuzo-Guattarian terms to describe film characters, I am more interested in drawing attention to how desire functions as a social and market force, and my attention is

thus focused at least as much on movie industry mechanics as on the mechanisms of identification on and across the screen.

*The Hurricane* was produced and distributed by Universal Pictures, a property of NBC Universal—itself 80% the property of General Electric as of October 2003. The book publisher Houghton Mifflin, which NBC Universal acquired in 2001, released James S. Hirsch's *Hurricane: The Miraculous Journey of Rubin Carter* (2000). The soundtrack for the film is an MCA property, which is also an NBC Universal company, and the album features numerous artists also distributed by MCA. As the parent company also owns the NBC network and USA cable channels, it is in a position to exploit the related properties among its multiple media outlets of film, DVD, television network, cable, music CD, and trade paperback.

Similarly, *American History X* was produced and distributed in the U.S. by New Line Cinema, a Time Warner company. New Line Cinema grew to prominence as a factory for 1980s “slasher” films, then became the parent company’s second tier distributor for specialty markets, including “quality,” horror, teen, and black films. Through the 1980s, the company thrived on the *Nightmare on Elm Street* franchise, but with the profit ratio of *House Party* in 1990 and its sequels in 1991 and 1994—the initial film grossed \$26.4 million on a budget of \$2.5 million—the company increasingly developed films with largely black casts to capitalize on the market share of African American audiences, who historically have high numbers in theater ticket sales. The Ice Cube *Friday* franchise, the ‘hood comedies from 1995-2000, offers another example of New Line’s production and distribution in this genre. In the late

1990s, the production company expanded its role in the “quality” film market of hot new directors, ensemble casts, and unconventional narrative, producing director PT Anderson’s critically acclaimed work, such as *Boogie Nights* (1997) and *Magnolia* (1999). New Line’s production and distribution of *American History X*—with its subject of racism, its ensemble cast, and its first-time director Tony Kaye—then, occurred at a point when the company had a recent history of racially topical themes and was increasingly packaging medium budget projects of established actors with new directors aimed at Academy Award recognition to build industry prestige and expand its market share.

The production company is just one of many interrelated components of the process of development and the chain of distribution. A viewer might first encounter *American History X* in its 1998 theatrical debut, rent or buy the videotape or DVD as a Warner Home Video release, watch the film on the movie stations HBO or Cinemax (both of which are Time Warner companies) or regular cable stations such as Time Warner’s TBS or TNT via their cable company, or see an advertisement or read a review in *Time*, *People*, or *Entertainment Weekly*, all Time Warner magazines.<sup>172</sup> The film failed to break even during its theater run, for which the common response of production companies is to recoup such losses in overseas distribution, cable, and rental sales. The Time Warner media conglomerate was in a position to exploit its vertical control (producing and distributing the film, overseeing first-run theaters, owning not only the premiere and standard cable channel companies but the material

cable network itself) by releasing the film over many of its ancillaries, from pay-per-view services to the specialty movie channels such as HBO to standard cable stations.

That saturation means that the film can play on any number of stations in various time slots. Viewers might watch a segment of it as they scan through hundreds of channels, or it might play in part or its entirety while a potential spectator works from home, studies, eats, does housework, or participates in any number of household activities—or it might be viewed in another context entirely. In 2003, for example, I saw part of *American History X* muted but close captioned on a large screen television behind a bar in Austin, Texas in between live band sets. Rather than pay for a film one intends to see, a viewer can see a film by accident in unexpected public locations. Films leave the interior seclusion of traditional spectatorship and become part of a larger network of sensory stimuli where they compete for attention.

Filmmaking has both contributed to these transformations and responded to them. Editing practices such as rapid-fire cutting between shots and alternating color footage with black and white (all three films employ the latter method) demonstrate the influence of the short format commercials and music videos where directors such as Kaye get their start. Black and white spliced with color has since *Wizard of Oz* differentiated reality from fantasy; *Kansas*, after all, is in black and white, the film of dream in color. Black and white is also a device signifying the past, either personal memory shared in its telling or public history, and the piecing together of that past leads to a disjointed narrative that is both *really* real (because it is in black and white and fragmented),<sup>173</sup> and its reconstruction demands viewers' engagement.

Incorporating black and white with color is then both an aesthetic gesture—particularly for films engaging race as a topic—as well as a preventive measure against channel switching. Furthermore, the increasingly digital format of video, coupled with transformations in computer technology and the radical expansion of file sharing networks, has changed the ways that people access and view film and television programs. Audiences for major features such as *American History X* or *Hurricane* might, after the theatrical releases end, view them on cable. Or, they might purchase a DVD or illegally download the digital files from any number of newsgroups or file-sharing networks to watch on a laptop computer at their leisure. Video becomes something that moves with viewers, seen in transit, stopping and starting at the convenience of the audience. Instead of Hollywood as a dream theater, films can become akin to the video billboards of the futuristic Los Angeles of *Blade Runner* (1981), viewed *in media res*, part of a saturated cultural landscape.

Film viewing in these contexts has less in common with the Freudian or Lacanian analysand on a couch than with Deleuze and Guattari's schizophrenic on the move, Certeau's sense of subjectivity as demonstrated by a walk in the city, an urban landscape one might read.<sup>174</sup> Just as the setting of the psychoanalytic subject (the couch, the narration of personal history) foregrounds its investments in individualization, the schizophrenic in the city foregrounds the investments in mobility, collective identity, and larger social history—all key elements in *American History X*, *The Hurricane*, and *The Farm*. And, more than either model, desire as a market force proves paramount, how directors and producers work to meet,

manufacture, and challenge audiences' sense of the real and how films produce it. People moving through the city sometimes situate themselves vis-à-vis that reality through the reference points of fictional films. For example, Loren Hemsley, a bail bondsman in Los Angeles, describes conducting a home visit at "Normandy and Crenshaw, in case you don't know, that's the neighborhood Ice Cube and Chris Tucker lived in the movie *Friday*" (personal e-mail). The shared cultural imagination of the mediascape becomes a city *a la* Certeau, one by which people relate themselves to one another, and films serve as imagistic reference points by which viewers locate themselves and others in the space and time of culture and history.

The landscapes of all three of these films are determined by the prisons prominently featured as their settings, prisons populated by white and black men—the latter often of dubious guilt. In *American History X*, the black and white flashback that recounts the main character's incarceration is the longest stretch of the film, while Jewison shot much of *The Hurricane* on location in Ralway Prison, and *The Farm* takes place almost entirely inside a Louisiana State Prison. The first two films chronicle main characters arrested for race-related murder, imprisoned, and thereafter released; *The Farm* is organized around six men and depicts their day-to-day existence in the prison.

The most crucial scenes in all three films center on white-black race relations, scenes of aggression enacted against black men either jurisprudentially or through racial murder. In *American History X*, that central moment is Derek Vinyard's (Norton) brutal killing of a black man he has already wounded with his pistol. In *The*

*Hurricane*, it takes place when Carter (Washington) and Artis (Garland Whitt) are pulled over by the police, who say they are looking for two black men in a white car—“Any two will do?” Carter responds. In *The Farm*, the pivotal scene occurs when a black inmate accused of raping two white women offers new evidence of his innocence at his parole hearing; the parole board does not even consider the evidence, even treating the denial of parole as a foregone conclusion. The scenes in the first two films set their narratives in motion, and all three scenes merit the most frequent and extensive commentary in reviews by film critics. The narratives of all three films are structured by white or black men’s indictment, imprisonment, and response to that imprisonment. All three films offer narratives of redemption regardless of the actual responsibility of a character for violent crime, and all treat black men as unjustly imprisoned. Carter and two black men imprisoned at Angola, George Crawford and Vincent Simmons, are treated as innocent. Even as Norton’s character is redeemed for his murder of two black men by his three years in prison, the friend he makes inside, Lamont (Guy Torry), a black man, is treated as unfairly held for six years for a crime of minor theft.

The truth-claims made in these films affect their reception and the use specific audiences make of them. They are advertised, reviewed, analyzed, and deployed with this or that agenda by one group or another. First-time feature director Tony Kaye filed a lawsuit over *American History X* against New Line Cinema and the Directors Guild in 1998, claiming that the film listed him as director against his wishes. During post-production, New Line assumed control of piecing the film together after Kaye



spent some year and a half and still did not have a completed film. Edward Norton, who plays the role of the reforming white supremacist Derek Vinyard, oversaw the editing of the final cut, becoming the film's centerpiece. Kaye had filed to have his name listed in the credits as "Humpty Dumpty," suggesting that all the king's men could not put together a two-hour film from its many pieces, but the U.S. District Court in 2000 dismissed the case "with extreme prejudice," therefore denying appeal (McNary 16). The court's ruling resonates with the film itself, given its chronicle of Vinyard's racist crime, his time in prison, and his subsequent dismissal of his own extreme racial prejudice.

Despite that disavowal, the film is far from unequivocal in its depiction of racism, particularly the causes and effects of raced criminality. Reviews of the film are split fairly evenly between on one hand reflecting the film's ambiguities or even subtextual endorsement of white supremacy, and on the other praising its realism and tour de force acting.<sup>175</sup> The divide can largely be attributed to the film's post-production history and Norton's hand in the editing, which likely emphasized his charismatic performance, thereby facilitating the critical accolades he received. He was nominated for an Academy Award for his role, and named Best Actor by the Southeastern Film Critics Association, a group of southern state film critics, and the Golden Satellite Awards, an International Press Academy group. The film was also nominated for the "Peace" Award offered by the non-profit Political Film Society, slated for use as an educational tool by Amnesty International USA, and taught in some schools.<sup>176</sup> The "Peace" Award in particular seems possibly out of place for a

film whose style pays homage to Leni Riefenstahl as it attempts so persuasively to explain Norton's neo-Nazi character that it can be read as glorifying him, a film that sees every black man a criminal, prisoner, or former offender. It seems likely that the film's difficult delivery produces some of its ambiguity; after all, the film is the problem child of two men, Kaye and Norton (three if one counts the screenwriter David McKenna),<sup>177</sup> one of whom denied paternity, and its message of racial harmony is largely organized around the triumph of Norton's will.

On February 26, 2001, a group of student organizations at the University of Southern California sponsored the screening of *Hurricane*, Norman Jewison's film account of Rubin "Hurricane" Carter's life, from a tempestuous young man, to the up-and-coming boxer imprisoned for a crime he did not commit, to his years behind bars and the efforts of lawyers and activists that finally freed him. The flier lists the student organizations in small type across the top, and they include the Black Student Assembly and the Student Senate Minority Affairs. The banner just below reads "RUBIN HURRICANE CARTER," the nickname and film title in larger letters conflating man and movie, and all of the text is white on a black background, including the date and location of the screening listed at the bottom. The primary images of the flier are three vertical frames, a triptych that features in the leftmost panel a photo of Rubin Carter wearing boxing gloves, fists low, facing the camera, his torso and head visible. The rightmost panel is a closer shot of the man playing the role of Carter in the film, Denzel Washington, his brow furrowed, eyes on the camera, one fist ungloved but taped, a more guarded pose than its twin. The center panel

dividing the stills of Carter and Washington is white, blank. That gap might emphasize the difference between the images of subject and actor, or possibly its whiteness framed by blackness reverses the racial politic of the film—or perhaps the photographs merely balance better that way. Two months later, the film screened at the University of Texas at Austin as part of the Sweatt Symposium on Civil Rights. John Artis, Rubin Carter’s co-defendant and also a prisoner for 16 years before a federal judge voided the earlier decision, delivered the keynote address for the conference, his presence and personal experience with the raced inequities of the judicial system guiding the reception of the film. The film cliché of the wrongly imprisoned protagonist assumes a greater urgency and authenticity when situated in the context of historical actuality and civil rights, with Artis there to tell the difference.

*The Farm: Angola, USA* is a documentary directed by Liz Garbus, John Stack, and Wilbert Rideau, the last of whom is an inmate at the Louisiana state prison.<sup>178</sup> As of 1999, Louisiana joined the nation’s capitol with the highest rate of incarceration in the U.S., placing one out of every hundred people in prison or jail, according to the U.S. Department of Justice (“Prison and Jail Inmates” 1). The film’s representation of the maximum security facility is organized around six inmates: George Crawford, a 22-year-old black man beginning a life sentence; John Brown, a 35-year-old white man on death row for 12 years and executed during the film; George “Ashanti” Witherspoon, a black man in his forties 25 years into his 75 year sentence; Vincent Simmons, a 45-year-old black man who has served 20 years of his

sentenced 100; Logan “Bones” Theriot, a 61-year-old white man 26 years into his life sentence who dies of lung cancer; and Eugene “Bishop” Tannehill, a 65-year-old black man 38 years into his life sentence. Innocence and redemption are common themes in their representations. Crawford and Simmons deny their guilt, the latter becoming a writ lawyer in the effort to appeal his case, as does Witherspoon, who regularly leaves the prison to perform community outreach and teach CPR, while Tannehill leads church services in the prison. The film emphasizes the inmates’ experience of routine days, isolation from their lives prior to prison, and in the case of those who have already served many years, the dramatic difference between their current lives and the criminality that precipitated their incarceration.

The film was nominated for an Academy Award and won broad critical acclaim.<sup>179</sup> *Variety* describes the film as a “matter-of-fact—and, therefore, all the more devastating—indictment of the U.S. penal system” (Lovell). However, the film also has been “roundly praised” by the Louisiana Governor’s office and prison administration, who expressed interest in using it in their guard training (“Lewis”). The video is also for sale at the Louisiana State Prison Museum, along with prison t-shirts, hats, pens, hot sauce, and other memorabilia. That the film means different things to different people is a banal observation. That the documentary is perceived in such diametrically opposed ways is a matter for analysis, given that its often *cinema vérité* style of what Angola is “really” like nevertheless leaves available competing uses: scathing depiction, training aid, cultural kitsch.

These aspects of the supra-texts of the films draw attention to the ways these movies are directed not only by directors but by specific audiences: the way in which one film sees critical indictment for its account of race relations even as it is nominated for human rights “Peace” awards, one was used as a teaching tool by university civil rights organizations, and another was employed by prison administrators. These strategic projections of the films exemplify ways of viewing that emphasize the rhetorical—not what a text means, but what it is for, what it does, what it produces. All three of these films implicate the personal and social. In their claims to the real, they produce history, repeatedly attempting to substantiate the actuality of their representations of incarceration, race, and masculinity.

**“documentary realism” and the “heightened realism of the film’s style”**

*American History X* is at once brilliant and deeply flawed, a triumphant failure of excellent acting depicting a charismatic racist’s prison transformation.<sup>180</sup> The film focuses on a white family, the Vinyards, especially the two sons, Derek (Norton) and Danny (Edward Furlong). Derek is a prominent young leader of a white supremacist gang in Venice Beach, California, the DOC, the Disciples of Christ. Three black men attempt to steal his truck from outside his house; he shoots two, the latter of whom is only wounded, and Derek kills him in an a scene of almost unwatchable violence. Derek spends three years in prison, where, through contact with two black men—the co-worker Lamont whose imprisonment is far out of proportion with his minor crime, and his former English teacher Dr. Sweeney (Avery Brooks)—he learns to repudiate the racism that caused his crime. Released from prison, he spends a day trying to

undo the racial conflicts he has helped propagate, including violently rejecting the DOC patriarch Cameron (Stacy Keach), leaving the group, and severing his younger brother Danny's participation in the white gang. Those efforts take place during a skinhead rally edited in a sequence that has Kaye's thumbprint, a frenetic montage described in *Sight and Sound* as one of "documentary realism," suggestive of the film's overall look and feel that the industry trade *Variety* describes as one of "truthfulness and integrity," its style one of "heightened realism" (O'Hehir; McCarthy 41, 42). The claim to the real is a defining feature of the film.

Much of the narrative is told largely by Derek to Danny or by Danny to the audience. On the day of Derek's release from prison, Danny has submitted a paper in his English class treating Adolph Hitler as a civil rights leader, landing him in the office of the principal, Dr. Sweeney. Sweeney assigns a new paper to Danny, a paper titled "American History X," in which he is "to analyze and interpret all of the events surrounding Derek's incarceration," in order to demonstrate how those events shaped Danny's current view of contemporary culture. That history is largely the assembly of memory in black and white, either Danny's or Derek's flashbacks, the latter offered as the elder brother narrates his prison experience as an explanation for why they both must reject the false consciousness of their racism. The chronology of events is thus offered out of sequence: a black and white first person shot from the point of view of one of the prospective car thieves opens the film, followed by Derek's and then Danny's perspective of the two murders, and the film thereafter regularly features the flashbacks—the events leading to the incarceration—as they are

invoked by the two brothers' activities through the first 24 hours after Derek's release. The narrative is fairly complex, both a cause and a result of the crisis over the editing involving Kaye, Norton, and New Line. The fractured sequence allows the graphic shot of the particularly gruesome murder to take place midway through the film, after audiences have had an opportunity to compare Derek's persona before and after his incarceration.<sup>181</sup>

Memory serves as the narrative device linking chronologically disjointed scenes. Danny's point of view memories are triggered in two ways, either as he writes the paper to fulfill his assignment or invoked by aspects of the landscape as he walks through Venice Beach. Furlong's character presents both the conventional analysis and performing a talking cure in his voiceover, reading his writing of the paper, and the subject taking a walk in the city. He pauses at the municipal basketball court, which calls up the memory of the black-versus-white game that loosely instigates the carjacking and subsequent murder, landing Derek in prison. Danny runs past dilapidated storefronts on his way home, his rapid pace and destination a parallel to the end of Derek's three years in prison and release that day, leading to the memory of the elder brother's return that morning in the accompanying black and white flashback of his welcome by the family. The beachside southern California city where the film was shot on location is offered visually several times as a broader context for "the events surrounding Derek's incarceration" as perceived by Danny. Furlong takes a walk in a city, amidst the ethnic diversity of its pedestrians, its graffiti, and crime, the "stylistic procedures" that Certeau suggests resist

textualization (102). Those “pedestrian practices” trigger vignettes of memory, implicating Danny’s past and present, him and Derek, shaping the essay he writes upon his return home.

Making sense of the racial (and narrative) difficulty of his brother’s development is thus the job of Danny in the film; the paper he writes is effectively the film itself, so interpreting it is the viewers’ job as well. The film foregrounds this fact when Danny begins writing the essay. He sits at his computer and types the name of the film and essay, then types repeatedly, “Analyze and Interpret,” until it becomes “Anal sex and”—which is a bit of foreshadowing, as Derek’s anal rape in prison by white supremacist gang members plays its significant part in his reformation. Then, Danny writes that when people look at him, they see his brother—much as Danny himself has, misrecognizing in his brother a coherent self he years for and strives toward. The film is self-consciously fashioning itself as an object to analyze and interpret here, anticipating its own later role as a teaching tool in classrooms, where actual students might write their own essays (or dissertations) about it. There is a cued earnestness in the scene; just as Danny stops his own linguistic play to get serious, the film invites audiences to take the movie seriously, as Danny writes a fusion of his brother’s and his own diagnostic biography, which viewers watch played out on screen. Regarding the essay, Dr. Sweeney tells Danny, “I will be the only one reading it,” but he is wrong on two counts: Danny reads as he writes the film viewers are deliberately hailed to “read” as well.



The fusion of the two brothers means that they both can—and do—change their racist views, Derek during his prison sentence, Danny during the time it takes the older brother to offer a thick description of that time served. The brothers are sufficiently doubled,<sup>182</sup> so that audiences can look at one and see the other as well, meaning that it does not really matter which one of them gets killed to close the narrative. Derek walks Danny to school, and on leaving looks back, seemingly hearing the “threat score” of rising violins anticipating violence, the precursor to the deadly retribution that befalls Danny at the end. A black student shoots him in the school bathroom for a minor slight earlier in the film, providing the fulfillment of the film’s moral: racial violence only begets more of the same.

However powerful that moral may be, the racial logic of the film is deeply flawed. There is not sufficient narrative basis within the film for the black student to kill Danny—there is no indication that when the character shoots him, he is looking at Danny but seeing his brother. In effect, the character is only signified by his blackness, and any black character might do as well as any other.<sup>183</sup> Similarly, at least one of the three would-be car thieves loses to Derek and members of his gang in a racially charged black-on-white basketball game, but it is not clear if their actions are motivated by anything more than the loss of the game, such as Derek’s leadership in the DOC. The two prominent black male characters of Dr. Sweeney and Lamont are largely relegated to helping the white Derek become who he needs to be to fulfill the story.<sup>184</sup> Derek and Danny’s father, Dennis, was a fireman shot on duty by a black man, and even Dr. Sweeney suggests having spent time in prison. Crime and

incarceration are connected to every single black man mentioned in the film. There are virtually no black women, as Sweeney's secretary, a black woman, is only partially and fleetingly seen, though several white women have prominent roles.

The focus on the Vinyard family largely produces that exclusion, and also makes racism a family (re, an Oedipal) phenomenon: Derek learned it from his father before him, and with the death of the father and the son's assumption of the father's place, Derek teaches it to Danny. Any mention in the film of the broader causes of racism, such as economic disparities and historical disenfranchisement producing segregation, as well as a social psychology of racial fear, are either voiced by Derek or Danny and twisted to substantiate their racism, or immediately dismissed by them as irrelevant. For example, Derek says, "One in every three black males is in some phase of the correctional system. Is that a coincidence or do these people have, you know, like a racial commitment to crime?" He speaks the unspeakable in racing criminality, the blatant "natural" or ontological racism so often politically decried while social welfare programs are dismantled and racial profiling is *de facto* police protocol. Derek rallies his gang members around him with rhetorical and physical flourishes that are offered so as to seem persuasive to other characters in the narrative, and thereby foster the credibility viewers might hold for his character. However, the effectiveness of Norton's performance (around which he edited the film) becomes a sizable obstacle for the occasional efforts of *American History X* to address a larger causal framework for racism and raced criminality.

Derek's racially motivated murder of the second would-be car thief depicts the crime that is the clearest origin of his imprisonment. The actual shot of the near-decapitation of the wounded man features plenty of warning, including Derek's shirtless slow motion approach to the camera, pleas from both the victim and Danny, and the ubiquitous crescendo of violins. Audiences are prepared so ruthlessly for the ultra-violent moment that they can look away, and likely many do. Therefore, the scene of Derek's crime that is the culmination of his racism, the crux of the film, and the one most commonly cited by viewers and reviewers, is quite literally *not seen* by many. His sentencing, or any other jurisprudential proceeding, is not shown at all, and there is only a faceless parole officer occasionally mentioned. The naming of Derek's criminality as distinct from his criminal act is thus offered only obliquely when Danny offers his testimony, "It would have been life if I had testified," a sentence he types and promptly erases. Sweeney will not be reading this sentence, but Danny and viewers do.

Derek's imprisonment, which constitutes the longest stretch of unbroken narrative in the film, is organized largely around two inverse social arcs, a series of increasingly friendly discussions with his black co-worker Lamont, and Derek's deteriorating relationship with the white supremacist prison gang that culminates in them raping him. Both function as processes of prison rehabilitation. The rape scene has its own ominous approach, a gradually emptying shower, the disappearance of the lone guard from the scene, and more of the camera's adoring gaze, the slow motion of Derek's naked skin. This moment of violence is paired with the earlier one,

punishment matching crime in black and white flashback, the parallel complete down to the slow motion hyper-reality of impossible clarity as Norton approaches the camera to commit murder, as individual drops of water fall from his face in the shower. Furthermore, the earlier sequence opens with Derek having rough sex with his girlfriend, and its corresponding scene closes with Derek's own violent rape.

However, the Motion Picture Association of America ratings system has greater leniency for the graphic depiction of violence compared to sex,<sup>185</sup> which means that Derek's rape is represented with far more discretion and is thus watchable in a way that his crime is not. Derek's victimization by white supremacy becomes more significant than the victimization of the black man he killed, a greater importance underscored by Norton's extended time on camera, whether shirtless and triumphant in a reverse dunk on the basketball court, rallying his gang members by citing immigration and incarceration statistics—or after his reform in prison, using his power to reject his racism in assaulting the patriarch of the white gang and disarming one of its soldiers, or persuading Danny to surrender his own prejudice. Understanding the rape as Derek's real punishment in the film reflects what prison historians describe as the “just deserts” model of punishment prevalent since 1975 (Irwin *Prisons* 230-240, Sloop 132-141, Sullivan *Prison* 211). It is also a bodily punishment, a return to what Foucault deems *old regime* practice (*Discipline*), except rather than the state fulfill the bodily torture, inmates themselves conduct it. And whereas Foucault claims that the visibility of public torture such as that of Damien

the Regicide sparked unintended sympathy for the criminal, the spectacle of Derek's rape instead deliberately elicits the sympathy of the audience.

Norton, arguably one of the finest actors of his generation, effectively does too good a job in portraying a charismatic bigot, and the two hour edit of the film he largely oversaw organizes itself around him, highlighting the actor's physicality, built for the film and deployed in a visual rhetoric of power. Vinyard is language and body, and inadequacies in one can be compensated for by the other. When a potential suitor of his mother challenges him over a family dinner, Derek can support any insufficiencies of argument by taking off his shirt, the swastika tattooed over his pectoral a threat to the Jewish teacher, an excess of visibility that appears repeatedly in various flashbacks, the black and white highlighting Norton's musculature. Within the context of the narrative, the physical threat he poses is daunting to other characters; extra-narratively, the camera loves him, and he gets the best lines. In the absence of any competing discourse, his language of hate is narratively and visually fetishized. And there is no competition. The mother, Doris Vinyard, is played by Beverley D'Angelo in a largely understated if powerful performance, and the suitor—and history teacher who sends Danny to Principal Sweeney—is a bit part for Elliot Gould as Murray Rosenberg. D'Angelo's and Gould's characters proffer liberal rhetoric situated as outmoded and nostalgic, Doris even in a flowered mini-dress shot in soft focus outside her 1950s era home. Sixties liberalism is not prepared to deal with harsher 1990s "reality."

Coupled with Furlong and Norton, D'Angelo and Gould offer performances that help the casting itself create the opportunity for flawed white characters to be nuanced and convincingly portrayed, with backstory to provide cause to their behavior, while black characters serve as background. Brooks is a polished, charismatic actor, but he has little room to maneuver playing an urban saint. His role and that of Lamont are undeviating, serving Norton, and the other positions available for black men in the film, the basketball players fouling with violence, the car thieves, prisoners, and school bathroom shooter, are all cardboard cutouts with crime on their minds and few to no lines. The film fulfills the equation of black masculinity and criminality that has proven so prevalent historically in the cultural imagination. Though Norton's character Vinyard claims that one out of every three black men will enter the criminal justice system, the film itself gives far better than even odds.

A contributing factor to the film's latent bias is the degree to which the writer and director try to break the ontological category of race and make it a free-floating signifier. When Derek breaks from the Aryan gang during a party the evening he is released from prison, his former girlfriend Stacy repeatedly screams that he's a "nigger." In the extended flashback in which he relates his prison experience to the younger brother—and by extension, the audience—viewers see how a Latino guard names Derek's own whiteness as an epithet, which is contextualized later when Lamont tells him, "In the joint, you the nigger, not me," and Lamont later uses the term to hail Derek several times. During the rape scene—which is vaguely situated as a response to Derek first disavowing the Aryan gang in the prison for their political

inconsistency and then, after becoming friends with Lamont, playing in a mixed race basketball game—the Aryan leader says, “Want to be a nigger? We’ll treat you like one.”<sup>186</sup> Race is the X-factor of American history; who is white and who is black can be reorganized easily as power structures are rearranged. The over-representation of black men in prison can create localized reversals of raced authority among prisoners, a claim Mailer’s Gilmore also makes to provide a basis for his own racism. *American History X* presents a Hegelian recognition of the other recognizing the self: “you the nigger.”

However, the limits of such a racial reordering in U.S. culture, whose history is so predicated upon assumptions of racial difference, possibly contributed to the film’s failure at the box office. That is, the film can be understood by genre as a variation on the ‘hood film, a white gang movie<sup>187</sup> in the vein of John Singleton’s *Boyz N the Hood* (1991). Both feature the constitutive elements: gangs organized on lines of racial identity, violence criticized within the narrative but extra-narratively more ambiguous in the degree to which it is glorified, the displaced or absent father figures, the cult of masculinity in which manliness is activity, domination, and invulnerability, the family largely supplanted by gangs but offering the saving grace for the main character’s rejection of violence, which occurs too late to save brother-figures. The most visible difference between *American History X* and the ‘hood gangster films is that of race, and *white* masculine youth culture so suborned as to turn to violence, with violence’s attendant crime, imprisonment, and vengeful murder,

possibly proved unrealistic for audiences more accustomed to seeing gangs of young *black* men as a menace to society, doomed to incarceration and violent death.

*American History X* does not know what sort of movie it is, which is one way of saying that the overlapping audiences of popular audiences and film critics disagree among themselves what to make of it. According to popular viewers recording their votes with the Internet Movie Database (IMDB), the film is the 62nd best film of all time at the end of 2003, placing it in such rarified terrain as *The Wizard of Oz* (58<sup>th</sup>—1939), *Rashômon* (59<sup>th</sup>—1950), and *2001: A Space Odyssey* (67<sup>th</sup>—1968).<sup>188</sup> One might dismiss this ranking as unrelated to more “elite” valuation, but typical distinctions drawn between “high” and popular culture are challenged by the close parallels between the IMDB rankings and the 100 best films as ranked by the American Film Institute. *American History X* was released too late to be considered for the AFI 100, but in general, there is a high degree of correlation between the lists. Of the AFI top 50, 22 appear in the IMDB top 50; 34 appear in the IMDB top 100, and only three films do not appear in the IMDB top 250.

Users of the movie database can rank a film and also post comments, and *American History X* has generated fierce discussion among participants. Through the end of 2003, more than 800 IMDB members had made on-line contributions, more than all of the AFI’s top three of *Citizen Kane* (1941), *Casablanca* (1942), and *The Godfather* (1972), all of which are ranked in the top 11 by IMDB voters as well. “Real” is the primary term of contention among the on-line posts, which are roughly split as to whether the film is realistic or not, though applause for Norton’s acting



performance is another focus. Professional film critics are similarly divided and in identical terms, recognizing the ambiguities of the film's representation of racial conflict while celebrating Norton's acting and the film's look and feel. Norton's performance is "history-making" in *The National Review* (Simon 50), and the industry trade *Variety* praises the story's "truthfulness," Kaye's on-location direction as "gritty," adding to the "heightened realism of the film's style" (McCarthy 41, 42). The perceived visual quality of *American History X* is bound with the contention over its symbolization of the real, with the historical traumas of racism and incarceration.

For these overlapping groups of popular audiences and critics, what makes the film great is its thematic and visual participation in a code of realism, its willingness to name and represent racial conflict without easy resolution in its substance, coupled with its stylish cinematography and location shooting. When Danny (Furlong) walks along Venice Beach, the long shot substantiates the actual setting; when he dies at the end, the possibility of a happy ending is frustrated. This is not the sacrificial death at the close of *Cool Hand Luke* (1967), Paul Newman's pose of crucifixion signifying sacrifice and transcendence. The prison of the central section of the film is outmoded steel bars and dirty blacktop rather than a studio fantasy of techno-fetishism, as in Stanley Kubrick's *A Clockwork Orange* (1971) and John Woo's *Face/Off* (1997); nor is prison or city a utopian fantasy of racelessness, where black and white are not named. The filmic world of the real is represented as nasty, brutish, and short, where people are born, they suffer, and then are murdered at street curbs and high school bathrooms because of racial hate.<sup>189</sup> The camera's unflinching gaze on that very

unpleasantness, its grittiness, are symptomatic of its integrity and “documentary realism.”

**Based on a true story—with invented characters and fictionalized events**

The question of reality versus its lack and championship acting is similarly a touchstone for the critical response to *The Hurricane*. Whether or not it tells the “real” story is similarly at stake among viewers posting comments to its IMDB forum. Like Norton, Washington’s portrayal of Carter garnered an Academy Award nomination for Best Actor, and his failure to win that year prompted discussion as to whether his 2002 Best Actor Award for his performance in *Training Day* (2001) was at all informed by white guilt (Kerr 43-44). Critics in the major weeklies and dailies roundly praised Washington’s portrayal as “splendid,” “his best role,” a “knockout,” “a moving, fiercely compacted performance” (Steel, O’Hehir, Ebert, “In the Eye” 60). The latter of these two speak directly to the middleweight Carter himself, a gesture underscored by the director Jewison, quoted in *Newsweek*, in his praise that he could not tell the difference between the actor and the former boxer (“In the Eye” 60). Feature articles in the magazines *Ebony* and *Jet*, both geared to black audiences, further highlight the film’s claim to the real, the latter by including a set photo of Washington-as-Carter with the actual people of Carter’s life (Whitaker 154-162, “Denzel” 59). Such reviews juxtapose pictures of Carter boxing with film stills of Washington in the ring and count on audiences to tell the difference. However, reading the history produced in the film presents more significant challenges than telling the two men apart.

The conflation of historical documentation and fictionalization poses risks to the “apprehension” of history, both the claim to history and the anxiety over its misrepresentation. Before the film has even begun, it offers the obligatory disclaimer that frames its subsequent criticism: “While this picture is based upon a true story, some characters have been composited or invented, and a number of incidents fictionalized.” The inventions far surpass Mailer writing a dream and inserting into the unconscious of one of Gilmore’s analysts, as the systemic racial bias in the judiciary that imprisoned Carter is largely collapsed into one white detective with a vendetta, Della Pesca (Dan Hedaya), a heavy fictionalization of Lieutenant Vincent DeSimone (Hirsch 35-36). *The Nation*’s review praises Washington’s performance, but is highly critical of the film’s overwriting of “truth,” a claim to the real the article itself embodies in being written by Lewis M. Steel, a member of Carter’s legal team—who, incidentally, is left out of the movie. Unlike Gilmore’s lawyers, whom Schiller dismisses as “hopeless as journalists,” (835), Steel rises to the occasion. If filmmakers are going to write history, then lawyers will review their films.

This is not the first time that a Washington role has been at stake in questions of historical actuality and its film depiction. He plays South African activist Stephen Biko in Richard Attenborough’s *Cry Freedom* (1987), a Union soldier in *Glory* (1989), a film based on an actual colonel’s letters, and Malcolm X in Spike Lee’s so-titled film (1992).<sup>190</sup> There has been a flurry of criticism regarding historical docudramas such as these,<sup>191</sup> and challenges pertinent to this film as well. *The Hurricane*’s collapse of systemic injustice into one rogue cop is a conventional

narrative pattern reinforced by the film, effectively an individualization of institutional power that whitewashes more endemic problems. Such fictionalization is one half of what Hayden White, among others, describes as “postmodern history,” where fiction is framed in a “real” context even as the real employs cues of the imagination (19). The decisions made by cable network programmers offer an example of the complicated relationship of real and imaginary in such postmodern history. For example, the Court TV Channel is part of many standard cable packages, and grew to prominence with the trial of O.J. Simpson, featuring largely news and documentary programming related to the legal system, from live trial coverage to a talk show hosted by former district attorney and judge Catherine Crier. In the never-ending effort to fill its schedule, the channel began showing syndicated fiction serials with law and order themes, so whether a real judge or actor or former judge turned host appears on camera may be difficult for viewers of Court TV to sort, depending on the time slot.

*The Hurricane* would fit such programming quite nicely, with its many prominent courtroom scenes, prison settings, and “based upon a true story” legal battles for justice. The film assigns a three-part structure to Carter’s biography. The first follows the boxer’s life from childhood until his arrest (with Artis) for a triple murder in Paterson, New Jersey in 1966, a period defined by both Carter’s repeated unjust incarcerations and the meteoric rise of his boxing career. The second, initiated by his 1967 sentence to life in prison, features his resistance to incarceration through performing his own autonomy, refusing the trappings of prisoner because to assume

them would, in his eyes, admit the criminality he disavows. He will not wear the uniform of the prisoner, or eat prison food; he keeps largely to himself in his cell, writing his autobiography, *The Sixteenth Round*, and reading philosophy, literature, and law.

The third stage of the story introduces Lesra Martin (Vicellous Reon Shannon), a high school-age black youth from Brooklyn who is the ward of three white Canadians, Lisa Peters (Debra Unger), Sam Chaiton (Liev Schreiber), and Terry Swinton (John Hannah). They effectively adopt Lesra in order to facilitate his education, teaching him to read and preparing him for college. At a book sale where the youth is the only non-white, he stares at a box full of books and focuses on *The Sixteenth Round*, its jacket prominently featuring Carter's black male face. In an invitation to participate in the identification, the point of view shot equates the camera's gaze with Shannon's, and his hand that extends to select the book in which he recognizes himself is thus the viewer's hand. After reading the book, Lesra and thereafter the Canadians meet Carter in prison and reignite the legal campaign to free him. After 19 years of protesting his innocence, Carter becomes a free man.

In a manner similar to scenes of remembering in *American History X*, *The Hurricane* opens out of chronological sequence. Where the prior film uses the pair of brothers as narrators, memory coupled with the writing of the titular essay invoking flashbacks, the connections in the puzzle of Carter's life maintain largely thematic links established by the director, Jewison. A black and white episode of a 1963 boxing match cuts to Carter in color preparing to fight prison guards in order to

maintain possession of his prison manuscript in 1973, cuts to faceless men committing the 1966 triple murder in Paterson (although audiences have no way to know this, Jewison shot the scene at the actual Lafayette Bar and Grill in Paterson, where the actual murders occurred), cuts to Carter and Artis being pulled over by the police. Conflict organizes the coherence among the opening jump cuts connecting disparate moments in history.

That device is replaced by literacy for the duration of the film, as Lesra reading Carter's biography cuts to Washington's portrayal of that life. The emphasis on literacy underscores the degree to which such editing emulates some of the conventions of the high modernist literary novel in the first half of the twentieth century, replacing the sequence of chronology with narrative movement triggered by characters' personal memories and historical reconstruction, strategies which arguably see their ur-example in U.S. writing in Faulkner's novels from *The Sound and the Fury* to *Go Down, Moses*. Like Shreve's "let me play" of *Absalom, Absalom!*, such fragmentation, discontinuity, and multiplicity engage audiences actively in constructing the narrative, piecing together the puzzle. Late twentieth century U.S. films situated as art draw from this literary tradition as well as the mix of color and black and white, documentary style, jump cuts, and other techniques borrowed from French "new wave" cinema of the 1950s and 1960s and expanded in music video shorts and commercials in the 1980s and 1990s, radically altering late twentieth century U.S. films' narrative styles.<sup>192</sup>

Both *American History X* and *The Hurricane* make literacy itself a narrative device. In the latter film, Lesra and Lisa reading *The Sixteenth Round* and the epistolary exchange between them and Carter provide the basis for the film's movement in and out of prison, just as the letters between Cleaver and his lawyer and between Gary and Nicole pass back and forth. In *The Hurricane*, Lisa reading the biography aloud cuts to Carter in prison, or Carter reading a letter from Lesra cuts to Canada. Like *American History X*, then, writing and reading one's own life vis-à-vis the life of the "other" of the prisoner serves as both structural and thematic device. Danny's voiceover speaks his essay, writing how his perspective has been shaped by his brother's incarceration. Much of Washington's dialogue comes directly from Carter's book, and that actual prison writing, with its attendant emphasis on testimony, on relating the reality of imprisonment to those not themselves incarcerated, thus finds its way into this film largely set in prison. Re-created prison scenes frame actual prison writing.

Like the narrative of Kaye's film, the sequence of *The Hurricane* is thus informed by treating reading and writing as fundamental to its story. Such a basis does emphasize the centrality of both Carter's book and the account offered by two of the Canadians, Chaiton and Swinton's *Lazarus and the Hurricane* (1999); both are primary sources for the film's screenplay. The narrative organization of the film, however, is that of the director, Jewison's own effort to assemble the pieces in supervising the editing and telling the "truth." The director organizes the parts of the story through first an arrest and then three critical court scenes corresponding to the

three parts of Carter's life, with visible and invisible cues to the historical actuality of the events depicted, gestures that complicate their own historicity.

The most crucial scene of the film occurs when the police pull over Carter (Washington) and Artis (Whitt). Artis, the younger man, is driving the boxer's car and is very nervous. Carter remains calm, and as it turns out, he and the first officer to approach the car know one another. The policeman says, "We're looking for two negroes in a white car," to which Carter responds, "Any two will do?" The moment is one of twin recognitions, not only Carter and the officer recognizing one another, but of the officer recognizing Carter first as a black man and then as a particular person, a celebrity, "The Hurricane." That initial recognition provides the first elaboration of the judicial racial bias that results in Carter's life sentence, and the court's recognition of that bias 19 years later is the basis for his release.

The policeman's declaration, "We're looking for two negroes" makes the search akin to Faulkner's description of the town of Jefferson's desire for Joanna Burden's murder to be "negro crime committed not by a negro but by Negro" (*Light in August* 288). The police in this scene, like the lynch mob, are looking for blackness as criminality, and they find it where they see it: Carter and Artis are stopped, arrested, and imprisoned. The scene very nearly appears twice in the movie, thereby emphasizing its importance. Later in the film, another black and white boxing sequence fades through a sly edit of a close-up of a red light that is not a police siren but nightclub illumination, and Carter and Artis depart from the club only to be pulled over. The club they leave is an actual bar in Paterson, creating an



invisible claim to historical actuality for the subsequent arrest. That arrest is the quintessential Althusserian moment, the policeman's call of "You there!" hailing the subject.

The policeman's call is the first scene of several in the film presuming Carter to be a criminal, and it sets the stage for the three times he is interpellated in court, named in the first and second instances as a criminal and in the third as innocent. All three identifications directly relate to his race. In the first, he is a child (played by Mitchell Taylor Jr.) accused of trying to rob an older white man, though the film situates him as first protecting his friend from sexual assault and then defending himself against murder. The white judge who addresses him wishes he could try the black boy as an adult; the judge sentences him to reform school until he is 21.

The scene directly follows Carter's interrogation conducted by his nemesis in the film, the detective Della Pesca (Hedaya), whose name roughly translates from Italian as "a catch" or "fishing for anything." Pesca upon initially seeing the child says, "I see a nigger with a knife." That equation of blackness with violent criminality lays the basis for its numerous reiterations throughout the film, and it makes Pesca the face of racial bias. Carter's race is called out repeatedly, police officers referring to him as a "black son of a bitch [...] a life criminal" before the murders for which Carter will be accused even occur. The detective is present in every courtroom and in the initial interrogation; he garners false testimony from witnesses, and upon arresting Carter after the latter's escape from reform school and stint in the military, says, "You still owe *me* time" (emphasis added). Pesca functions

as a personalization of the state, Carter's years a debt to be paid directly to him. Jewison admits, "I love dramatic confrontations like this, the standoff between two actors,"<sup>193</sup> and such standoffs are the "composites" that are "fictionalized," to both the distressed and apologist reviews of critics. Steel criticizes the "cinematic crime" committed by a "false Hollywood" (8), while Roger Ebert doubts that a chronicle of a "complex network of legal injustice" would have made *The Hurricane* a better film. In a *Newsweek* article that is at once about the story of Carter's battle with racism and Washington's fight against racial typecasting—another superimposition of subject and actor—the reviewer cannot decide if the blame for such narrative shortcuts lies with producers or audiences. The review offers on one hand that "audiences like their villains unregenerate"; on the other, that it would be better if the film "trusted the audience to swallow a less simplistic view of reality" ("In the Eye" 60).

Jewison does make some directorial effort to broaden the blame, cinematically representing the systemic racism arrayed against Carter. In the second courtroom scene that culminates in the sentencing for the triple murder, the first shot is outside the courtroom, and the camera pans down from sky to white marble. There is a cut to the inside of the courtroom, a long shot from the entry that frames the assembled audience before the judge, then a cut to the national seal on a white wall then downward to a medium shot of the white judge, who says that the defendants have been tried by a jury of their peers. There is then a cut to a brief shot of the all-white jury for a black man. That montage seems an effort on Jewison's part to implicate nation, institution, legal system, and whiteness in a network of forces differentiating

the accused on the basis of blackness, isolating him in his criminality and attendant imprisonment, thereby fulfilling judicial racism's "defeat in detail" (cf. Chapter Two). In an all or nothing bid, Carter and his legal team opt to take their case above the state of New Jersey to a federal hearing, arguing that the state trials were conducted improperly. That judge in the third courtroom scene overturns that verdict for the climax of the film, and that moment is paired with the earlier one through a set of visual cues to demonstrate that the subject's rights and the state's wrongs can be redressed. The third scene similarly opens with a montage of the U.S. flag, the courtroom shot from outside, a close-up of the bas-relief of Justice, then Carter bidding farewell to fellow prisoners, then to the lawyers' arguments inside the courtroom. Those arguments culminate in Carter speaking for himself before the court, then the judge's decision to free him.

For the viewer schooled in the background of Carter's actual case and the film's production, the scene is a surreal composite of multiple historicities. The judge is named Judge Sarokin, the arbiter of the actual trial. Sarokin is played by Rod Steiger, the bigoted sheriff from Jewison's *In the Heat of the Night* (1967), and now he rules that a racially biased prosecution violated the defendant's constitutional rights. His character recuperation is joined by that of an accommodating white guard, Jimmy Williams (Clancy Barnes), the sadistic prison officer of *The Shawshank Redemption*, who in this film aids Carter and then applauds Sarokin's ruling. The judge's ruling exculpating Carter quotes verbatim from the actual decision, and Jewison recorded Sarokin on videotape rehearsing his own role. The director liked

the rendition, but preferred Steiger, who then rehearsed with the record of Sarokin's own rehearsal taped almost fifteen years after the latter's real courtroom performance. In the actual hearing, Carter was not present, but Jewison felt the scene would work better with Washington in it. Washington's lines quote directly from Carter's biography, which was published 11 years prior to the actual hearing at which his speech is set. The shots are fairly still and lengthy during that monologue, the editing subtle, lending "a reality to it," according to the director. While Carter and Lesra wait for the judge's decision, they talk, Washington and Shannon's dialogue offered in shot/reverse shot with the bars between. This is an iconic shot so *de rigueur* of prison films, photography, and experience that when Bob Dylan visited Carter in a minimum security facility in 1975, an unused steel grille had to be appropriated to play the role of bars for a press photo (Hirsch 124). Jewison describes the last of the film's many through-the-bars scenes between Washington and Shannon as "too real."<sup>194</sup> To top it off, black and white footage of the actual Rubin Carter closes the film. The combination of scenes culminating in Carter's freedom is postmodern history at its best or worst, depending how separately one likes to account the imagined from the actual.

Again, I am less interested in sorting truth from fiction in the film than suggesting how the difference between the two becomes one that is told, occurring in the narrativization. Jewison, as well as the screenwriters Armyan Bernstein and Dan Gordon—the latter also responsible for writing another "based upon a true story" film about injustice in prison, *Murder in the First* (1995)—draw from a variety of

narratives and documents. These include the biographies of Carter written by the man himself as well as that co-authored by two of the Canadians, the transcripts of the trials themselves, and news footage of Carter, Dylan, and other actual figures involved in the case. The staging of shots simulates the events of two and a half decades before: the faces of the murderers are not shown in the early sequence, and the film offers the points of view of witnesses as similarly limited. The undecidability of history nevertheless demands decision. The film reproduces Sarokin's actual verdict that reaches its conclusion of prior judicial bias, a decision that, like the film, simultaneously records and invents history, retroactively determining what has already happened. In the federal district court of 1985, that meant dismissing the 1967 verdict as racially prejudiced, a verdict upheld by the U.S. Supreme Court in 1988. In 1999, that meant concluding the film with Washington on courthouse steps followed by 1993 footage of a free Carter. The judicial process of indictment, incarceration, and exoneration offered as a "true story" in *The Hurricane* becomes part of the cultural imagination, even as its story of carceral identity as one of personal transformation has its own contemporaries and precedents in narrative film.

In *The Hurricane*, resistance and redemption defines Carter's identity as a prisoner in visual and narrative terms strikingly similar to those of *American History X*. The images of masculine power as body and language offered there in black and white flashback similarly occur in *The Hurricane*, as viewers see Washington's year and half of physical training displayed in brightly lit boxing scenes. The frequent

displays in each film thus offer *chiaroscuro* impressions of masculine hardness, of power and indomitability. Black and white segments in these instances functions as a historical conceit, locating their scenes as prior to the primary narrative. In *The Hurricane*, the historical anteriority of those scenes associates them with the *really* real, as black and white footage of Carter boxing occurs alongside actual documentary black and white footage of 1960s civil rights demonstrations and the protests of Carter's imprisonment 10 years later. However, unlike the Lafayette murder, the nightclub, and the prison scenes of *The Hurricane* shot on location, those boxing scenes were recorded on a Toronto set. Furthermore, Vinyard's rhetoric of racial hate as offered to a television reporter prior to his incarceration pairs with Carter's off-hand comments to a news weekly reporter, a mocking suggestion to shoot the "nigger-hating cops" beating protesters.

In prison, both learn to disavow retributive violence and leave transformed. Lamont, one of the instruments of Vinyard's salvation and the reason that he even survives prison, calls out for him on his departure to remember "the brothers!" In one sense, that brother is the younger brother Danny (Furlong), and each brother spends a fair portion of the film remembering the other in various flashbacks throughout *American History X*. In another sense, "the brothers" are black men, and in a film structured on male siblings as mirrors for one another, Lamont's call is one for cross-racial identification. In *The Hurricane*, Carter at first denies the prison, refusing to conform to its identification of prisoner, but his very resistance capitulates to the self-negation imprisonment intends. The dialogue quotes directly from the last words of

Carter's biography: "In the end, there is no prison, no more Rubin, no more Carter—only The Hurricane. And after him, there is no more" (*Sixteenth* 338). Autonomy produces the narrative destined to erasure; like the character of Butch Beauchamp, the character of Carter is a masculine identity of invulnerable mastery predicated upon autonomous individuality, wherein death is the end of history.

A pair of scenes in the film captures the initiation into that autonomy as a practice of psychological resistance against a carceral identity, and then the repudiation of that isolation in favor of a social identity. Carter arrives at prison after his conviction for the Lafayette murders, and meets the warden as a personification of the prison, who demands that he assume the position of prisoner, that he strip to wear a "standard inmate uniform with your number sewn on it so we can identify you." Carter's refusal merits him 90 days in solitary confinement. Jewison offers that isolation in a montage of Washington in a series of shot/reverse shots, the camera's *fort-da*, the gaze on the subject seeing cutting to what is seen. After isolation for days marked by growing facial hair and Carter's increasing despair, he begins hearing another voice, and there is another Carter in the cell, an angry mirror who proclaims that he is the tyrant of self: "I'm running shit." The plaintive Carter replies, "What are we gonna do now?" and receives the reply, "Feel the hate" and the Oedipal epithet, "motherfucker," and the first Carter cries in solitary. He imagines a more complete version of himself in this doppelgänger, thereby emphasizing the lack, the inadequacy of the self on his side of the mirror.

Later, the Canadians visit for the first time, and Carter cuts their visit short, angrily denying their ability to identify with his situation: “None of you can judge what I’ve been through. [...] What do you know about being in this place?” Washington’s dialogue in the scene is largely from Carter’s *The Sixteenth Round*, and he declares that he is free in prison because there is nothing he wants. Separating himself from visitors means walling himself away from desire; wanting something means that there is something the prison can take away. Desire becomes its own instrument of punishment in a reversal of Lacanian lack, as desire is not predicated on lack but itself produces the possibility of lack.<sup>195</sup> Carter leaves them, and a crane shot rising up a level tracks space in the prison, the distance between the *here* of the visiting room and the *there* they cannot go, the cell itself. Alone in his cell, Carter hears a litany of “don’t trust ‘em” from his other self.<sup>196</sup> However, he decides that it is time to participate in a world outside the self, dismissing his doppelganger with “it’s time for you to go.” The other Washington shouts, “Don’t you turn your back on me, nigger,” but the camera returns to the shot/reverse shot across the bars, Carter warming up through shadow boxing to the ubiquitous rising violins signifying emotional import, ready again to fight for his freedom, and a high shot from inside the cell emphasizes the light illuminating the typewriter. Given that gesture to writing one’s self away from violence, communication with another to avoid the tyranny of one, it is worth noting that the scene draws directly from Carter’s *The Sixteenth Round* (310).



These are the only two scenes in the film of Carter experiencing what might be understood as a schizophrenic episode, and they read as an amalgam of Deleuze and Guattari's *Anti-Oedipus* and the American Psychiatric Association's *Diagnostic and Statistical Manual of Mental Disorders*. The medical condition of paranoid schizophrenia is understood as brain abnormalities causing mental disassociation, cognitive dysfunction, and verbal memory loss—though it also carries with it the popular misunderstandings of “someone is out to get me” coupled with multiple personality disorder. In *Anti-Oedipus*, schizophrenia is the self divided, constituted in the multiple social investments and thereby positioned against the model of individual autonomy. Carter's extended isolation is an alienation from a world outside the self, fracturing his thinking, disconnecting him from any shared reality, precipitating anxiety and hallucinations. His delusions of persecution are in the context of the film's narrative true, and the question—like that of *Soul on Ice* and *The Executioner's Song*—is not, is the prisoner paranoid, but is he paranoid enough? Washington plays the rest of the symptoms of clinical paranoid schizophrenia in a scene Jewison describes as “probably some of the most brilliant film acting” he has shot—heady praise, given that he has directed three Oscar-winning performances.<sup>197</sup> Jewison identifies the next scene as one of his “high emotional moments as a director,” as Carter participates in communication and trust across racial and carceral boundaries. In solitary confinement, the isolated, individualized subject (Carter) others the self as a response to alienation. Isolation divorces him from the world, so the self fragments to create the multiplicity and conflict that constitute subjectivity.

That first episode matches Deleuze and Guattari's description of the false autonomy of the Oedipal subject and the paranoia attendant to the self's misrecognition of its singularity; Oedipus is a tyrant and a "motherfucker." Separated from the world, the self will imagine itself to death. Jewison views Carter's character in the first schizophrenic episode as suicidal, the step toward death that within the confines of individual autonomy means the end of history. The second episode demonstrates the re-initiation of the subject to a social order, where the self is in Deleuze and Guattari's terms reterritorialized, re-inscribed with desire—in this case, to participate in a world beyond both the prison and the myth of isolated autonomy. The scene immediately cuts to a scene of Lesra and the Canadians in Toronto, with Unger's voiceover of Lisa's letter to Carter, "We get a rich, deep feeling of experiencing your presence here." The camera and careful editing perform a material reterritorialization, relocating Carter in the sequence. The Canadians feel him "here," and the cut between the shots takes the audience "there" before returning to Carter looking at a picture of the scene as his refusal to want becomes a desire to be in the world, the linguistic participation that the typewriter allows.

His return to history occurs through a chain of identifications. The first moment of such self-recognition occurs prior to his false imprisonment for the triple murder, when he watches race riots on television in a bar and locates himself as part of an "us," a black identity larger than himself. Jewison acknowledges that this moment is when the picture "takes a turn." It is a historical turn. Prior black and white sequences in the film featured footage of Washington boxing in a ring, scenes

shot on a set in Toronto; these black and white images are from historical footage of policemen beating black protesters. Carter as he is performed in the film views documentary footage of a civil rights protest that invokes in him an “us,” a transsubjective identification, a participation in an identity that is the link between “I” and “we,” between personal and social history. In the film, however, Carter does not act on the recognition. The slip in difference between self and other occurs later, in the mutual recognition that takes place between him and Lesra—and by extension, his white Canadian guardians. Lesra identifies himself in Carter, first in choosing *The Sixteenth Round*, then as he reads the biography, proclaiming, “This book’s about my life!” In writing the prisoner a letter, he initiates the chain of communication that will see Carter finally freed.<sup>198</sup>

For Carter, recognition is not inter-subjective identification, but a broadening of selfhood, a participation in the world beyond the self constructed cinematically through jump cuts between shots in and out of prison that are linked by speaking the other’s words in the letters between them. Later, after he has participated in letters and visits with the world outside of prison as represented by the Canadians, a court appeal that he hoped would free him fails. He attempts to repudiate the outside connection, asking them to no longer write or call him, a break described in terms of renunciation of any self outside of prison, fully assuming instead his carceral identity: “My number is 4572,” dialogue emerging from an actual letter of Carter’s. That renunciation prompts a last-ditch effort from Lesra, who sends his high school diploma to Carter and a photo of the young man with his girlfriend. Shannon’s

voiceover accompanies Carter reading in prison, and rising slow draws of violin strings score Washington's composure cracking. It is a cinematic cheap shot in terms of audience identification, as it cues viewers exactly how they should respond emotionally by making Washington's response a guide for the audience—with accompanying orchestra—but it initiates Carter's return to a world beyond the self, a plurality the film locates in the Canadians' full-time bid to see him released.

*The Hurricane* and *American History X* offer prison as a transformative place, educational, redemptive, where male characters repudiate race-based thinking and hard autonomy in favor of participating in a larger social world of emotional connection initiated and sustained through communication. There are clear precedents in films of the prior decade, particularly in Spike Lee's *Malcolm X* and Darabont's *The Shawshank Redemption*. The former already has a multi-level relationship with *American History X* and *The Hurricane*. Like *The Hurricane*, it is a biopic starring Denzel Washington. Jewison was actually listed to direct the earlier film before Spike Lee drummed up opposition to a white director telling the story of Malcolm X and took over the project himself. Jewison makes a wry comment to this effect in shooting a scene of Washington reading a letter in a cell with a poster of Malcolm X visible on the wall in the background. The poster is actually a picture of Washington playing Malcolm in the film, a sly wink and nudge to the confluence of reality and imagination, as well as to the director's own personal history—he gets to film Washington portraying Malcolm after all.

*American History X* not only features the titular gesture of race as the X-factor, but at one point the character of Sweeney (Brooks) refers to Norton's Vinyard as the white supremacist patriarch Cameron's "shining prince," an allusion to actor Ossie Davis' eulogy for the political leader.<sup>199</sup> In the autobiography from which Lee's film is adapted, one of the chapter's chronicling Malcolm X's imprisonment is titled "Saved," and it includes his growing literacy and letter-writing, which feature prominently in the film version. Indeed, the period of incarceration plays as the film's second act, preceded by Malcolm X's early life of crime and ignorance of racial politics, and followed by his life and end as a leader, an act culminating in footage of young children standing and identifying themselves in inter-subjective terms of (mis)recognition: "I am Malcolm X!"

*Shawshank Redemption* does not make the gesture to actuality but it does to literacy, and the development of the prison library and a prisoner learning to read play their parts in the film's tale of the mutually redeeming friendship between a white man guilty of no crime beyond not loving his wife enough, and a black man who did commit murder but has paid in decades of time. The titular redemption is that of Andy Dupuis (Tim Robbins), who learns to love again, though the object of his affection is Red (Morgan Freeman). Though cast as a homosocial rather than erotic relationship, the final shot of the film is pure Hallmark, a high, long shot in soft focus of them approaching one another and embracing on a beach in afternoon light, sun glinting on the water. That film and *The Hurricane* share the happy ending of the uncomplicated triumph of the human spirit film, though the turn to footage of the

actual Carter and rolling text documenting events after his release substantiates the historical truth of its exultant denouement.

Within a year of their respective releases in 1992 and 1994, *Malcolm X* and *The Shawshank Redemption* were either financially or critically successful, and the latter in particular set the stage for would-be high concept prison films. The earnings of Lee's film doubled its budget during its domestic theatrical release, not even counting overseas distribution sales and Time Warner's subsequent rental and cable earnings, and it merited two Academy Award nominations. *The Shawshank Redemption* was marketed weakly and consequently did poorly at the box office, but its seven Academy Award nominations and, more importantly, its word-of-mouth accounts made it the number one video rental the subsequent year, and it continues to be screened exhaustively on myriad cable outlets. Indeed, the film is enormously popular. It is the second highest rated film ever as of early 2004 among IMDB users, second only to *The Godfather*, is referenced or parodied in over 30 subsequent films, and spawned a documentary in 2001 chronicling its emergence as a cultural phenomenon.

Its success speaks to the degree to which it meets audiences' expectations—as cited in the Prologue to this dissertation, how the film fulfills the imagination of “how it must feel to be behind bars,” that recurrent place of fascination in the cultural imagination. *The Shawshank Redemption* draws from the two prior most notable prison films, *I am a Fugitive from a Chain Gang* (1932) and *Cool Hand Luke* (1967) in offering wardens and guards as unremittingly evil caricatures,<sup>200</sup> fostering an us-

versus-them community among male inmates. *In Captured on Film: The Prison Movie* (1989), Bruce Crowther points out that along with the main character's innocence, these are some of the fundamental characteristics in the development of prison films.

However, in a sharp departure from the wholesale cruelty and punishment of earlier fictive prisons, homosocial bonds across race and personal transformation become crucial factors in imagining incarceration. That prisons as writers, directors, and producers imagine them *somehow* simultaneously fulfill the self-destruction prisoners seek and provide a humanistic personal improvement should come as no surprise, as actual prisons historically have been intended to *somehow* at once punish and rehabilitate. The crucial differences in late twentieth century prison films from these two crucial predecessors (which are, incidentally, along with *The Shawshank Redemption* and *American History X*, part of the Warner film library) are the interracial milieu and the titular emphasis on redemption: prisons are settings for conversion narratives, where white and black men learn to love one another and thereby fulfill their respective destinies after prison, becoming whomever they need to be. *The Shawshank Redemption* made such male romance narratives<sup>201</sup> organized around an actor with box office success the blueprint for subsequent prison films of the 1990s, not only Frank Darabont's next direction in *The Green Mile* (1999) but for *American History X* and *The Hurricane*.

Framed in these terms, the degree to which such narratives represent actual imprisonment becomes beside the point. Films set in prison in this style are male

romance, with plots of spiritual redemption brought about by interracial and homosocial (though not sexual) love, scored with rising violins and featuring close-ups of the tears of the men who are the focal characters to cue viewer responses. These films would not be expected to offer the “reality” of imprisonment any more than Harlequin historical romance novels might describe a “real” eighteenth century.

Instead, the setting seems more likely to reinforce existing cultural norms. Such an endorsement is apparent at the close of *The Hurricane*, after Sarokin has declared Carter’s freedom. A long, slow shot frames the golden sky in soft focus, and then the marble edifice of the courthouse fills the screen, its motto extending past even a theatrical ratio 1.85:1 screen: “The administration of justice is the firmest pillar of good government.”<sup>202</sup> Carter (Washington) stands amidst a crowd of reporters on the courthouse steps, and there is a close shot/reverse shot of one asking Carter if he will remain the “Hurricane.” The freed man replies, “I’ll always be the ‘Hurricane,’ and a hurricane is beautiful.” The line might imply the historically and politically resonant racial rhetoric of “Black is beautiful,” but the camera—like the two court shots preceding it—locates authority not in the language of revolutionary identity, but in the judicial system metonymically referenced in the marble monument that dwarfs the people on its steps. Social justice for Carter occurs through relying on the same legal apparatus that placed Carter in prison 18 years earlier; the redemption that takes place is that of the judicial system itself.

Watching the film, some viewers (myself, for one) may want Carter to be angry, violently angry at almost two decades in prison, but the orchestral score builds,



the high and long shot situating Carter beneath the imposing courthouse, and then text on a black screen relates a series of victories for the real-life characters. The state of New Jersey appeals the case to the federal Supreme Court and loses, while Lesra becomes a lawyer, and Carter and Artis serve as civil rights advocates—and Carter is awarded an honorary title by the World Boxing Association. The gestures to historical actuality legitimize the nearly two decades of judicial appeal radically telescoped to fit the cultural constraints of a two hour feature film. Judicial institutions trump revolutionary violence to fulfill mainstream ideology in fictionalizations geared to profit from a \$30 million investment.<sup>203</sup>

**“This is no dream or nothing made up, this is for real”**

While Kaye shot *American History X* on location in Venice Beach, California, the characters projected there are simulacra, copies without originals. And Rubin Carter’s historical actuality is cast in Washington, but the events of his life are rewritten to fulfill the narrative structure of a high concept Hollywood production, a multi-million dollar package organized around a proven asset (Washington), with a story easily pitched to producers and then to audiences. It would seem that a largely *cinema vérité* documentary such as *The Farm* could resolve the tension between imagined and real imprisonment in film. After all, its cameras circulate through the corridors of the actual Louisiana State Prison, its characters the actual prisoners, guards, and administrators. The film is part of the historical record, an actual documentary rather than being shot in a documentary style; it is a true story rather than merely being based on one. In directly psychoanalytic terms, documentary

filmmaker and theorist Jill Godmilow suggests, “Unconsciously embedded in these forms called documentary is the conceit of the ‘real,’ which substantiates the truth claims made by these films” (80-81). Producers and audiences alike participate in the sense of documentary films as, if not the stuff of the real itself, less mediated, less constructed than fictional narratives of “documentary realism” or those based on a true story. However, as Godmilow also points out, historically, documentary has borrowed from the conventions of dramatic narrative film (84). Nancy F. Partner raises similar questions in “Historicity in an Age of Reality-Fictions” (1995), and Paula Rabinowitz emphasizes that documentary films typically maintain a reliance on both a political agenda and the narrative strategies of fictional film, which results in them “reinforcing dominant patterns of vision” (119). Documentary films then capitulate to similar mainstream expectations as would-be blockbusters.

What that means is, even as the “conceit of the ‘real’” is embedded in the historical records of documentary film, narrative conceits of fiction help shape their production. In an extended interview, Garbus claims that in the production of her work, the film is “something I came to very organically, rather than with a lot of intellectual ideas,” that “story and character” are “paramount to the formalistic concerns” (Stubbs 110, 111). It is easy to conceive of that organic process of storytelling as an approach to history itself informed by previous narrativization, through what Jameson terms as “the political unconscious.” History as the sum of actual lives exists in a surplus to its narration, its vagaries exceeding the possibilities of representation. For example, in the two years that *The Farm*’s outside directors

Garbus and Stack visited the prison of more than 5000 inmates, they shot over 150 hours of film, which they distilled to 100 minutes organized around six characters. Garbus acknowledges that the film “was really made in the editing room” (Stubbs 120), a claim that is equally true of *American History X* and certainly a crucial matter for the disjointed opening of *The Hurricane*.<sup>204</sup>

Memory and history are offered as the scattered pieces of a puzzle that viewers have to put together in the watching. Even as the editing of *The Farm* shapes the depiction of recorded events, the events recorded on the film are themselves shaped by the presence of the camera. Garbus says of inmates with life sentences lacking the possibility of parole, they “see a camera and they think ‘there’s a chance’” (Lewis). Godmilow addresses the related case of a documentary account of the Romanian revolution, when revolutionaries acted for their own camcorders in order to “play well on TV and produce a useful political record” (96). This is the other half of White’s conception of postmodern history: not only does the imaginary code itself as real, but history is offered with the grammar of the imagination. *The Farm*, like *American History X* and *The Hurricane*, is shaped by the cultural expectations in part produced through the prison films that precede it, where prison is a place of redemption, where predominantly black men are condemned, many unjustly, but are nevertheless transformed—where the criminal violence of black and white men is converted to homosocial love, and autonomy becomes instead a social identity.

*The Farm* offers a largely synchronic account of the Louisiana State Prison, “a slice of life” more attuned to space than time, an impression of the place shot over

two years in bits and pieces of footage thereafter organized around six inmates. The opening montage of brief clips and dialogue from later in the film sets the stage in medium shots of the inmates acknowledging their hopes, black and white mug shots, an Angola road sign, a hearse and burial, a score of harmonica blues underlying the bits of dialogue: “God still exists behind prison bars,” “I am an innocent man,” “The slaves that worked these fields came from Angola in Africa and it picked up its name from there.” The measured tones of the narrator, Bernard Addison, introduce the place: “Down in Louisiana lies America’s largest maximum security prison,” where most inmates serve life sentences, a place where the vast majority, 85%, will die behind bars. Addison then offers the film’s narrative thrust: “This is the story of six men trying to overcome the odds.” There is some tension between that organization around character and the film’s emphasis on setting, and the broad experience of thousands at the nation’s largest maximum-security prison. Representation is one means of bridging the gap, and the six men roughly match the racial breakdown of the prison, where 77% of the over 500 new inmates admitted each year are black men—Crawford, Simmons, Tannehill, and Witherspoon are black, and Brown and Thierot are white.

The first narrative sequence uses the admission of Crawford as a means into the story of the prison, and even before viewers meet him, a white female guard overseeing processing points out that many new inmates arrive every Monday—“We’re all guaranteed a job, we have good job security.” Her matter-of-fact tone, lacking any irony, introspection, or critical distance, is maintained in most of the

film's account of Angola's 100% white administration. There are the visual cues such as the red, white, and blue pen with which Crawford signs an admittance form, and prison guards later practice for Brown's execution, joking with one of their own playing the role of condemned. During Crawford's processing, the color footage gives way to a black and white still, a mug shot, a gesture to the official declaration of criminality, the initiation of the carceral identity and a conceit maintained for the other five inmates.

After the new inmate's arrival, there is a brief scene of Witherspoon conducting orientation during Crawford's processing, but the film next focuses on Tannehill, who at 68 and 38 years into a life sentence offers the young inmate's opposite. He suggests that there are three things that Angola will do: "bring you to a crossroads," "harden you," and "number three, it will kill you." Tannehill's retrospective prophesy of what Angola will do to a man to whom it largely already has been done provides a point from which to look backwards, a historical point of view from where he sees all and foretells the rest. Crawford sifts through personal family photos, but in the Tannehill sequence, the camera's gaze shifts to the broader history of Angola: black and white photos of dogs chasing escapees cuts to footage of dogs in kennels today. The editing implies the particular and particularly raced significance of pursuing dogs (like those of both *Light in August* and *Go Down, Moses*) on a Southern plantation turned prison. The black and white stills function as the same gesture to historical anteriority and actuality as the mug shots, as the documentary footage Jewison employs repeatedly in *The Hurricane*, as the flashbacks

of memory in *American History X*. In all three films, black and white means past, the past means history, and history is real.

The next sequence introduces Witherspoon, the model inmate who acknowledges that he has “done everything in prison that I should have done as a community leader in society.” Garbus describes him as “Mr. Rehabilitated” (Lewis) after 25 years—one-third of his sentence—though his parole remains withheld. There is a painful irony prefacing Witherspoon’s depiction in the film. In 1982, he published a poem titled “The Lifer” in *The Angolite* (Sept/Oct 82); the same issue features a cartoon wherein a warden tells a prisoner, “Your rehabilitation went so well, we’ve decided to keep you as a model for others” (72). Witherspoon also acts as a proxy for Rideau, the co-director of the film, who is also known as “Mr. Rehabilitated” and whose life sentence has been commuted, but all requests for a pardon have stalled (*The Angolite* July/August 1990 34). After Witherspoon, there is Thierot, dying of lung cancer in the prison hospital, whose account of prison life is a litany of affirmations: prison “is not as terrible a place as you would think,” “You can still have a life inside, you can help other inmates,” “You can help other people—that’s not always self you have to look to.” Things get a bit surreal after that, as the camera follows Crawford amid other black inmates to work in the fields of the prison’s farms for pennies a day, overseen by armed guards on horseback, shots scored to a spiritual cutting to the warden driving a truck.

The warden, Burl Cain, admits, “It’s like a big plantation from days gone by. We hate to call it that in a way, but it kind of is because it’s inmates, it’s a prison.

This was a plantation.” His words recall that the Thirteenth Amendment forbid slavery except in the context of imprisonment, “except as a punishment for crime” (Sec. 1). The subsequent sequence in the film emphasizes the estrangement of the place, that the prison is a whole other world as the camera takes a walk through the city that is Angola: aerial shots of the 18,000 acres of fields and buildings, on-site housing for staff, a baseball field for staffers’ children, the DJ at the prison radio station playing gospel and wishing the “brothers up on death row a beautiful day.” The montage seems to suggest the ambiguities of prison life, that it is at once an America viewers might immediately recognize and one completely foreign, where children play baseball and men in the J Block are in solitary confinement 23 hours a day. One of the men on death row is Brown, fruitlessly awaiting an appeal to his execution. After John Brown—whose own name, though unremarked, has its own historical resonances with race and racial violence in the Old South—the subsequent narrative sequence introduces the sixth of the film’s characters, Simmons. He has served two decades of a century-long sentence, and 20 years after receiving a sixth grade education and defending himself because he lacked the money for legal counsel, he has become a self-trained writ lawyer appealing his case and protesting his innocence to the parole board.

Almost every reviewer of *The Farm* comments on the scene of Simmons’ parole hearing, and the filmmakers acknowledge that it gets a “big response” from audiences.<sup>205</sup> Because the documentary begins in the prison itself, it cannot film any of the actual court hearings that previously sentenced the inmates and thereby named

their criminality, initiating the carceral identity. Simmons' hearing and the consequent denial of his parole is therefore the re-inscription of his criminal status, his identity of prisoner. He introduces what he describes as "exculpatory evidence," which includes a statement from one of the victims claiming that she could not identify her assailant because "all niggers look alike." Simmons' blackness then identifies him as criminal, an "any *one* will do" to parallel Carter's story, the anonymous "negro crime" of *Light in August*, the guilt of blackness facing Dale Pierre in *The Executioner's Song*.

During her own testimony to the parole board recorded on camera, the victim acknowledges the racial consequence of her rape in a dialogue that includes a member of the parole board, a black man.

Victim: I have a problem with black people [...] I'm scared of 'em.

Board member: You're not scared of me this morning are you?

Victim: No [...] but I wouldn't be alone in a room with you.

Board member: That goes both ways.

It seems unlikely that, had her assailant been a white man, she would have developed a raced and gendered fear of white men. The white fantasy of super-menial black men sexually assaulting white women broadens violent personal trauma into a social pathology of race-based fear familiar to both who recognize the other: "You're black"/ "You're white." A scene of the white Canadians tracking down a witness in *The Hurricane* includes this dialogue, but the Hegelian recognition of one's self in the other's recognition of the self is addressed and passed over in favor of polite



discussion over tea and cookies. Here, the mutual recognition of “That goes both ways” means that the black parole board member participates in a reciprocal pathology of fear, that the victim’s fear of his black masculinity and its social and historical context of consequences (the judicial lynching of Simmons, for example) precipitates his fear of her white femininity. It is as if the previous century and a half never happened, the past not even past but right now—the New South is just like the Old South, and Simmons’ 100 year sentence is just like a noose round a neck from a century before.

However, like the red, white, and blue pen, like the prison guard boasting of her job security, and most pertinently, like the warden acknowledging the likeness between plantation and prison, slave and inmate, the acknowledgement here does not precipitate any self-critical reflection on the part of the arbiters of justice. In what appears to be about 40 seconds of unbroken footage—it is difficult to tell, as the editing of this sequence is particularly skillful—the parole board dismisses Simmons and conducts not discussion but half-spoken platitudes in ratifying their foregone conclusion of guilt before sending for Simmons: “He did it. He just didn’t... You know, I have a...” “Of course he did it. Of course.” The scene is disorienting because the board knows they are being filmed, and they do not seem to care that their desultory judgment becomes part of the historical record not only in the denial of parole they sign, but in the far more public manner of what became a Sundance Award-winning documentary.<sup>206</sup>

Certainly *The Farm* introduces Simmons' case in a sympathetic manner and does not with any rigor subject his claims of innocence to any evaluation. Nor does it make any comment on the likelihood that an appeal rather than parole hearing would address exculpatory evidence. The parole board focuses on events between the guilty verdict and the parole hearing, and the parole board does suggest that Simmons appeal, which he does, and which the U.S. Supreme Court subsequently rejects. His innocence or guilt is less at stake than the board's failure even to pretend to listen to his appeal. However, just as the record of the decision may shock audiences, they have seen it before. *The Shawshank Redemption* features longtime convict Red (Freeman) protest not his innocence but his repentance and rehabilitation only to have his petition for parole denied. Only in a later scene of a subsequent parole hearing when he renounces any meaning of rehabilitation, when he coldly acknowledges that he does not care if he is free or not, is his form stamped "approved." The capriciousness of the judicial system, particularly in the predominantly white administration of black prisoners, is what prison films anticipate as their audiences' expectation.

Tannehill presents another case of redemption without release, though his conversion is not a legal but a spiritual education. He has become an ordained minister in his almost four decades at Angola, and the film includes one of his sermons, which begins, "There is a way to escape and be born again and live a holy life, a victorious life. So what about being behind bars, Bishop? God still exists behind prison bars. Thank you, Jesus. He sanctifies and he qualifies and he

specialize the individual that take knowledge of him and repent.” Tannehill is minister and sinner, speaker and audience, voicing both halves of the call and response. The sermon melds into a mythologized autobiography in which Bishop walks the Damascus road. “As a young man, 24 years old, thank you Jesus. Met a man, innocent man, a good man, on a railroad track one morning [...]. I took that man’s life. Went on down the railroad track. Got into rock and roll [...]. They picked me up and they rescued me and put me in jail.” The sermon is completely insane, and brilliant, an apoplectic confession in rap rhyme, akin to the Reverend Hightower’s mad exposition of his grandfather’s Civil War exploits in his Sunday exhortations to Jefferson in *Light in August*, a fusion of myth and memory in a hail to salvation. The Angola minister receives a better response than Hightower, and the closing applause beats the clapping hands that first bring Tannehill to the microphone. Time served and service such as this have placed a recommendation for his pardon on the desk of Louisiana’s Governor, but he has in the course of his tenure never signed such a pardon, and has not done so by the film’s end.

All six focal characters are similarly cast in terms of transformation; irrespective of their guilt, they are saved by religion, good works or critical self-reflection, made into better men in prison. Like Malcolm X, Tannehill is “Saved”—though by a Southern Baptist Christianity rather than the politicized Black Muslim faith the American Correctional Association tried and failed to bar from prisons in the early 1960s. Crawford, even though just admitted, acknowledges that, though innocent of the murder that commits him, his prior crimes have caught up with him.

Witherspoon admits his guilt for his crime but points out that the man he is today “is a totally different person”—like Cleaver, the prisoner of now is not the same man sentenced years before—and the film supports that view, chronicling his community work as a trustee on behalf of the prison administration. He and the warden even speak very nearly the identical line of not giving up hope even during a life sentence, though—like Simmons, like Red—his parole bid fails, according to the rolling text that closes the film. In terms that coincidentally quote almost directly from Gary Gilmore, the death row prisoner Brown admits that he is further from Christ than he would like, but Brown now has “more concern about myself and others.” His affect coupled with the awareness that he has not gone far enough in the time before his execution nearly reproduce Theriot’s feeling that he “wanted more time,” and one need not only look to one’s self in the diminishing time one has.

Theriot’s final scene in the film hints at some of the challenges facing documentary film in the effort to testify, to tell the truth about imprisonment and its ends. Theriot’s friends come to visit him in the hospital after he has ceased eating and has admitted that he only waits to die, and his friends think him lucky to expect to be buried outside of Angola. He surprises them, telling them that rather than being buried outside prison grounds at a family plot, he has chosen to be buried here, “Where my friends are.” Some of his black and white companions cry when they hear, and hands are held, his frail body embraced—“We love you. We love you.” The scene is coded far differently from the romantic shot closing *The Shawshank Redemption*, though both feature black and white men transformed in the mutual love

fostered in prison. There is no soft focus, no rising shot and orchestral cue, just a still camera, a cheap white room, a plate of leftover food foil wrapped and left on the floor, not to be eaten by a man who is not acting and will die and be buried at Angola during the course of the film.

Real life is never as glossy and slick as Hollywood productions, even those with claims to the real in biographical narrative or the “heightened realism” of style. Nevertheless, there is the sense that the foreclosure that is life imprisonment has created the space for physical affection between men and across race. I am not suggesting that the love among Theriot and his friends is not actually felt, that love might not be experienced within confinement, that prisons’ gendered populations and enforced time together do not ever foster valuable interracial relationships among men expressed through bodies and language in a manner beyond that generally sanctioned by mainstream U.S. culture. However, I am suggesting that films such as *Cool Hand Luke* and to a far greater extent *The Shawshank Redemption* made that phenomenon part of the cultural imagination, a definitive aspect of what U.S. audiences expect from prison films, documentary or otherwise.<sup>207</sup>

To understand the historical record of documentary film as unconsciously shaped to reify dominant cultural norms is then to understand historical records themselves as shaped by prior imaginings, a matter underscored in a strange sequence after Theriot’s final scene, which takes place at Christmas. A radio station DJ announces that the prison is on flood watch, which cuts to an aerial shot of the river near the prison and the narration, “That spring, the Mississippi River rose to its

highest level in a century.”<sup>208</sup> *The Farm* has to this point in its narrative not been concerned terribly with telling time, and the cut here seems informed by the broadening of personal to public trauma and a shift from death in winter to a spring both renewing and threatening land and inmates. The inmates work together through the night to stack the sandbags and build the levees to save the prison from a flooding Mississippi in a scene weirdly reminiscent of “The Old Man” section of Faulkner’s *If I Forget Thee, Jerusalem*, originally published as *The Wild Palms* (1939), where the “tall convict” also battles a Mississippi flood and afterwards returns to prison.

The same historical and cultural forces that shaped Faulkner’s writing shaped the South and its river, built Angola, its land, racial identities, and history. They also built the strategies and language of narration to tell that history. Thus, *The Farm* sounds like Faulkner sometimes, as when the warden comments on signs that the flood might be a grave matter: “When they move the horses, you know it’s serious.” Floods are part of the South and its history, part of the novels that tell that history and become a part of it. Rising rivers are imagined in novels and films, and recorded in documentary, as in the pair of films both titled *The River* (1938, 1984). The first is a Depression-era documentary on the Mississippi floods released at the same time as Faulkner’s own (largely uncredited) film writing in Hollywood began in earnest, and also the time he began writing *If I Forget Thee, Jerusalem*, thereby possibly influential in the writing of the novel. His title draws from Psalms 137:1-9, and the documentary was also titled “Our Daily Bread,” from Matthew 6:11. The 1984 film, also set in the South, was nominated for five Academy Awards and similarly features

a battle against the rising waters that—like those of the novel and both documentaries—makes a natural disaster the objective correlative to some human conflict.

Certainly the near-flooding of Angola during the two year filming of *The Farm* took place, and it earns two mentions in a presentation given by Angola's Warden Cain (and Cathy Fontenot, Angola's Director of Classification) at the 2001 ACA meeting (23, 25). However, just as there are 5000 other inmates besides the six whose stories are the ones around which Garbus, Rideau, and Stack organize the narrative, there is much besides the rise of the Mississippi that happened at the Louisiana State Prison from 1996 to 1998. I am suggesting that, like the bonds among men and across racial lines formed inside prison walls, like uniformly violent crimes that lead to confinement, like the seemingly unjust imprisonment of black men, and like the inmates' redemption, the flood of near biblical proportion comprises the narrative in a manner that capitulates to the layers of prior representation that are the cultural imagination, in all of its dubious facticity and less determinate meaning.

The stock pieces of prison films are in place, from administration to visitation to shot/reverse shot sequences across prison bars. There is the casual cruelty of the admitting guard equating new inmates with job security, the prison warden who delays evacuating the prison during the flood—though it is not mentioned in the film, the warden eventually relocated 3000 inmates (ACA 2001 25). Crawford experiences a poignant visit from his mother, just as Vinyard sees his own mother,

and Carter meets his wife. Crawford's mother exclaims, "This is no dream or nothing made up, this is for real"—and viewers know it is real because we have seen the scene before. Crowther's *Captured on Film* details the shared characteristics of prison films first as offshoots of the 1920s and 1930s gangster films and then through the 1980s. He identifies the generic features such as the main character's innocence, visits from the inmate's mother and her unremitting belief in his innocence, and cruel wardens and guards, types easily read in the documentary.

*The Farm* does not wholly capitulate to the expectations of prison as a setting<sup>209</sup> cast in the cultural imagination. In *The Hurricane*, like so many courtroom scenes of films before, the full authority and power of the judicial system is embodied in magisterially robed justices, marble edifices, eloquent arguments that in the last instance result in clearly righteous decisions. In *The Farm*, Simmons' hearing takes place in what appears to be a too small trailer with shoddy fake paneling, and Brown's appeal of his execution includes competing arguments offered among the bad suits and folding chairs populating what might be a junior high school cafeteria. Lacking the imagined trappings, justice looks like a cheap and *ad hoc* process. Still, the directors focus on the characters that they found most compelling, or that they felt audiences would find most compelling, which is another way of saying the same thing. Directors, after all, aim the camera and thereby the field of view, the characters and stories that can be seen on-screen. And one reason that those characters and those stories may be most convincing is because those stories and those characters are most recognizable. At the end of the film, after all, both white



characters have died. The remaining four are black men. Crawford, Simmons, Tannehill, and Witherspoon are in prison, and none are represented as belonging there.

**“Not all black people are murderers,” “a prejudicial justice system isn't news”**

The fundamental problem with the logic of these prison films' redemption narratives is that they largely endorse the use-value of the same judicial system they at least in part describe as unjust. These films largely posit prison as man-making, as a setting for personal transformation, irrespective of an inmate's responsibility for crime. Simmons may or may not have committed the rapes of which he is accused—though *The Farm* implies he did not—but he is named a criminal in conviction, incarcerated, and thereby becomes a better man, schooling himself beyond his sixth grade education so as to contest his innocence in legal discourse. Tannehill and Witherspoon acknowledge their guilt for violent crime, but they are self-described changed men in the course of their decades-long sentences (38 and 25 years, respectively) who now participate in the functioning of the prison system that contains them. Crawford protests his innocence of the murder that sentences him, but acknowledges his guilt for crimes for which authorities did not catch him.

Similarly, In *American History X*, Lamont admits to stealing a television, but he thereafter participates in the racial re-education of a white supremacist murderer whose crime is greater but whose sentence is far shorter than his own. The “Hurricane” trades his flurries of physical violence for reasoned argument made in court, asking that the judge “embrace that higher principle”: justice is not fought for,

it is calm, compassionate, and rational. All of these black men are described in the context of their respective films as unjustly incarcerated but thereby improved. In the sedimentary layers of representation that constitute the cultural imagination, doing what comes naturally means understanding imprisonment in terms of a pair of contradictions regarding black men behind bars: all black men are violent criminals, and black prisoners are innocent but made better through imprisonment.

Two claims clarify this enigma, the first from one of the films, the second from the discourse surrounding them. In *The Hurricane*, Lesra becomes increasingly aware of his own race in the face of Carter's blackness and incarceration, juxtaposed with the whiteness of his guardians, which precipitates a brief heated exchange between them. Lisa offers that "not all white people are racists," to which Lesra replies that "not all black people are murderers." Then, *The Film Journal's* review of *The Farm* points out, "The filmmakers obviously set out to prove the existence of racism and other forms of prejudice in the judicial system that placed these men in Angola, and that continues to discriminate against them in parole hearings and appeals. However, *a prejudicial justice system isn't news*" (Garcia—emphasis added).

The well-known heuristic of Slavoj Žižek built around the story of "The Emperor's New Clothes" helps sort this contradiction between blackness equated with criminality, repudiated or not, and the acknowledged injustice of justice. In *For They Know Not What They Do: Enjoyment as a Political Factor* (1991), Žižek offers an analysis of the apparent contradiction of willing participation in the false consciousness of an ideological symbolic order as immutable reality (249-253). It is

a critique of the phenomenon of members of a social order upholding the “naturalness” of cultural practices known to be arbitrary—in Lacanian terms, the simultaneous acknowledgment and disavowal of a gap between the symbolic and the real. Žižek describes the three most common responses of the crowd observing that the emperor’s new clothes are in fact not there at all: conformity, cynicism, and perversion. The first recognizes that the Emperor has no clothes, but does nothing so as not to disturb the social order. The second identifies the lack of completeness in the social reality but rather than call attention to it, pretends to believe in order to profit from those who do not know. The third view is a capitulation to the need for completeness, the position that recognizes the gap but situates itself so as to fulfill itself the perceived completeness of the social order—the emperor only wears the clothes we give him (253).

In terms of black men overrepresented in prison, these respective positions can be understood as follows. The conformist acknowledges that the system of justice is racist, but for the sake of social peace says nothing. The cynic knows that the system of justice is racist, but says, “Because I am white I say nothing, as I benefit from that system”; or, “Because I am black but not myself in prison, I say nothing.” The third response admits that the system of social justice is racist, but in watching a film depicting that prejudicial order, sees justice done in the film—then there is in fact social justice. Representing racist injustice therefore runs related risks to those raised in familiar arguments regarding how representations of violence in film attempting to critique that violence nevertheless capitulate to the desire to see it,

inadvertently glorifying that which they sought to condemn.<sup>210</sup> *American History X* occupies the second and third of these positions. There is an aspect of cynicism in Derek Vinyard's racist murderous violence and consequently his imprisonment treated as the fulfillment of a prejudice originating in the Oedipal family rather than constituted in broader social history. Imprisonment is not prejudiced because it happens to white people, too. The way that the film treats race as a free-floating signifier seems cynical, but it is actually perverse. The identification of "you the nigger" makes the equation of blackness and prisoner complete and therefore justifies a prejudiced social system; if a white man is a "nigger" in prison, then there is no racial prejudice in the judicial system.

*The Hurricane* presents a more ambiguous case. On one hand, throughout the film, the *mise-en-scene*, character, and dialogue repeatedly call out that the emperor is not wearing any clothes: the all-white jury of Carter's peers, the racist face of injustice in the white detective, Washington's "Any two will do?" On the other hand, the film radically condenses any harsh portrayal of Carter's imprisonment to the initiatory scene of solitary confinement, which ends with the appearance of the conciliatory prison guard Jimmy (Barnes) who aids Carter's fight against a carceral identity. Extra-narratively, that characterization redeems Barnes' prior role as the criminally savage prison guard in *The Shawshank Redemption*. Within the narrative, the closing shot of Carter's stance outside the prison on the steps of the federal courthouse endorses the ability of the justice system to make amends for itself, to correct its mistakes, an affirmation reinforced by the subsequent rolling text

describing events surrounding Carter subsequent to his release. In the end, *The Hurricane*'s flirtations with politics and history fade to its generic classification as a "triumph of the human spirit" film. Justice is slow but certain, and 19 years in prison readily collapses to a couple of scenes of glossy production and powerful acting framed by testaments to it being *really* real. Both *The Hurricane* and *American History X*, in repeatedly attesting to their own reality, further capitulate to Žižek's third position of perversity in suggesting that these are not fictions, that there really is social justice in carceral practice, justice made manifest in narratives of redemption.

That aspect of salvation makes *The Farm* similarly problematic. All of the prisoners, both white and black, are described in sympathetic terms, sympathy largely predicated upon their self-reflection regarding their criminality and attendant incarceration, and their transformation in response to that imprisonment. The cynical viewer can claim, Simmons may not be guilty, but at least his twenty years in prison have provided him with an education. Instead of resisting his carceral identity, Theriot adopts his prisoner status to the extent that he chooses to be buried on prison grounds. Presumably, there are plenty of inmates at Angola that are far more recalcitrant, who do not seem to have learned so much in their time, embraced the salvation of prison, or adopted it as home. Many Angola inmates might claim that prison has made them worse rather than better, but they are not in a film as limited by cultural expectation as by budget and administrative access—which is not to say that the film functions in a perverse capacity. One of the aspects of lifetime incarceration as fantasized in the cultural imagination is the "institutionalization" of the long-term

inmate, wherein the prisoner so fully adopts the carceral identity as to be unable to function outside prison walls. This view is offered most fully in *The Shawshank Redemption*, where one released long-termer commits suicide, and Red (Morgan) contemplates violating his parole so as to return to prison.

In contrast, *The Farm* at its end includes lifers describing how much they desire to be free. Tannehill says, “It would be so much overflowin’ of joy that it would be hard for me to express myself”; Simmons says he has had “dreams of freedom for years.” When performing community service duties outside of Angola, Class A trustees such as Witherspoon describe counting every blade of grass in the world outside. Furthermore, the film does not end with the triumphant fulfillment of unprejudiced justice for black men in prison. Tannehill’s pardon remains unsigned, Simmons’ appeal is rejected, as is Witherspoon’s, and Crawford’s family is trying to raise \$3000 for trial transcripts so as to pursue an appeal, rolling text attesting to a far less optimistic reality than that which closes *The Hurricane*. Instead of closing with the eponymous orchestral violins, there is the irony of the spiritual “Praise the Lord I’m Free” and Theriot’s burial on prison grounds fading to an aerial shot of Angola where so many are not free, where the odds are not beaten. In the final analysis, the film suggests that justice is not blind and the Emperor is naked—and in telling the difference, the film has produced at least one historical effect, as Simmons as a result of the film now has legal representation (Lewis). The film thereby functions as a writ of *habeas corpus* in the court of popular opinion, reintroducing to the cultural

imagination the representation of the actual prisoner speaking for himself to actual consequence.

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Directors have positioned films between the poles of actuality and imagination since the earliest movies were shown, and documentary and fantasy have provided points of reference throughout film history. The Lumiere brothers' *cinematographe* displayed footage of a train pulling into a station in 1895 even as actual trains could be seen outside; thereafter, an audience member of that display, Georges Méliès, was a pioneer of special effects and the *auteur* of the fantastical *Cinderella* (1899) and *A Trip to the Moon* (1902). *American History X*, *The Hurricane*, and *The Farm*, spanning realist fiction, based on a true story, and documentary, all leverage the cachet of the real, of history. And cinema is not the only history. Early practices in actual prisons echo in prison films of the 1990s, as the emphasis on reading and writing therein echoes Benjamin Rush's call for "good books" in late eighteenth century prisons and Zebulon Brockway's reading and writing program at Elmira Reformatory in the 1880s.<sup>211</sup> However, it is not only history that shapes imagination, either in the aesthetic axiom that art imitates life, or even in historicist imperatives of reading a correspondence between actual events and imaginative fiction in a documentary record. The reiterative imaginations of the real have shaped the history these films offer. To read the relationship between history and imagination in one direction, the realistic fiction of *American History X* features Norton touting statistics he culled from the California Governor's office and *The Hurricane's* dialogue

regularly quotes from Carter's prison writing and actual court testimony. To read the relationship in reverse, the documentary record of *The Farm* produces a history shaped by the fantasies of imprisonment as redemptive spaces of male bonding.

Of course, anyone—director, film editor, screenwriter, Internet Movie Database contributing member, cultural critic—can show or say anything for any reason. However, there are consequences, and some of those consequences are the assembly of the shape and size of a shared reality. Going to the movies, one learns that going to prison is a philosophical experience, wherein one learns better to situate ones' self in the world and the size and shape of that world. Going to the movies, one learns that history as public memory is a puzzle, pieced together retroactively. However, puzzles have a predetermined shape, and the cultural imagination demarcates the shape of carceral experience such that even prison film documentaries perpetuate types and narratives deployed in popular mainstream fiction.

These films, in claiming the real, produce history. History is made in these films less in the resemblances and differences among them for what carceral experience is more accurate, and more in the struggle of competing interpretations. It is made in the representations and conversations surrounding cultural artifacts such as these films, the discourse that sanctifies, qualifies, and specializes in them, discourse that would do well to draw together their disparate audiences. Popular audiences, critics, and theorists too often dismiss as irrelevant the viewing experience of those whose investments seem different than their own. Part of the distance between popular and critical audiences develops from the latter's over-emphasis on criticism



as censure rather than analysis. Film critics so often too fully engage the pejorative sense of the job description, not seeming to like very much the films they have watched the numerous times that detailed accounts require. This seeming absence of any pleasure in viewing distances them from the viewers who see films for enjoyment, education, and distraction. Indeed, the separation among critics, audiences, and theorists is tremendous.

For example, the theoretically invested critic of these prison films might attempt to sort them in Lacanian terms, delineating between their status as phi ( $\Phi$ ) or *objet petit a*—that is, whether they represent the imaginization or the symbolization of the unattainable real.<sup>212</sup> Possibly uncritical viewing treats them as the former, critical viewing the latter, and criticism never affirming the completeness of the order of representation thereby fulfills Žižek’s fourth position, that of the naysayer who suggests that telling history is a matter of sorting among the flurry of competing scripts, a sustained revision, telling the difference over and over again. That constant skepticism is more in line with Deleuze and Guattari, for whom sorting between the fields of imaginary and symbolic is similarly a red herring, as the production of the real is the crux. Crucial to these films are the social investments in the racism that equates blackness and criminality, contrasted with the blocked desire of inmates such as Crawford, Simmons, Tannehill, and Witherspoon—their desire for life such as that spoken in the latter’s life-affirming sentence, “I want real freedom.” Furthermore, *The Farm* functions within the field of what Deleuze and Guattari describe as “minor literature,” given Rideau’s position as prisoner and co-director (as well as co-editor of

the collection *Life Sentences* [1992]), and the film's enunciation of the collective social identity of prisoners for audiences not themselves imprisoned.<sup>213</sup> In Certeau's terms, the films take viewers for a walk in the prisons that are their real and imagined settings, representing the bars, cells, crimes, and visiting rooms that define enclosure. Prisoners' bodies are thereby written in space. In a fusion of Foucault and Lacan, Certeau describes the relationship of law and subject in carceral terms: "Because the law is already applied with and on bodies, 'incarcerated' in physical practices, it can make people believe that it speaks in the name of the 'real'" (148). Incarceration as an effect of law therefore inscribes not only actuality but also righteousness: all prisoners are guilty of violent crime because they are in prison.<sup>214</sup>

What is most important in this theoretical glossing is the degree to which it foregrounds the simultaneous desire for and unavailability of the real, which is precisely the crux of the films according to their popular and critical reviews. Various audiences of theorists, critics, reviewers, historians, and popular viewers can be joined because most—and likely all—viewers do not exclusively inhabit one identity or another. I have hoped to demonstrate such cross-over in working among these various discourses of theory, review, and criticism within a selection of 1998 and 1999 films set in prisons and united by claims to the real. The analysis here of *American History X* and *The Hurricane* demonstrates the pervasiveness of imprisonment in the cultural imagination and the difficulty of drawing connections between that visibility of imagined imprisonment and the accompanying scarcity of its actual corollary. *The Farm* presents a more difficult case, wherein a documentary

film that is thereby part of the historical record fulfills expectations shaped in popular imaginings. What is at stake is telling the difference.

Telling the difference, testifying in a present that is itself constantly becoming the past, casts history in terms of performance, participation in a “now” whose textualization is a record, but never can be the stuff of the real itself. These films, in attesting to their actuality, are part of the flurry of documents narrating the history of now, but “now” is fluid, dynamic, and like Certeau’s walk in the city, resists textualization. In *The Hurricane*, Jewison scores documentary footage of 1974 protests of Carter’s incarceration to Gil Scott-Heron’s song released that same year, “The Revolution Will not be Televised.” The lyrics begin, “You will not be able to stay home, brother,” because the revolution will not be mediated, closing with “It will be live.” Crawford’s mother says in her visit with her son, imprisoned for life at Angola, “This is no dream or nothing made up, this is for real.” As the next chapter will demonstrate, the best efforts of representing prisoners will be “for real,” will include prisoners’ testifying, performing themselves in the history of now.

## CHAPTER FIVE:

### Staging Prisons and the Performance of History

INTERVIEWER: Then you think it is possible to reconcile politics and literature? To use the theatre or one's fiction to achieve political ends?

BULLINS: Oh, yes, if that is what you wish to do.

—An interview with Ed Bullins in the *Negro American Literature Forum*

[W]e don't expect to find anything the same even one minute later because one minute later is history.

—Huey Newton, Black Panther Party co-founder

Books such as those by Faulkner, Cleaver, and Mailer circulate among audiences leaving scarce traces of the actual experience of their reading, and while sales figures, book clubs, awards, reviews, syllabi, and subsequent critical attention provide types of records, the act of the reading itself remains largely closed from analysis. Films, too, often are viewed in more private spaces, and even theatrical screenings pose challenges to gauging a sense of any particular audience's responses and investments.<sup>215</sup> Two live performances from the fall of 1999 directly concerning imprisonment provide the basis for the analysis of this final chapter, first because their overlapping activist agendas invite audiences on the grounds of a pre-existing social commitment, and second, those audiences are materially present, providing a sense of their immediate reactions. "Live from Death Row" is a series of death penalty protests staged with some conventions of theater, while *Jury Duty* is a drama based on a true story, performed once in the context of a fundraiser for a social work program.<sup>216</sup>

The first is a social and political ritual understood in theatrical terms, while

the second is a more traditional dramatic enterprise explicitly staged in one instance as doing social work, and the field of performance studies provides the tactics by which to pair these different though related sorts of cultural events.<sup>217</sup> Both the protest and the play demonstrate how race and class inform criminality and its attendant imprisonment. The former maintains the emphasis on the degree to which black masculinity has become commensurate with criminality, while the latter, in a focal character who is a white woman, expands in an important manner the sense of who is imprisoned. This matter is given greater urgency by the fact that women, particularly women of color, are the fastest-growing group of prisoners in the U.S., according to the Department of Justice (“Additional Corrections”). In a manner distinct from the greater ambiguity of most of the works surveyed in the prior chapters, both of these performances clearly protest aspects of imprisonment and the death penalty. However, like *Go Down, Moses*, *Soul on Ice*, *The Executioner’s Song*, and *The Farm*, “Live from Death Row” and *Jury Duty* are less concerned with attesting the innocence of particular individuals than inviting their audiences to view criminality and incarceration as matters of social responsibility.

It is not only performance studies *per se* that makes use of the strategies and the descriptive terms of theater,<sup>218</sup> as activism concerning imprisonment and its appraisal has done so before. In *Barred: Women, Writing, and Political Detention* (1992), Barbara Harlow refers to the 1990 indictment of the U.S. Government for violating the rights of political prisoners such as Mumia Abu-Jamal, an activist and writer whose death sentence has garnered much public and academic attention.

Harlow writes, “The *staging* of the tribunal followed months of preparation [...and involved] a set of temporary *role* reversals, (*casting* defending attorneys as prosecutors and prisoners as plaintiffs)” (181–82, emphasis added). Harlow points the way toward challenging the distinction between prisoners and their others; the tribunal, held at the New York City Hunter College Playhouse, represents a social as well as linguistic reversal, a staged deconstruction of judicial process. According to Harlow, such performances offer an important social function (184). To show injustice, while not an end in itself, is an act of signification and significance, giving public voice and representative body to the subaltern in ways that make inequity visible.

In the case of Abu-Jamal, that tribunal sat at the midpoint of two decades of activist involvement that has seen his death sentence commuted to life imprisonment, though an international struggle continues for a judicial re-examination of his conviction. The degree to which staged events such as the one Harlow describes contribute directly to subsequent legal action is a matter beyond the scope of this analysis. My purpose instead<sup>219</sup> is to describe how two performances situate themselves with regard to specific actualities of criminality and incarceration, how they hail their audiences, and how they thereby provide a model of plural identity upon which social action likely depends. Like the other works surveyed in this dissertation, both performances emphasize their implication in their contemporary history and its practices of imprisonment. Indeed, the protest “Live from Death Row” is a historical event only understood in its analysis here as a staged performance.

Both “Live from Death Row” and *Jury Duty* demonstrate the production of a social body, and each illustrates a different sort of activism and performance implicated in the ethics of incarceration and execution with stakes in social justice and claims to the real. The former is staged activism, social protest that employs tactics of performance, sometimes to mixed results, while the latter is activist performance, more conventional stage drama deliberately located within a particular political project. In that terminological distinction between these two performances is their difference and the difference the difference makes; in their similarity can be made a model of agency that competes with bleaker Althusserian versions of human subjectivity. The audiences such performances address are not an *a priori* monolith; their unity is invoked, hailed into becoming. Social protests such as these either deliberately or inadvertently draw on the conventions of theater to produce the shared convictions of *communitas* in addressing their audiences via their political investments, treating such spectators as a social body joined in affect. The method and purpose of these performances is to call into being an audience unified through a shared social commitment, an alliance that may or may not be directed toward specific political action, whether renewed dedication to one’s cultural work, protest, voting practices, letter writing campaigns, or other forms of activism. “Live from Death Row” and *Jury Duty* hail audiences in their staging of personal and social history, and both provide a model of at least potentially participatory spectatorship.

### **“Live from Death Row” and *Jury Duty***

The social protest “Live from Death Row” has since 1998 conducted an

ongoing series of protests and is sponsored by the Campaign to End the Death Penalty. The organization held its September 23, 1999 forum at the University Teaching Center at the University of Texas at Austin in conjunction with Mumia Awareness Week. “Live from Death Row” takes its name from Abu-Jamal’s 1995 volume of prison writings, a collection of essays drawing from personal observation, court records, and other research, almost always pairing the experience of the individual with a broader cultural history. It is a rhetorical approach that has its clearest precedent in Cleaver’s *Soul on Ice* and Rideau’s award-winning *Angolite* essays of the 1970s and 1980s, many of which are collected in *Life Sentences*. The series of community-held forums circulate fliers, blanket emails, and employ other grassroots methods to invite an audience to hear prisoners on death row tell their stories, offering an opportunity for dialogue between those in and out of prison. The implication is that to communicate “live” with death row inmates is more fully to conceive of them as alive and thus take a stand against their executions. That particular September evening drew an audience of almost 100 spectators, mostly white students from the university. Two administrators—both white men—of the local chapters of the activist organizations sponsoring the event began the forum, before giving way to an African American woman, Rosa Thigpen, mother of inmate Kenny Collins. Thereafter, the prisoners Jody Lee Miles, John Booth, and Collins phoned in from prison first to give speeches and then to answer questions.

The other performance, *Jury Duty*, was written and directed by Ken Webster and based on his experience as a member of a criminal trial jury in Travis County,



Texas, which rendered a guilty verdict, convicting Rebecca Walton in the shooting of Luis Flores, and a subsequent 60-year prison sentence. The play recounts in a series of retrospective monologues the story of a white female drug addict and prostitute who murdered her pimp, her trial, and the deliberations about her culpability both by the accused and by several of the jurors during her sentencing. The playwright acknowledges that he “wrote the play as a protest of a broken justice system, and as a release for myself after the unpleasant experience of being a participant in the broken process” (Webster 2003). Indeed, an e-mail to friends in which Webster describes the painful experience of serving on the jury inadvertently served as an early draft of the play. The performance was offered as a fundraiser for the Diversity Institute at the University of Texas at Austin’s School of Social Work and was held in the Social Work auditorium. Institute staff preface the performance with a discussion of the program, mentioning the play only with regard to its role as a “perfect fundraiser” both because of its content and its cachet in being “based on a true story.”

“Live from Death Row” features local activists, families of condemned inmates, and, via speaker-phone, inmates themselves. For the September meeting, the staff has taped a photo of Abu-Jamal behind the lectern to one side, and a large sign hangs in the middle: “Stop Executions!” in big letters, subtitled with the forum’s sponsor, “Campaign to End the Death Penalty.” The panelists and their table are at the center of the stage; a speaker phone and a microphone to one side complete the *mise-en-scène*. After reminding the audience that the inmates will call after seven, Reese introduces the first panelist, Jim Harrington of the Texas Civil Rights Project.

The audience is silent while he speaks, except for the scribbling of pens and the occasional murmur of agreement or disgusted half-laugh of acknowledgment when Harrington cites that those on Death Row are mostly minorities, poor, mentally disabled—grist for what he describes three times as the “machinery of death.” When he finishes, the audience applauds, and Reese again reminds us that the convicts will call a little after seven—the repetition suggesting that their call is what we are really here for. Until then, Thigpen, mother of one of the death row inmates, will speak.

Thigpen, an African American woman in her early forties, says “Good evening,” and we reply in unison, “Good evening!”—a call-response oratory that continues, contrasting with the uninterrupted monologue of the previous white speaker. She provides a brief narrative of her son’s trial and the incompetence of his court-appointed lawyer. Collins maintained his innocence, and Thigpen shows a photograph of her son, one of her last, as the SuperMax prison in Baltimore, Maryland, will not allow photos of inmates to be taken. Unlike Harrington, Thigpen frequently elicits our verbal response and invokes a “we” of which the audience is a part. She says, for example, “The lawyer and the judge are in cahoots together, as we well know,” and there are murmurs of agreement from the audience.

There are two important implications here, the first regarding class and the legal system, the second of cross-racial identification. The alliance arrayed against the defendant is one that Gilmore in *The Executioner’s Song* gestures toward as well when he points out that the state psychiatrist judging him competent to stand trial is “paid by the same people who pay my lawyers.” The doctor, his defense, opposing

counsel, and the judge all represent the “State of Utah. I can’t win for losing” (370). In a related manner, *The Hurricane* calls attention to an all-white jury finding a black man guilty, a group described ironically by the judge as a “jury of your peers.” Judge, jury, and the lawyers for both defense and prosecution become part of the same machine of the state arrayed against the accused. The convention of court-appointed defense does play into the paranoia fostered in such trial narratives organized around the defendant as the focal character, narratives that become part of the cultural imagination. However, also part of that imagination are matters of the historical record, and lapses on the part of court-appointed defense counsel are legion and a matter of regional and national media attention.<sup>220</sup>

Thigpen’s assertion of complicity between judge and lawyers is one that “we well know.” She invokes a “we” joining audience and speaker in a community with already well-formed, shared knowledge, even if she does provide us with more; for example, she points out that there are no educational courses for her son in SuperMax, as there had been in the previous penitentiaries where he had served. She implores those in the audience to help—almost all of us are students at the university housing the event—as she addresses us as a “we” comprised largely of young, white, middle-class men and women. She asks us to speak out later in life when we are the leaders of our communities, to help “these people,” assuming that these people are not us, and that her audience will have the power to speak that she lacks. Her claim belies the circumstances, given that she stands at the lectern and we are her audience. Nevertheless, her performance is an incredibly sophisticated one, bridging and

dividing the gaps between herself, her audience, and prisoners in a demonstration of the ways race and affluence mediate voice.

Thigpen makes rhetorical moves that both breach cultural difference and reinscribe it. She identifies the audience of mostly white college students as those who can change what she cannot. Her appeals to a shared humanity assume that “we” know the inequities of the legal system and are prepared to help “these people,” including her son. Indeed, “Live from Death Row” largely shapes its audience’s sense of itself by distinguishing “us” from “these people” in prison. We are there to protest the death penalty, but we are also there to be reminded that “we” are not “these people.” She identifies the audience as those who can speak and thus change what she cannot, whether because of our youth, our education, our class position, or the color of our skin. Thigpen appeals to an essential, shared, and simple humanity,<sup>221</sup> assumed in our presence as that protesting audience, a “we” who know the inequities of the legal system, who can help “these people.” “Live From Death Row” in part produced the shared identity of its audience by distinguishing them from those in prison and offered the means to renew its unity in advertising the next protest against the death penalty. We were there to be reminded of ourselves.

After the closing applause for Thigpen, Reese reminds us of the next protest date. He asks us to take a stand when then Governor George W. Bush or another politician speaks in support of the death penalty. Then the phone rings and Reese cocks the microphone closer to the speakerphone. It is Jeannette, our link to inmate Jody Lee Miles. When prison officials discovered “Live from Death Row,” they

barred the prisoners from calling directly to the performance. The prisoners are allowed phone calls only to friends and family. Jeannette is a friend and our link. We cannot speak directly to the inmates, and audience members instead direct questions for the inmates to Reese. He repeats those questions over the phone to Jeannette, who repeats them to the inmates on a second phone, and then relays the prisoners' responses by holding the phone receiver with which she speaks to the inmates next to the phone with which she speaks to Reese. When Reese explains these Byzantine barriers to us, we laugh, a surprising sound in this room. The whole procedure is absurd, a farce—but it does reveal the circuitry of power at work, a Foucauldean system of concealment, control, and dis-identification, whereby extrinsic and repressive forces block the flow of the communication and self-representation so formative of identity.

Some of what Miles has to say disappears in the static of this enforced dislocation, but we get the general picture as he reads his statement. He has lived on Maryland's Death Row for two years and spent a year in prison prior to his move to SuperMax; he "know[s] how the system works." What that system might be becomes clear only after Miles speaks of the enforcement of the death penalty even while "it's transparent that there is no clear consensus among legislators and citizens concerning [it]," and he reiterates race as a primary determinant in its implementation. He argues that a white person accused of killing a white person may receive the death penalty, and a black person accused of killing a white person likely will, but he claims that a white defendant in the murder of a black person has at most received a sentence of 11

years—a claim with more rhetorical force than historical accuracy, though indicative of general trends. Miles repeatedly asserts his innocence, pointing out evidence used against him in his trial obtained through an illegal wiretap, evidence not objected to by his court-appointed lawyer. In Miles’ polemic, the system works as a closed circuit of race and class, of enforced difference between white and black, of victims of the judicial process, and as a stark contrast between those who can afford attorneys and those who cannot.

Miles’ voice grows indistinct when the phone transmission fades, as it often does. During these lags, the audience silently faces the speakerphone. A few look down at their tables in embarrassment, frustration, or straining to hear. After Miles finishes, we clap only for a moment before realizing that the enforced complexity of the telecommunications system connecting this room to a prison in Baltimore prevents Miles from hearing our response. The technological mediation grows more crippling to discourse when Thigpen’s son, Collins, begins speaking and the transmission is virtually nil. Adjusting the microphone and the telephone and tinkering with the amplifier do not help. A few remarks are clear though: “thirteen years,” “SuperMax,” “I basically don’t know what lies ahead,” “subjected to being placed in a situation such as myself,” and “no matter what color you are.” Collins’ speech is far less distinct than Gilmore’s voice, recorded by his lawyers with smuggled tape recorders to be transcribed by Schiller’s typists, where even after death, “Gilmore’s voice coming in over the earphones” is clear (1001). Still, even if

his voice is garbled, Collins speaks at length and in detail about the challenges he has faced in the appeals process.

Ironically, the constraints imposed by the institution make his meaning clearer: we in the audience may not be able to hear, but our understanding of imprisonment increases in part precisely because we are not able to understand what Collins is saying. Playwrights, theorists, and critics have grappled with the tension of theater and the representation of pain at least since Antonin Artaud.<sup>222</sup> Critics of Artaud have suggested that the French visionary “wanted spoken words delivered, to some extent, for the sake of their sonority, explosiveness, sensuous and associative properties”—for their connotative rather than denotative qualities—to communicate not language but experience (Bermel 106). This is exactly the unintended result for Collins, whose speech in its very unintelligibility best conveys his circumstances. The audience cannot understand Collins’ words, but thereby better understands his position and thus hears him better. If this account offers too easy a gloss of his contested subjectivity, it certainly illustrates the technological mediation by which institutional power accomplishes its object: the constructed silence and invisibility of prisoners, the difficulty of communicating from the inside to the outside. The voices of the condemned speaking in an unintelligible broadcast is a version of Bel-Imperia’s letter written in her own blood from prison to Hieronimo, in Thomas Kidd’s Jacobean drama, the *Spanish Tragedy*—the meaning invested in the condition of writing or speaking overwrites the words themselves.

There are several key similarities between “Live from Death Row” and *Jury Duty*. Though the inmates of the former are men in prison and those of the latter are two actors playing roles, both are concealed in one way or another. Collins and the others appear only in voice, while the actual circumstances upon which *Jury Duty* is based are overwritten by the ironic disclaimer in its program, “Any similarities to any person, living or dead, is purely coincidental”—even though the play is introduced as being “based on a true story.” Both performances stage dialogue between those in and out of prison, and both make extensive use of biographical and autobiographical monologues, as do *Soul on Ice*, *The Executioner’s Song*, *The Hurricane*, and *The Farm*.

The reliance on biography and telling one’s own story is not surprising. According to Ioan Davies, who surveys the writing practices of prisoners in *Writers in Prison*, the performance of the narrative of self matches the actual writing that takes place in prison: “Most prison writing is autobiographical, and yet, like all autobiographies, it is inserted into other situations” (120). When one’s subjectivity is contested—which Foucault and Melossi and Pavarini argue is the primary function of imprisonment—speaking or writing the self offers an affirmation of selfhood in face of forces arrayed against it. In *Soul on Ice*, Cleaver claims, “I started to write. To save myself,” in part because prison can cause an inmate “to lose his sense of self” (34, 35). The self-declarations of prisoners then are inserted into “other situations,” in Gilmore’s letters reframed in Mailer’s *The Executioner’s Song*, passages of Carter’s *The Sixteenth Round* incorporated verbatim in Jewison’s *The Hurricane*, and



the spoken autobiographical vignettes of prisoners in Angola included in *The Farm*. For *Jury Duty*, itself the work of a dramatist and jury member reconstructing the situation of a prisoner testifying on her own behalf, one of those “other situations” is a fundraiser for a social work program celebrating human diversity and cultural difference.

*Jury Duty*'s performance on October 9, 1999, was a special one-night performance, a benefit-fundraiser sponsored by the University of Texas at Austin's School of Social Work for one of its programs, the Diversity Institute, described in the theater program as “a collaborative, multidisciplinary project of faculty, staff, students and community members [...] dedicated to advancing better understanding and more effective working relationships among the unique cultures of our society” (Diversity Institute). Two staff members of the School of Social Work introduce what they repeatedly describe as a “perfect fundraiser,” perhaps because of its representation of cultural difference and the inequities of the legal system, its local setting, or its blending of humor, social realism, and empathy in the portrayal of drug addicts, economic and social poverty, and the violence to which such lack contributes.

The two Diversity Institute representatives do not mention the play, though, as they discuss their program and invite DI participants in the audience to stand and be recognized; some do, and there is applause. Carol Lewis, Associate Director for the Institute, is introduced as having an “other life” as an actor and dancer, but she speaks instead of the Institute. Introducing these people, as well as staging the performance

in the auditorium of the School of Social Work, frames the drama less as a play than as social work. This particular audience does not seem in any way unsettled by this. Rather with those at the proscenium asking Institute staff in the audience to stand and receive acknowledgment—a reversal of the typical audience applause for those onstage—we seem to be other than a typical theater crowd.

Let me illustrate the distinction even while acknowledging the problems of such terms as “typical” and “we.” I attended primarily because it was activist performance. My friend Jane, now a theater history professor, received notice of the fundraiser through her work as director for a student services program. We arrived at the School of Social Work early, so before the show began we walked to the University of Texas at Austin Theater Building, where both Bertolt Brecht’s *Threepenny Opera* and Tennessee Williams’ *Vieux Carré* were playing that evening. We spoke with some acquaintances, then returned to join the audience for *Jury Duty*. Back in the auditorium, each of us noticed a change between this audience and the theater-goers we had just seen; it is difficult to pin down the exact difference. At *Jury Duty*, Jane and I were both a part of and apart from others in the auditorium. We, like everyone else, were there to see an activist performance, but our clothes, our conversation, our lack of familiarity with others in the audience tagged us as “other.” An informal survey after the show suggested that almost all of those in the audience knew one another from the School of Social Work. They discussed current classes and local services, while Jane and I talked of critical distance and dramatic convention. There was a community-is-here feeling of which we two were not

entirely a part.

Concerning the play itself: the blocking is simple, with the 12 jury members sitting in two rows facing the audience. Ten of the jury remain seated and silent throughout the drama. A chair set stage right is for the defendant who never sits but stands between chair and jury when she speaks, directly addressing the audience. Her monologues are interspersed with those of other characters who also rise to stand between the chair and the jury when they speak. The various characters abandon the speaking position with a voiced need to go to the bathroom, the repeated dramatic device for stage exit. Other conventions established within the play are employed less regularly. For example, though Bruce, the jury spokesperson, claims that his monologue is “all in my head,” his commentary does elicit some nonverbal response from the other jurors, and when one, Maggie, later speaks, she is very much aware of Bruce’s earlier monologues. The jury members never speak while they sit, maintaining an unbroken gaze on the various speakers to their right, reproducing the audience’s communal spectatorship and focusing our gaze on the primary speakers. These include the defendant accused of murdering the pimp Chico, Becky Wallace (played by Mary Furse), as well as Michael, an accessory to the murder (played by Judson L. Jones), and jurors Bruce and Maggie (played by Corey Gagne and Margaret Ann Hoard).

Becky constructs a community of mostly absent characters, of other drug users, pimps, and prostitutes. She talks about Michael and Chico before they arrive onstage. The appearance of the dead pimp Chico (played by Titos Menchaca) at the

close, exchanging his violence in life for complacency and knowledge in death, ends an escalating conflict between the defendant Becky and Bruce through mediation. The conflict between the two speaking jurors gives way to tension between Becky and her primary defender, between Bruce's "self-righteous" defense of Becky on humanistic grounds and the failure of that argument to significantly reduce her sentence. Other than a brief but telling interaction between Becky and Michael when she accuses him of telling her story and he replies, "It's my story too," the dialogue at the close is the first time that characters onstage have spoken to one another. Bruce tells some of Becky's story as well, "a grim tale of the worst possible childhood you can imagine," though she narrates most of her own personal history. She speaks of needing drugs so badly that she prostituted herself, and amplifies the magnitude of that need in acknowledging that, though a lesbian, she had sex with men. Becky addresses the audience directly, asking the heterosexual men, "can you imagine sucking dick?" and similarly of the women, "or eating pussy? How bad do you want it?" Forced heterosexuality, against the grain of desire, becomes the high price Becky was forced to pay, the harsh terms and description an effort to force the audience to engage the pain they represent.<sup>223</sup>

Furse performs Becky Wallace in the Brechtian manner of epic acting that Harry Elam notes as common to social protest performance. In this tradition, the actor "functioned not only as the character but as a commentator on the actions of the character [...and] compelled the audience to evaluate the social, political, and economic circumstances that created the character" (110). Playwright and director

Webster constructs Becky's lived history to position her in the denouement of violent murder, even as he presents the juror Maggie to challenge the inevitability of the violence emerging from that history. Whereas Bruce sees her act as unavoidable given her circumstances, Maggie assumes Becky's culpability. The two offer a convenient binary of mercy and justice. It is also the divide of historical determinism versus individual autonomy and agency, subject-*to* and subject-*of*, akin to the tensions raised in Faulkner's novels and between Cleaver's and Mailer's sense of human possibility. In terms of spectator identification, the social work students and professionals in the audience are not likely to see their present selves represented in the stories told by characters such as the self-described "crack whore" Becky and drug user Michael, both imprisoned for murder; or Chico as he is invoked early in the play, a purveyor of sex, drugs, and violence, and dead to boot. In a move akin to Jewison's ironic cut to Carter's all-white jury in *The Hurricane*, Becky describes her own as a "jury of my peers, as they say [PAUSE]"—implying that they in fact are not.

The jury may not see themselves in Becky any more than she sees herself in her jury; however, the jury does mirror the audience. In terms of staging, they are largely silent watchers, their gaze, like those of the audience members, fixed on whoever speaks. The jury performs the reflection of the spectators, an expansion of what Vsevolod Meyerhold and Tom Stoppard sought to accomplish in scenery by framing the stage with large mirrors or suggesting a huge mirror as a backdrop (Bennett 6; Stoppard 2432). The unpublished script of *Jury Duty* underscores this

role in its description of the jury: “Ten of them are either audience members or special guest actors” (Webster 1999). Actual spectators are intended to perform the jury’s reflection of the audience. Within the context of the performance, the jury collectively bears witness and sometimes individually offers responses to Becky’s history and crime. Bruce points out the institutional and personal causes for Becky’s current situation, addresses drug addiction as a disease, claims that the state’s social welfare and legal systems let her down, and repeatedly maintains that she was “forced to have sex to keep a roof over her head.” On the other hand, Maggie opts for justice rather than mercy, asking what sort of “message” a soft ruling for murder would send. A prison *sentence* becomes exactly that, a linguistic act, communicating what is thought and believed to be true of crime and punishment.

Both representative jurors perform the compromises necessary for the unanimity required of juries by the law. After determining guilt or innocence, the jury must next, if delivering a verdict of guilty, determine the sentence. The jury can deliberate as long as it needs—so long as its final judgments are singular. Like the collective population of Jefferson brought together by Stevens to witness the return of Butch Beauchamp at the close of *Go Down, Moses*, the jury is an assembly defined by its riven differences; unlike those citizens, though, the jurors must not only witness history but decide it. Jurors Bruce and Maggie occupy dramatically opposed positions concerning what constitutes guilt, agency, and just punishment. Each also makes clear that the other jurors differ from them, particularly in terms of Becky’s reproductive rights, as both recognize that one group of jurors subscribing to eugenics

was primarily concerned that Becky remain in prison past her childbearing years. So various allegiances form and lines of disagreement are drawn among the disparate jurors. This is not the jury of the central trial of *The Hurricane*, whose only characteristics are a shared whiteness and verdict of guilty. The jury of *Jury Duty* is a perfect illustration of an institutional social body, the state's jury selection process "hailing" it into being. The individuals summoned were not a jury until selected; once selected, their membership constituted a particular and localized sociality, which subsequently becomes for the audience a model of the plural subject. The social body of the jury in the theater mirrors the social worker audience—an "I" comprised of and compromised by its various and contradictory "we's."

However, in performance, *Jury Duty* departs from its plural and conflicted jury, a "we" forced by a legal apparatus to speak in one voice, when the play departs from its "true story" to swing sharply to the imaginary, as the character of the murder victim Chico appears and offers Becky forgiveness. Like Gilmore's ghost in *The Executioner's Song* visiting Pete Galovan to explain, forgive, and acknowledge (1997), Chico appears to redeem Becky. Considering that redemption comes from the murder victim himself, his authority is unequivocal. Chico is less a *deus ex machina* than *machina ex deus*, a machine of love and grace sprung from death to resolve the core conflict of the drama, transforming crisis into reconciliation. Brechtian alienation gives way to conventional catharsis. Chico offers a character who reflexively acknowledges his own past by both recuperating it and maintaining critical distance from it. Chico identifies with violence and degradation, even the

ultimate deprivation of his own murder, while still manifesting empathy. His cruel history and mysterious knowledge give him absolute authority in mediation; he is the social worker *par excellence*. The auditorium audience sees itself physically mirrored in the rows of seated jurors—a collective audience—who offer until this point an excellent model of social agency, the various tensions that a person must resolve in taking a stand. The arrival of Chico undermines that complexity, smoothing out the difficulties of human experience. Audience members are invited to see themselves reflected in the transformed Chico, so knowing and forgiving.

The magical resolution means that the jury, the audience's mirror, no longer needs to debate the agency of human action working through the tension between circumstance and autonomy. The symbolic order of the rule of law, where a social body is called upon after internal debate to speak univocally, is erased in favor of an imaginary unity, a specter of forgiveness. For the audience of social workers, *Jury Duty*, in its last scene, dodges the complex social subjectivity it has heretofore modeled. The tension played out in the jury's debate with itself is evacuated by the fantasy of absolute knowledge. In effect, the ghost of Chico lets the jury, and by extension the audience, off the hook—at least until the final lines of the play. Becky asks Chico what death is like. Chico, in the tradition of the ghost of Hamlet's father, replies, "I can't tell you." Becky asks, "Is it better than bein' alive?" Chico can only shrug, and exit; light fades on the jury and lingers only a little longer on Becky. For this particular theater audience of social workers, the close of the play is a demand to renew their commitment so that those with whom they work can harbor more hope.



Like the audience of “Live from Death Row,” their personal commitments are addressed and affirmed. Here the commitment is professional as well, and the box office proceeds to which they have contributed are donated to the social work organization in which many of them participate. They are reminded of themselves.

**Audiences as social bodies and “one minute later is history”**

“Live from Death Row” and *Jury Duty* reflect both halves of what Richard Schechner describes as the “double-mirror” of performance: the theatrical reading of cultural moments and the cultural account of theatrical representation (296). That “double-mirror,” which has proven foundational for performance studies, offers a means to read *activism* and *performance* forward and backward, as staged activism and activist performance. By activist performance, I mean a production explicitly acknowledging itself as theater and framed by dramatic convention that associates itself with a particular social project. While such a performance may or may not utilize Brechtian or other forms of narrative disruption and audience estrangement, the subject matter of activist performance makes its alliances explicit. Staged activism, on the other hand, even if it employs theatrical strategies of representation, asserts that what the audience experiences is *really* real.

Just as in the films surveyed in Chapter Four, there is a crucial difference between Collins phoning in from Supermax prison and an actor performing a character on trial. Indeed, like the case of John Artis appearing at a human rights symposium screening *The Hurricane*, one of the fundamental goals of staged activism is *telling the difference* between the two, providing the space for people to describe

their positions in their own words, communicating as fully as possible the circumstances and actualities of their circumstances. Elaine Scarry argues that the collective effort to challenge inequity “depends centrally on its ability to communicate the reality of physical pain to those who are not themselves in pain,” and therefore “the human voice must aspire to become a precise reflection of material reality” (9). The garbled transmission of Collins in “Live from Death Row” and the character Becky’s haunting final lines in *Jury Duty* both represent powerful examples of such aspirations of human voice—though there is the substantial difference of the actuality of the former and the fantasy of the latter. However much the play may be based on a true story, that final dialogue is the playwright’s effort to stage a sense of despair rather than communicating exact circumstances. Yet there are two actual people whose experience shapes those words: the defendant upon whom Webster based the character of Becky, Rebecca Walton, and Webster himself, the director’s own pain regarding his participation in a “broken process.”

Though an activist performance, *Jury Duty* is extremely conventional in that the interaction between actors onstage and seated audience remains sharply regulated; they speak and move, while we sit and offer only laughter, silence, and applause. Similarly, “Live from Death Row” employs conventions that dictate how the principals and the audience interact. The performance attempts to revise those conventions by facilitating direct communication between the audience and the inmates. However, the mechanical difficulties that so precisely described the condition of those imprisoned also re-inscribed the gulf between those in and out of

prison, inhibiting the dialogue it tried to establish. The technical problems reference the cultural and material differences between those in and out of prison. *Jury Duty* may leave space for the audience to see itself reflected in the dynamic of its jury, but not its defendant.

Both the play and the protest “Live from Death Row,” presume a social difference between their audiences and prisoners. As Thigpen made clear, the agency she imagines of her audience was based on the difference between the free and the incarcerated, a difference suggested in the circumstances of that particular performance as one between white and black. The audience may have more clearly understood Collins’ precarious position because they could not see him or hear him distinctly. However, the audience did not necessarily hear themselves *in* the prisoner, a matter of identification. This unbridged gap between those in and out of prison poses a strategic challenge to staged activism and activist performances positioned against imprisonment practices.

The performances discussed differ greatly from prison theater programs which stage shows within prison walls for and by prisoners (Thompson 1998; Taylor 2001; Moller 2003). Activist performance and staged activism both resemble some aspects of the “social protest performances” Elam describes, particularly in terms of their representation of specific social groups and opposition to what those groups conceive of as unjust conditions. However, activist performance and staged activism differ from such social protest performances in the ways in which they communicate to their audiences. Elam claims that the latter modeled resistance and “direct[ed] the

audience to take action,” “affirmed cultural unity,” and in all of the instances he describes is contingent upon shared race and class markers and direct interaction between actors and audience (12, 14, 128). Performances such as those of El Teatro Campesino and the Black Revolutionary Theater Movement treat the theater’s fourth wall as a two-way mirror which both reflects and can be seen through, a means by which spectators not only recognize themselves and their struggles on stage, but verbally or physically engage those representations during the production. They are less apart from the play than a part of the work.

Activist performance and staged activism, on the other hand, neither require the active participation of the audience nor reflect the identity of that audience. Staged for audiences not themselves in prison, reinscribing the differences between prisoners and audience members, and maintaining theatrical conventions of largely passive audiences, *Jury Duty* and “Live From Death Row” do not provide a clear directive for what their audiences should do with regard to their shared social projects of protesting the death penalty and addressing imprisonment as a raced, classed practice. At one level, they only remind their audiences of their shared belief, without providing clear means by which to transform that belief to action.

Given the lack of audience-incarcerated identification in the activist performance of *Jury Duty* and the staged activism of “Live from Death Row,” and the lack of a clear strategy for what their audiences should do after the performances, I seem to be painting a bleak picture of their efficacy. However, what these performances do accomplish is of vital importance. These performances invite their

audiences to share social and professional commitments in the opposition to the death penalty in “Live from Death Row” and the social work of *Jury Duty*. Furthermore, these two performances conduct a rich model of social subjectivity, particularly the latter in its representation of the collective jury, its competing viewpoints, its final sentence. Lastly, acknowledging the very gulf drawn between those in and out of prison re-inscribed in these events is a recognition of difference that allows it to be seen anew, its re-vision.

The social subjectivity modeled in these two performances is one of interpellated communal spectatorship. Of course, “interpellate” immediately invokes Althusser, whose widely regarded—though not unchallenged—claim of subjects as hailed into being Janelle Reinelt and others have read as “anesthetizing” in that it “seemed to dematerialize agency and opposition” (4). However, the manner in which *Jury Duty* and “Live From Death Row” address their audiences makes available a recuperation of interpellation, a recovery that strips the term of its repressive connotations. Althusser’s example of the policeman’s call hailing the subject involves both the threat and the guilt presumed in such a call (171-174). The example of the policeman assumes a wholly asymmetrical relation of authority, but that implication elides the more complex situation the term “interpellation” carries with it, that of “a question put by a member of a legislative assembly to a minister or member of the government” (*Oxford English Dictionary Online*). This richer conceptualization of interpellation grants greater authority and shifts identity from the isolated singular to the participatory plural. The subject is a participant, a member of

a larger assembly.

In *Jury Duty*, the titular jury whose duty it is to consider its own conflicting positions before finally speaking in one voice best models such a social subjectivity, a union of singular and plural. The “I/we” of that social body, like activism and performance read in the double-mirror, reads two ways. Such a body is at once the multiple and contradictory investments of an individual, and the unity of a group hailed by common allegiance.<sup>224</sup> Staged performance thus becomes the crucible that fuses social body and individual body, united in affect. Similarly, Scarry associates agency with a collective subject, the need for social action best predicated upon a larger understanding of self, a self beyond one’s own skin.<sup>225</sup> The social body operates as a metaphor to mobilize social action: if “I” extend beyond my skin, “I” am more likely to extend the boundaries of what will cause me to act on my own behalf.

Scarry’s implication of enlarging one’s self speaks to Foucault’s point that concludes Chapter Three: “The soul is the effect and instrument of a political anatomy: the soul is the prison of the body” (*Discipline* 30). That is, the rigid rhetoric of the autonomous individual sharply limits agency; de-stabilizing that subject enables social and contingent (rather than individual and autonomous) agency. The I/we of the social body as audience of staged activism and activist performance<sup>226</sup> is at once singular and plural, comprised of individuals hailed by allegiance to the activist project at hand. Such a sense of hailed audienceship may counter some aspects of Althusser’s sense of singular interpellation, but it accords

with the claim specifically of theater (and Brechtian theater at that), which can offer “the production of a new spectator, an actor who starts where the performance ends” (*For Marx* 51).

The value of such a hailed audienceship cannot be determined solely on the basis of what immediate historical changes it brings about. For example, no prisoners are released, any more than the 1990 tribunal saw the immediate commutation of Abu-Jamal’s death sentence; resistance is a process of transformation pitted against tremendous social and historical forces. The raced and classed prison populations contested by “Live from Death Row” and *Jury Duty* are only recent examples of a history that goes back at least as far the U.S.’s first prison, as a disproportionate number of black men and women filled Philadelphia’s Walnut Street Jail as early as 1790 (Patrick-Stamp 95). Nevertheless, the opacity and silence of the prison system is challenged by these kinds of public performances. Prisons by definition conceal their practices of erasure in a manner rendered audible by inmates such as Miles and Collins. To be enacted, social change must first be voiced, and *Jury Duty* and “Live from Death Row” both give voice to otherwise largely silenced populations, drawing attention to the actuality of incarceration at a time when many representations of imprisonment fill a shape determined in a cultural imagination in tension with historical actuality. These two performances hail their respective audiences in a manner that reminds these audiences of their opposition to a raced and classed prison system. However, both performances also reinforce the difference between “we” and “these people,” a distinction that limits just how far the borders of the social body

might be breached.

Still, embedded within these performances are at least two distinct strategies by which those limits might be tested. First, there is the role Webster plays as writer and director of *Jury Duty*. In drawing from his own experience as jury member, he demonstrates that the mechanisms of the U.S. legal system are such that its citizens are implicated in the set of claims and counterclaims that determine criminality and its attendant imprisonment. Second, while the analysis offered of “Live from Death Row” addresses it as a performance, it remains a historical event understood only here as staged, employing theatrical convention. As such, that reading might seem to run the risk of aestheticizing politics, which Walter Benjamin has famously associated with fascism.<sup>227</sup> However, there is a difference between deploying politics as art and interpreting political acts within a framework of analysis sensitive to both history and the mechanisms by which audiences may identify themselves vis-à-vis that moment. The culturally and historically nuanced interpretive practices pervasive in the past two decades of humanities study provide a powerful set of tools not only for the analysis of books and films, but performances—even, and perhaps especially, when what is performed is history itself.

Such an understanding is a literalization of history, its textualization and the analysis as to how its fleetingly available experience operates rhetorically. Of course, it is not unexpected to explore what some event *means*; at stake is what some confluence of actualities *does*. The juror Maggie is concerned about what sort of “message” mercy might send, and while she is a fictional character, her words echo



not only the playwright Webster's fellow jury member upon whom her character is based, but the words of the "tough on crime" politicians and their electorates, whether cited by ACA officials or criminologists (Roberts and Stalans 31-33). Such a sense of a verdict and its accompanying prison sentence sending a message understands historical events as functioning rhetorically, and performance is the closest opportunity to "read" the real of history, not what it denotes, but how it works. Such an account is the reverse of the theatricality described in *The Executioner's Song*. Mailer describes events in theatrical terms, in Gilmore's presentation in court likened to stage and film acting, the prison officials rehearsing his execution,<sup>228</sup> and the execution itself as a play of stage and spectators (675, 677; 916; 974, 979, 980, 981). As staged and acted, the events seem unreal. This is the sense of theater critiqued by Deleuze and Guattari, who would replace theater with history (*Anti-Oedipus* 381).

However, just as the purposes and methods of literary studies change after a historical turn, and "the personal is political" and "always historicize" are axiomatic to the point of becoming clichés, reading history as performance need not aestheticize and thus anesthetize it. Instead, such an understanding draws attention to the ephemeral quality of the real of history and the necessity to provide as full a record, as thick a description, as possible, even while recognizing the impossibility of doing so completely. And just as the ephemeral quality of performances means that no two are the same, history as performance leaves available the possibility of change as suggested by Huey Newton. No more than he can we "expect to find anything the same even one minute later because one minute later is history" (qtd. in Clemons and

Jones 30). At stake is what sort of historical change, what new possibilities prove emergent at the expense of others.

## **Conclusion**

The previous chapters of this dissertation chronicle how a Southern racist imagination cast black men as criminals, a trend recorded in the early National Prison Association transcripts and historiography chronicling the Jim Crow era, as well as in Faulkner's fiction. That dangerous equation broadened nationally to be represented and critiqued in the writing not only of Cleaver (and to a limited extent Mailer), but American Correctional Association officials, and it is also pervasive in films at the end of the twentieth century. These chapters also document the diminishing possibilities for how various types of criminality might be defined and addressed, from the individuation of prisoners in the 1930s, to first the revolutionary possibilities of 1968 and then their foreclosure in the 1970s thereafter, with the nearly unilateral practice of incarceration for an increasing array of offenses through the 1980s, the enforcement of which specifically targeted inner city communities in a manner capitulating to cultural expectation. Challenging the imagination and thereby contributing to the transformation of history demands writing its genealogy, naming the past and tracing the ways in which it has produced both the dramatic inequities and the imaginations of the present—testifying in order to imagine a different future.

It is one thing to imprison those who have committed violent crimes in order to incapacitate them, to deprive of liberty the people convicted of committing felonies that pose illegitimate threats to the liberties, lives, pursuits, and properties of others.

When prisons are imagined to contain only such violent, often murderous offenders, it is extremely difficult for those not in prison to recognize themselves in prisoners such as these.<sup>229</sup> However, these two performances, like the previous texts surveyed in this dissertation, call attention to the degree to which punishment is a raced and classed enterprise. Chapter One lays the basis not only for prison history to be best understood as national history, but demonstrates how it has been a raced practice, a matter best illustrated by a southern prison administrator in 1888 claiming that prisons exist in order to house freed slaves (NPA 70). Chapter Two points out how Faulkner's fictional Jefferson desires Joanna Burden's murder to be a "Negro crime," just as a nameless Southerner tells a visitor in 1908 that "we feel like killing a nigger" irrespective of guilt or even any offense at all (Oshinsky 100). The narrative arc of *Go Down, Moses* follows Lucas Beauchamp's father to Lucas' grandson, the first pages opening with an escaped slave, progressing through the threats and persecutions of Jim Crow, to a Northern prison's execution of Butch. That native son returns to a Jefferson no longer imagined of one mind, but divided by lines of identity painstakingly united for a moment, assembled to witness his return.

Chapter Three tracks the potential for progressive change and its loss, as discussions of crime as historically and socially situated and punishment as raced in 1968 transform to crime addressed as a raceless, random, and all-pervasive phenomenon that can only be met with incarceration. These transformations are especially visible between the Cleaver (and Mailer) of 1968 and the Mailer (and Cleaver) of 1979, but the changes are just as visible in the presentations of prison

wardens, Governors, and members of the ACA during that period. Chapter Four describes films set in prison in the 1990s, prisons almost uniformly depicted as places of personal salvation, where even the black men unfairly imprisoned benefit from the experience. At the same time, the U.S. prison system surpasses every other country in terms of both rates of incarceration and the overall population of prisoners, and black men are radically overrepresented in those numbers.

In this fifth and final chapter, the “Live from Death Row” speaker and prisoner Miles, a white man, critiques at length the raced implementation of the death penalty, a critical matter as well in Abu-Jamal’s book from which the series of protests takes its name (12, 29-33, 77). The ghost of Chico in *Jury Duty* tells the sympathetic juror, Becky, and the audience that the “death penalty is for killin’ cops or pretty white girls.” The pairing of “pretty white girls” and police officers implies both the cultural myth of lynching cited in Chapter Two and the tension regularly igniting between police forces and black and ethnic communities that is the background to Chapters Three and Four.<sup>230</sup> The character of Becky (and the real person upon whom she is based) will not be executed, but her criminality remains a foregone conclusion for the jury of her “peers, as they say.” Chico acknowledges, “Those people had made up their minds. They didn’t see no person. They saw a junkie whore.” The jury had already decided her fate because they recognized her not as a human being but as an addict and prostitute, terms that recall the variations of “dope-fiend whore” so often repeated in Faulkner’s *Requiem for a Nun*. Crime in these terms is a personal failure determined by identity difference, in which a jury

who would not see themselves as peers of the accused, who do not recognize themselves in the criminal, see in Becky what Gavin Stevens first sees in Butch: a “seed not only violent but dangerous and bad.”

Re-imagining those incarcerated in other ways demands greater attention both to the broad cultural trends of race and class divisions just described, and to the historical actualities of imprisonment chronicled throughout the previous chapters. Imprisonment thereby is divorced from a direct correlation to a violent or murderous offense, linked instead to unemployment, poverty, drug use, and the racism of profiling, targeted arrests, and inequitable sentencing. The 1993 president of the ACA cites an example of four black youths in Michigan all sentenced to life for simple robberies, just one case of many where the correlating indicators of sentencing are not the severity of the crime, but race, age, and gender (3). Certainly, many people in prison have committed serious crimes that endanger others, crimes that demand their separation. However, the conception that all prisoners are guilty of such offenses fails to take into account the radical expansion of incarceration as the *sine qua non* of punishment taking place in the U.S. since the mid-1970s. According to the U.S. Department of Justice, property crime has declined steadily since 1973, violent offenses since 1993, yet the prison population doubled in the 1980s and again in the 1990s.<sup>231</sup> Broadening the criminality of drug use, aggressively targeting black and poor populations, and dismantling treatment programs increased the proportion of substance abuse offenders and over-represents black men in prisons and jails. Drug arrests among adults quadrupled between 1970 and 2002, from 322,300 to over 1.3

million (“Estimated Arrests”). Prisons have filled not with murderers and rapists but with drug users, most often poor, black, and Hispanic.

There is thus a sharp divide in the quite basic matter between the crimes prisoners are imagined to commit and actual offenses. For example, the prisoners—real and imagined—surveyed in the books, films, and performances of this dissertation are all convicted of murder, assault, and rape, and these sorts of representations create in the cultural imagination a sense that prisons unilaterally warehouse dangerous, even murderous offenders. The gulf between actuality and imagination in this regard helps foster the apathy and even more pernicious hard-line positions of politicians and electorates, a reactionary perspective insidiously made easier when criminals and thus prisoners are presumed to be black. However, that very rhetoric of “tough on crime” can be turned against itself—for which crimes, and committed by whom, are targeted? Participation in drug use and sex for money brands the Becky of *Jury Duty* a “junky whore (just as Nancy Mannigoe is a “nigger dope-fiend whore” in *Requiem for a Nun*) and thus predetermines her criminality in the view of the jury. However, the back page advertisements of many large city weekly periodicals routinely feature advertisements for marijuana, as well as Xanax, Valium, Vicodin, and other prescription pharmaceuticals used recreationally, all for sale via on-line pharmacies promising discretion; other ads invite young women to work for escort services, and solicit customers. It is not the general crimes of illegal drug use and prostitution that police and courts must strictly enforce and prisons thereby punish. Instead, laws differentiate the manner in which particular populations

commit transgressions from how more privileged groups (such as white middle and upper classes) do so.

The clearest expression of how offenses are distinguished brought into focus in the huge disparities in minimum sentencing for possession of cocaine between its crack and powder forms. The former is cheaper and more frequently used by low income, inner city populations. The Anti-Drug Abuse Act of 1986 equated the possession of five grams of crack cocaine with 500 grams of powdered cocaine, an equation of personal use of the former with large-scale trafficking of the latter. For example, given White House estimates, those quantities represent street values of \$500 to \$1000 of crack versus upwards of \$25,000 to \$50,000 of cocaine (Walters 3). Several high profile cases have further tagged crack as a “black” drug,<sup>232</sup> though a federal commission determined in 1995 that only one-third of crack cocaine users were black. However, nearly 85% of those convicted for possession were black, a factor at least suggesting targeted arrest patterns (U.S. Sentencing Commission Chapters 7 and 8, Appendices B and C). A 1989 National Institute of Drug Use survey determined that 12% of drug users are black men and women, but 44% of those arrested for possession are black (qtd. in ACA 1992 197). Norval Morris, who for over two decades has been the most prominent historian of the U.S. prison system, similarly references identical rates of drug use among racial groups. However, while rates of arrest for drug crimes were the same among white and black offenders in 1968, they had increased fivefold in arrests of black men and women by 1990 (“The Contemporary Prison” 214-215). Racially targeted arrests thereby over-represent

black men and women in prison.

That problem is compounded by the mandatory minimum sentences initiated by the Sentence Reform Act of 1984 and the far harsher penalties for crack cocaine instituted in the Anti-Drug Act of 1986. Radically increased sentencing meant those arrested were more likely to serve longer sentences, given incarceration's increased frequency, duration, and mandatory minimums. Drug arrests in the 1980s and 1990s targeted inner city populations, particularly black and Hispanic users (Tonry 19-20; see also Chapter Eight of The U.S. Sentencing Commission's 1995 report). The tremendous discrepancies in sentencing for crack offenders are described by U.S. Supreme Court Justice John Paul Stevens in a dissenting opinion as "three to eight times longer" than those meted for possession of cocaine in its powdered form (*U.S. v. Christopher Lee Armstrong* [1996]). A senior circuit judge makes the same point at the 1993 ACA meeting (114) in a paper on the failures of mandatory sentencing titled "Revise the Guidelines Now."

Another paper at the same conference given by chair of the U.S. Sentencing Commission identifies related problems and makes recommendations to address them (ACA 1993 107-111). The chair identifies that the "most logical resolution" to mandatory sentencing would be to eliminate them and institute guidelines, but "such a prospect is not politically feasible" (111). A Pennsylvania Department of Corrections Commissioner similarly identifies "that elected officials are reluctant to say or do anything that appears to be soft on crime" (ACA 1993 77). Not effectiveness, fairness or logic, but political weakness is the primary cause for



sentencing practices that continue to incarcerate too many for too little. In 1995, the ACA itself shifted from its declared principles that had defined criminality since 1870 to a more “dynamic and flexible” vision statement advocating greater community involvement and legislative address of the causes of crime (347-348). However, such vision is optative, and public policy remains far more myopic.

Like the “probable felon” list developed in Florida for the 2000 national election, arrest and sentencing patterns in the 1980s and 1990s suggest that these punishments are not designed to eliminate crimes so much as incorporate them in a larger strategy of subjugation. Whether or not incarcerating a raced and classed population of prisoners has been the intent of law enforcement, the judicial system, and prison administrations is immaterial. As with the Voter Rights Act, it is the effect of disenfranchisement that is the key. That effect begins with the Rockefeller drug laws spreading nationally in the 1970s, continues in the Sentencing Reform Act of 1984 that virtually eliminates discretionary sentencing at the federal level, and hugely escalates with the Reagan administration’s Anti-Drug Act in 1986, cemented by its expansion two years later. William J. Bennett, the highly conservative critic of education, morality, and politics, served as both President Reagan’s and President George H. W. Bush’s drug czar, and his deputy John P. Walters became the White House Director of National Drug Control Policy for the subsequent President Bush’s administration in 2001.

The Clinton administration offered little in terms of difference in this regard. In his final year, President Bill Clinton granted clemency for five individuals serving

extensive sentences for minimal participation in the drug trade (Bernstein, Dumas), but resisted broader, more systemic changes, siding with Congress in rejecting the U.S. Sentencing Commission's recommendations to address the racial disparities brought about by the inequitable minimum sentences initiated under Reagan. A willingness to view black and low-income populations as criminals, a hard-line conservative stance casting drug use in general as a moral failure and certain forms of drugs as beyond the pale, and the political fear of being perceived as soft on crime combine to make pre-determined criminality at once the cause and effect of jurisprudential conviction. Many prisoners—like the character and self-described “crack whore” Becky Wallace of *Jury Duty*, like Rosa Thigpen's son Kelly Collins in “Live from Death Row”—are thereby differentiated less by their crimes than by the poverty, race, or other matters of cultural difference.

The prior analyses of “Live from Death Row” and *Jury Duty* suggest that challenging incarceration demands an identification with prisoners by those not themselves imprisoned, but those performances also both highlight the difficulties in doing so. The sense of “feeling imprisoned” addressed in Chapter One seems a poor strategy to foster such recognition, and the solipsistic excess of prison as a metaphor does little to critique inequity. Instead, what needs to be challenged is the relationship between crime and criminality and the equation of criminality and prisoner, the attribution and distribution of offenses. The 30-year experiment in wholesale imprisonment for virtually all crimes has proven inordinately expensive, both fiscally and socially. The mandatory minimum sentences for so many crimes

leading to lengthy imprisonment for millions of people is not a constant in U.S. imprisonment, but a historically recent approach that has not affected crime rates.<sup>233</sup> Only in the past three decades has prison been the primary answer to questions of crime.

Furthermore, the enduring first principle of the ACA declares that it is not the commission of crime, but the conviction in court that names one a criminal. From slavery, through Jim Crow, to anxiety over black militancy, to the history of now, whiteness in the U.S. regularly has feared and desired blackness to equate with criminality. That inequity has also contributed to a raced economic divide and its relationship to crime, conviction, and punishment. As cited in Chapter One, research suggests that rather than incarceration rates matching crime rates, unemployment provides the clearest correlation to imprisonment patterns.<sup>234</sup> These are not new observations. Former U.S. president and the NPA's first president Rutherford B. Hayes recognized the relationship between unemployment and imprisonment as early as 1888, an equation reiterated throughout the next century and more of meetings for that particular social body. Instead of basing identification across prison walls on everyone feeling like a captive or prisoner sometimes, it is necessary to point out that nearly everyone commits the crimes that are part of the texture of everyday life, but raced and classed populations are far more likely to be targeted as criminals.

Such historical awareness and cultural recognition shifts identification between those not imprisoned and those who are from the glib cynicism of "it is not a crime if you don't get caught," to the less openly sustainable cynicism of racism, as

well as alienation and subjugation based on economic disparity. Again, the first principle of the most prominent association of prison administrators since 1870 has remained that not crime but conviction in court names one a criminal. However, determinations of criminality, conviction, and consequences historically have targeted disenfranchised populations in the U.S. Ever since the Boston Selectmen's 1723 proclamation that a gathering of "more than two Indians, Negroes or Mulatto servants or slaves" was a punishable offense (qtd. in ACA 1972 109), and the overrepresentation of black men and women in the nation's first prison, there has been a demonstrated willingness to name black and poor people as criminals.

These eighteenth century cases are only precedents for late twentieth century arrest patterns, sentencing inconsistencies, and prison populations, which are all part of the historical record. That history has been imagined, represented, and contested in the books, films, and performances described throughout this dissertation. Documenting that history and its imagination demands that rather than adopting the positions Žižek describes as conformity, cynicism, or perverse capitulation to raced and classed imprisonment practices, skepticism is necessary to challenge incarceration. Again, undoubtedly it is true that many prisoners have committed crimes that threaten public safety. However, criminalization, arrests, convictions, and sentencing in the past three decades have drawn on existing racist imaginations of black masculinity in determining crime and punishment.

Certainly, identification across the boundaries of cultural difference can be difficult to breach. However, incorporating incarceration as a division less of guilty

and innocent, and even less of immoral and moral, and instead as a category of cultural identity in its own right provides a means by which to foster such recognition. The multiple indices by which selfhood is located at once divide and unite human experience. Such determinations of subjectivity do not take place in the singularity of an idealized, pure and simple humanity or an imagined autonomous individuality. Instead, strategies of selfhood are negotiated through the multiple lines of approach of gender, race, class, ethnicity, nationality, sexuality, and the carceral, among others. Those separated in their carceral identity from those not imprisoned are nevertheless joined in terms of other shared identities, other hinges of *I* and *we*. Performances such as *Jury Duty* and “Live from Death Row” offer models of materially present audiences, demonstrating the social bodies in which the negotiation of identity takes place, recognizing not the “I” in the other but in the “we.” They also emphasize the social responsibility of imprisonment. Understanding the demonstration of “Live from Death Row” as a performance also provides a sense of how historical events themselves are subject to analysis sensitive to how they operate, what they produce.

Such implications of identity, performance, politics, and history in texts both literary and otherwise echo the prescient claims of Richard Poirier in 1971, the title of his *Performing Self* itself resonating with more recent theories of selfhood as performed. Chapter One cites his description of Mailer’s “engagements with language as political rather than simply literary ones: they are a way of discovering how to hold together elements that perhaps by nature would tend to destroy one

another, both in a political and in a literary structure” (5). As the chapters of this dissertation individually and in sum demonstrate, that claim holds true of all of the cultural works surveyed, not only because the producers of the books, films, and performances engage the political, but because literary studies in the past quarter century has emphasized the historical and cultural implications of production and reception.

Those transformations in humanities study make Ed Bullins’ response in a 1973 interview opening this chapter seem in its historical distance a little quaint. His claim—that one’s cultural work might have political goals “if that is what you wish to do” (O’Brien 108)—comes before what has since become the larger sense that books, films, and performances already operate politically. This matter certainly held true for Bullins, who found himself embroiled in a bitter dispute with Cleaver regarding the role of radical black theater with respect to politics, and with the Black Panther Party as a whole in the matter of black nationalists versus the practical edge of cross-racial alliances. These conflicts led to Cleaver maneuvering Bullins’ departure from the Party, though it was Cleaver himself who had appointed the playwright as Minister of Culture (Sell 61-62, 77-78 n. 37).<sup>235</sup> That particular internecine struggle, one of many within a particular social body rife with such, demonstrates the value for those initiating social change to recognize the necessity of broad-based alliances. As an American Prison Association participant observed in 1929, “The trouble with good people is that they waste so much effort fighting one another” (295-296). Those whose work is situated in literary, historical, and political studies must work together

and account for other forms of cultural work—or the divisions among them provide the means for defeat in detail, the division, isolation, and destruction that has been the very practice of imprisonment.

A “we” of scholars, teachers, historians, critics, activists, and citizens may not agree on the best tactics for challenging the social inequities most starkly represented within the U.S. prison system. However, we can agree that expanded criminalization, extended sentencing, and arrest patterns through the 1980s and 1990s targeting minority populations are practices that have produced a prison population radically over-representing minorities. Accompanying these matters of the historical record is the saturation of imprisonment in a cultural imagination that equates blackness and criminality, even as practices of incarceration largely conceal the actual experience of what was at the end of 2002 over two million people in prison or jail, with an additional 4.7 million people under another form of judicial control, whether parole or probation (“Probation and Parole”). The effort of this dissertation has been to participate in the effort to bring a series of problematic dualities to the forefront of literary studies: racism’s pervasiveness and invisibility, prison populations’ huge numbers and concealment, and the imagination of imprisonment and a lack of a corresponding critique.

The texts surveyed in this dissertation not only make visible what is largely a concealed practice, they offer a variety of strategic positions by which to imagine and thereby produce the social transformations necessary to alter the ways in which prison history has shaped national history. For example, Webster, the writer and director of

*Jury Duty*, draws attention to how the jury operates as a particular form of public sphere emblematic of the broader sociality of which it is representative. As the play is staged, jury and *Jury* reflect both the audience and what he describes as a “broken process”; for the particular audience of social workers present for one performance, the play demands that they fix it. Similarly, there are the participants in “Live from Death Row,” not only Collins and Miles, but also Harrington, Reese, Jeannette, and Thigpen, those not in prison but serving as intermediaries between those who are and those who are not, facilitating communication and thereby identification across prison walls.

The previous chapters include a litany of such roles, both imagined and real. There is Faulkner’s character of the attorney Gavin Stevens, whose initial racist (mis)recognition gives way to his efforts at the unmade request of a black woman he barely knows. In the final pages of the novel, he spends his time and money to assemble, if just for a moment, a community that is differentiated along lines of race and class but brought together to witness the return of its native son, initiated into history, recorded in the daily paper. There is Cleaver’s depiction of his white female lawyer Beverly Axelrod working on his behalf, and Cleaver’s self-representation of himself as part of the nation and history in and through which he writes himself. There is Mailer, his efforts on behalf of Cleaver’s release and his chronicle, however briefly, of the attorney Gil Athay and his work to free Dale Pierre, just a fragment in a larger whole describing the forces involved in imprisonment and execution. There are Rideau, Garbus, and Stack, the prisoner as journalist and director working



alongside two documentary filmmakers to incorporate into the historical record and cultural imagination the lives of prisoners typically hidden from view. These books, films, and performances all increase prisoners' visibility and thereby provide an opportunity to revise national history, literary and otherwise, to incorporate more fully a sense of the lived experience of millions in the U.S.

Making prison history central to the study of national history begins to account for the degree to which the former has shaped the latter. Reading the writing of prisoners and their depictions by others is part of that project, incorporating narratives of imprisonment into a story of nation. There is much more of this story to tell, including looking back further historically and in greater detail, in the early discussions of prisons involving Benjamin Rush and others, the expansion of the prison system through the nation in the early and mid-nineteenth century, its reform at the end of that century in part informed by the ideals of a liberal humanities education, even as a rhetoric of imperialism proved as pervasive in the NPA as elsewhere. There are many, many more works whose representations of imprisonment demand a richer account, whether unremarked in familiar texts, such as Harriet Jacobs' *Incidents in the Life of a Slave Girl* (1861), or in books and films that have thus far escaped attention. Expanding the theorization and analysis of carceral identities will thereby foster more nuanced senses of how various matters of cultural difference shape and are shaped by the experience of imprisonment as it has been endured through more than two centuries.

Such a body of study and accompanying framework is necessary in order to

bring a richer discussion of prisons and prisoners to the forefront of both academic and more general public discussion. Scholarship in this vein works in concert with classrooms, which play their own roles in organizing knowledge, identifying lines of inquiry, and serving as places of staged readings, where materially present audiences engage literary, historical, and scholarly texts.<sup>236</sup> Performed analysis in the sociality of the classroom is only one of the many spaces in which incarceration needs to be addressed in order to recognize its centrality to national experience and the necessity of a more informed critical discourse. That discourse is necessary to challenge what has become among the clearest threats to the promise of the United States, the liberties curtailed, the pursuits limited, the lives ended behind prison walls in raced and classed populations targeted for arrest and warehoused with little recourse. Challenging those practices brings closer to fulfillment the impossible but necessary “becoming” of democracy, never to be realized, but nevertheless to be attempted. The *Angolite* poem quoted in Chapter One reads, “Go ahead/ Lock us up/ Lock us all up/ Lock away the ones you see/ In the mirror.” However, we who incarcerate have locked up more than two million people and have over four and a half million more under judicial surveillance precisely because we do *not* recognize ourselves among them, and that is among the greatest failures in U.S. history.

<sup>1</sup> Darabont reverses the raced innocence and guilt in his later prison film *The Green Mile* (1999), when the black character on Death Row, John Coffey (Michael Clarke Duncan) is innocent and one of the white guards (Brutus “Brutal” Howell, played by David Morse) is guilty of brutality. However, it remains another white guard (Paul Edgecomb, played by Tom Hanks) who is healed through his relationship with the black prisoner.

<sup>2</sup> The challenge of the real traces at least back to Plato’s cave, and the Lacanian “Real” is another iteration (if a powerful one) of a longstanding problem of symbolic representation. The constant and defining unavailability of the Lacanian Real that nevertheless initiates the other two categories (imaginary and symbolic) is part of the reason Giles Deleuze and Félix Guattari posit a lack of difference between the imaginary and symbolic, lumping them together (*Anti-Oedipus* 83, 90). That lack of difference short-circuits the process of Lacanian subject formation, the individuation of the self as a subject divorced from imaginary unity and thereby entered into the symbolic order. Deleuze and Guattari identify such individuation as a by-product of capitalism, opting instead for the model of the schizophrenic subject for whom “I” is not the consequence of the tragedy of a lost imaginary, a whole, but a fiction itself. In general, this dissertation avoids capitalizing “Real,” attempting instead to locate contextually the degree to which the term in its various usages refers to a specifically Lacanian sense or not.

<sup>3</sup> Stories by prisoners themselves make ironical comment on such imaginings. In Robert Kelsey’s story “Suicide!” anthologized in Chevigny’s collection *Doing Time* (1999), inmates are watching *Penitentiary III*, commenting on its lack of realism in terms suggestive of Stanley Kubrick’s *A Clockwork Orange* (1971): “Later on in the movie, he would be chained up in the penitentiary basement and made to watch violent movies while smoking crack.” Toward the end of “Suicide!” the narrator reads *Bonfire of the Vanities* by the light between his bars, and watches a movie on TV, *Death Wish* (89, 92, 93). Such ironic juxtapositions of inmates and films extend at least as far back as Eldridge Cleaver beginning one chapter of *Soul on Ice* (1968) with of a description of watching *The Strangler* (1964) in a prison theater. The mention of a film loosely based on a true story and emphasizing psychoanalytic causes for violence (the strangler is apparently revenging himself on substitutes for his mother) has particular resonance for Cleaver’s book, which positions itself against such reasoning for crime. *The Shawshank Redemption* lacks such irony, as the men watch *Gilda* (1946), a Rita Hayworth film and a gesture to the title of the Stephen King novella upon which the film is based, “Rita Hayworth and the Shawshank Redemption,” from *Different Seasons* (1982).

<sup>4</sup> That understanding of historicism in the U.S. can be traced to Jameson’s *The Political Unconscious* (1981) and its synthesis of largely French theory, rewriting Lacan, Deleuze and Guattari, Althusser, and Foucault in a dialogue on the tensions

between history and the subject, between causality and narrativity, and among real, imaginary, and symbolic. In a titularly definitive and oft-quoted passage, Jameson writes, “History is not a text, not a narrative, master or otherwise, but that, as an absent cause, it is inaccessible to us except in textual form, and that our approach to it and to the Real itself necessarily passes through its prior textualization, its narrativization in the political unconscious” (35). This description of historical process follows Nietzsche and Foucault in treating history as genealogy—lacking a telos, a direction, it is interpreted in reverse, always written backwards and shaped by the time of its telling. Jameson later reiterates history’s interpretation as textually mediated where he again and more explicitly defines history in terms of an equation of “Althusser’s ‘absent cause,’ Lacan’s ‘Real’” (82). According to Jameson, the real without cause that is history cannot in its immediacy be apprehended, understood, or literalized, as its actuality remains anterior to its competing analyses, interpretations themselves the products of layers of understanding already shaped by the explanations offered by previous readings and the circumstances shaping *that* writing. Jameson’s sense of the concomitancy of the real and history is in part informed by Deleuze and Guattari’s *Anti-Oedipus* (1977), their reformulation of largely Lacanian psychoanalytic method in cultural-historical terms and a formative component of Jameson’s argument for interpretation as reading the political unconscious. However, Lacan’s own work contesting and revising Freudian psychoanalysis already lays the basis less for a subject without history than a subject composed in history (see n. 65)—and even the Freudian superego, however under-theorized, leaves room for such cultural and historical contingencies.

<sup>5</sup> Such a cultural imagination has been theorized in a variety of related ways with regard to public spheres, collective identity, and popular culture. Martha Nussbaum uses the term “civic imagination” in *Cultivating Humanity: A Classical Defence of Reform in Liberal Education* (1997). Benedict Anderson’s *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (1991) has proven a watershed text in describing fantasies of nationality, which Timothy Powell uses in describing how nineteenth century texts constructed a “national imaginary” in *Ruthless Democracy: A Multi-Cultural Interpretation of the American Renaissance* (2000). Stuart Hall summarizes dominant strands of Birmingham School cultural studies approaches to social identification when he describes popular culture, specifically film, as “where we go to discover who we are” (474).

<sup>6</sup> Wai-Chee Dimock makes this point in *Empire for Liberty* (1989), that “‘text’ and its ‘context’ are in every case inseparable” (5).

<sup>7</sup> The broader effect of such effort is in question for some officials. In 1992, the Director of the National Institute of Corrections offered this account:

The film and the book are powerful mediums that have created a deep-rooted notion of our business. It is unlikely that many, if any, movies will ever be produced that will accurately convey corrections. It would be rather boring viewing. Furthermore, books that are accurately and fairly written seldom are

read widely beyond the research lab, the classroom, or, indeed, our own profession and as such have little impact upon public perception.

(ACA 1992 3)

<sup>8</sup> Criminologist Nicole Rafter touches upon on how films do play such a role in *Shots in the Mirror: Crime Films and Society* (2000).

<sup>9</sup> These figures are according to the *VideoHound's Golden Movie Retriever 2003*, edited by Jim Craddock. Many of the women in prison films are largely exploitative, the most infamous of which is *Caged Heat* (1974), the directorial debut of Jonathan Demme, and it spawned a host of imitators. Demme would move on to direct several films with powerful female characters, including the adaptation of Toni Morrison's *Beloved* (1998) and *Silence of the Lambs* (1991)—for the latter, he won an Academy Award for best director. As of December 2003, the Internet Movie Database listed 943 prison films, but this included films scheduled for 2004, television series, non-U.S. films, and films featuring metaphoric imprisonment.

<sup>10</sup> Not all of the books, films, and performances necessarily depict only black men in prison. In Faulkner's *Sanctuary*, Popeye and Lee Goodwin are white, while *Light in August's* Joe Christmas and *Go Down, Moses's* Butch Beauchamp are both of mixed race. Eldridge Cleaver, author and character of *Soul on Ice*, is black, but Mailer's Gilmore is white. *American History X* has as its topic racial violence, but focuses on a white family. *The Hurricane* focuses on a black man allegedly wrongly imprisoned for murder, and *The Farm* features a primary cast of four black male prisoners and two white. "Live from Death Row" represents both white and black men slated for execution, though it is a black woman who speaks of her son behind bars, while *Jury Duty* offers a white female character's trial and sentencing.

<sup>11</sup> There is at least one broad-based analysis of the representation of imprisonment in the U.S. popular journalism of the latter half of the twentieth century. In *The Cultural Prison*, John Sloop offers a book-length treatment of imprisonment in its representation in popular journals, offering a rhetorical critique of a selection of hundreds of articles.

<sup>12</sup> These comparative statistics are based on the U.S. Department of Justice's records of the number of black and Hispanic male inmates per 100,000 black and Hispanic men compared to white male inmates per 100,000 white men in the U.S. And while men still vastly outnumber women in state and federal penitentiaries by almost nine to one, the number of women in prison, particularly women of color, is increasing ("Incarceration Rates").

<sup>13</sup> These figures draw from various sources, including the 2000 census conducted by the U.S. Census Bureau, the U.S. Commission on Civil Rights' *Voting Irregularities in Florida During the 2000 Presidential Election* (2002), and an investigative series in the *Washington Post* (2001). The controversy has not received extensive coverage, though partisan divide continues as typified by the 2003 debate between *Harper's Magazine* and *The National Review* as to the raced intent of voter disenfranchisement.

<sup>14</sup> Christopher Uggen and Jeff Manza raise this point as well in “Democratic Contraction? Political Consequences of Felon Disenfranchisement in the United States” (2002).

<sup>15</sup> A related case can be found in the matter of the Cuban *marielitos* admitted to the U.S. in 1980, many of whom Fidel Castro had released from prisons and mental hospitals. The influx of the 125,000 immigrants met with Immigration and Naturalization Service interviews. On the basis of those interviews and in the absence of any records, 2,000 were identified as “probable offenders” and incarcerated in federal prisons (Keve 230). Subsequently, “inmates who completed their sentences as prisoners were kept in custody as detainees because it was deemed too risky to release them” (231). Another example can be found in the detaining of 650 prisoners, primarily from Afghanistan, at Guantanamo Bay from 2002 to 2004.

<sup>16</sup> A sociology professor at the 1972 American Correctional Association conference offers an account of “natural law” drawn from Aquinas in which he makes a provocative slip. “Natural law can be defined as an assumed *inmate* [sic] capacity within man, found universally, which, if operative, would allow him to distinguish between *morally right* and *morally wrong* behavior” (197). Whatever typographical error transformed *innate* to *inmate* illustrates how the criminal violates natural law, demonstrating the lack of the *innate* capacity for moral distinction, casting the criminal then as *inmate* and lacking in universal human capacities. That lack historically has been presumed in blackness in the U.S. and was an antebellum argument for slavery in the South.

<sup>17</sup> Amy Kaplan makes a related claim of American literary realism in *The Social Construction of American Realism* (1988).

<sup>18</sup> A participant describes the mine at the 1929 conference of the American Prison Association (326), and it does not seem to be an entirely idiosyncratic example—a member of the 1970 congress identifies another mine as prison at Simsbury as the first prison.

<sup>19</sup> According to Gwendolyn Midlo Hall in *Africans in Colonial Louisiana: The Development of Afro-Creole Culture in the Eighteenth Century* (1992), it is actually unlikely that the slaves originally populating the Louisiana plantation-turned-prison were in fact from Angola. Portuguese slavers preferred to import Angolans over other ethnicities and, as such, the majority of Angolans brought into North America entered along the eastern seaboard during the seventeenth and eighteenth centuries (Littlefield). However, some Southern plantation owners nevertheless named their plantations “Angola”—including one Anthony Johnson, a free black man from Angola who so titled his property in early Virginia, according to T.H. Breen’s “*Myne Owne Ground*”: *Race and Freedom on Virginia’s Eastern Shore, 1640-1676* (1980). I am grateful to Timothy Buckner for the reference.

<sup>20</sup> Since then, imprisonment has grown as an organizing topic for panels at academic conferences and collections of essays, but it remains insufficiently addressed as a central issue in U.S. history and literary studies.

<sup>21</sup> This is most fully representative of *Go Down, Moses*, as *Sanctuary* and *Light in August* are far less invested in writing history. Chapter Two generally treats the latter two novels as a counterpoint to the analysis of *Go Down, Moses*.

<sup>22</sup> The National Prison Association was formed in 1870 in response to an examination of existing imprisonment practices that demonstrated their inhumane conditions. Members met to discuss prison reform, what they typically address as “the prison question,” though said question is never clearly stated or agreed upon, making the NPA similar to many earnest but ill-defined reform movements of the late nineteenth century. That same period also saw the move to the professionalization and consolidation of a variety of fields and disciplines, which in part was accomplished by the formation of institutional organizations such as the NPA, the American Historical Association (1884), and the Modern Language Association (1886). The ACA generally meets twice each year, though until 1989, they only published the summer conference proceedings. Since then, the papers from each meeting have appeared in each annual volume.

<sup>23</sup> Since the watershed studies of Norval Morris and David J. Rothman—*The Future of Imprisonment* (1974) and *Conscience and Convenience: the Asylum and Its Alternatives in Progressive America* (1980), respectively—there has been growth in prison historiography. Thomas G. Blomberg and Karol Lucken’s *American Penology: A History of Control* (2000) follows the thesis of *Discipline and Punish* but with a more rigorous historiographic method, and concludes that tactics of imprisonment are indeed broadening to a larger strategy of general social control. Scott Christianson’s *With Liberty For Some: 500 Years of Imprisonment in America* (1998) provides too broad a view to be especially specific, but it does draw close relationships between slavery and imprisonment in U.S. history, pointing out how race and class have been implicated in social control and punishment since pre-Revolutionary America. Thomas L. Dumm’s *Democracy and Punishment: Disciplinary Origins of the United States* (1987) offers another Foucauldean history, arguing that producing and incarcerating criminality occurs in an opposition that helps define the idea of freedom as conducted in liberal democratic discourse. Jay Adam Hirsch’s *The Rise of the Penitentiary: Prisons and Punishment in Early America* (1992) anticipates many of Christianson’s points regarding the relationship of slavery and imprisonment. Paul W. Keve’s *Prisons and the American Conscience: A History of U.S. Federal Corrections* (1991) serves as an administrative history, an official view from the inside and from the top, as he served as the Commissioner of Corrections in Minnesota. Marc Mauer in *Race to Incarcerate* (1999) demonstrates that black men are in prison out of proportion not only with their overall population but also with the number of crimes committed. Morris and Rothman’s *The Oxford History of the Prison: The Practice of Punishment in Western Society* (1998) is an edited collection and includes essays offering a broad overview of U.S. and international imprisonment practices. David M. Oshinsky’s “Worse Than Slavery”: *Parchman Farm and the Ordeal of Jim Crow Justice* (1997) is the most rigorously

documented account organized around the Mississippi prison, and it demonstrates how imprisonment in the Jim Crow South perpetuated practices of slavery. William L. Selke's *Prisons in Crisis* (1993) conducts a sociological study in determining that the U.S. prison system fails to accomplish its intent because its purposes (punishment, incapacitation, and rehabilitation) are misguided or unreasonable and often contradictory; imprisonment practices often exacerbate rather than alleviate the problems the system seeks to solve. John M. Sloop's *The Cultural Prison: Discourse, Prisoners, and Punishment* surveys popular news periodicals from 1950 to 1993 to demonstrate how the representation of prisoners has several distinct types at different periods, particularly with regard to raced and gendered criminality. Michael Tonry has held a longtime commitment to the study of imprisonment as a vital component of criminology, and his edited collection *The Handbook of Crime and Punishment* (1998) is an invaluable survey of correctional policies and practices.

<sup>24</sup> H. Bruce Franklin has the longest and most sustained history of arguing for the importance of imprisonment in constructions of U.S. literary history, an argument most fully developed in *Prison Literature in America: The Victim as Criminal and Artist* (1989), and *Prison Writing in 20<sup>th</sup>-Century America* (1998), an edited collection of writing by prisoners. Bell Gale Chevigny edits another collection of prison writing in *Doing Time: 25 Years of Prison Writing* (1999). Ioan Davies moves between philosophical and sociological critique in *Writers in Prison* (1990). Houston A. Baker in the closing pages of *Turning South Again: Re-thinking Modernism/Re-reading Booker T.* (2001) traces late twentieth century imprisonment practices to Booker T. Washington's complicity with raced subjugation. Angela Davis and Ruth Gilmore are the most visible academics among the many critics of the U.S. prison system. The majority of these critics emphasize the self-representation of prisoners themselves rather than how imprisonment circulates in the cultural imagination. Sloop's *The Cultural Prison* focuses on popular representations of incarceration, but he limits his study to news and periodical accounts.

<sup>25</sup> Rage Against the Machine's five album releases from 1992 to 2003 regularly feature songs linking U.S. imprisonment practices with larger matters of social justice and national and international policy. They have championed the cause of Mumia Abu-Jamal, a prison writer and activist whose lengthy imprisonment has been protested internationally. The album jackets identify the band members as "Guilty Parties," and the liner notes to *Evil Empire* (1996) features a photo of book covers, the list of which reads as a partial bibliography of this dissertation: Mumia Abu-Jamal's *Live From Death Row* (1996), Cleaver's *Soul on Ice*, Frantz Fanon's *The Wretched of the Earth* (1963), George Jackson's *Soledad Brother* (1971), Mailer's *Armies of the Night* (1968), and others.

<sup>26</sup> Franklin likely proved an attentive audience to Rush's presentation on prisons, as his own son, a Royalist, had been imprisoned on the charge of treason at Walnut Street Jail in 1777 (Keve 1). A year before, and ten years after he signed the *Declaration of Independence*, Rush published a paper in which his language



identifying the function of literacy is identical to that of imprisonment. He felt that literacy served a critical role in implicating citizens in what he described as the social “machine” of government (“Plan” 27). Like literacy, Rush’s model for imprisonment made the social control of state punishment one of correction, a discipline that he viewed as including hard labor, moral training, and schooling in “good books” (*Autobiography* 230). Other members of the Philadelphia Society agreed that such punishment should involve education. When the Reverend William Rogers, who joined Rush in signing himself on to the charter presented in Franklin’s living room, first offered services and instruction to inmates at Walnut Street, the authorities were so concerned that a riot might occur that they mounted a cannon next to the pulpit and aimed it at the prisoners (Newman, Lewis, Beverstock 13). Education and the reading of “good books” took place under the threat of violence in the first prison of the United States.

<sup>27</sup> Rush offered his model for the penitentiary in “An Enquiry into the Effects of Public Punishments Upon Criminals and Upon Society” (10-12). While Robert R. Sullivan locates Rush as the progenitor of U.S. prisons (333-344), the new model of punishment was not his idiosyncratic invention. Jefferson’s *Autobiography* includes his response to Rush’s comments regarding representative government on the continent as well as his architectural designs, and Paul Kneper demonstrates Jefferson’s contributions to the Kentucky criminal code (129-149). Christopher Adamson describes the Protestant imperatives articulated in Rush’s proposal in “Wrath and Redemption: Protestant Theology and Penal Practice in the Early American Republic” (75-77). Cesare Beccaria offers a similar model of reform in *On Crimes and Punishments* (1764), which saw extensive circulation in France and some comment in North America in the 1760s and 1770s (Dimock *Residues* 14-15). David J. Rothman argues that the U.S. invention of imprisonment owed little “intellectual debt” to English approaches (108-9), and Christopher Adamson also points out that prevailing Protestant conventions of work and self-discipline informed the transformation (75-111). However, Rush’s arguments in his “Enquiry” in particular draw from Edmund Burke’s *A Philosophical Enquiry into the Origin of our Ideas of the Sublime and the Beautiful* (1757). In the introduction to *A Philosophical Enquiry*, James T. Boulton points out that Burke participated in a student riot against the Black Dog Prison at Newgate in 1747, the year Burke probably wrote the *Enquiry* (xvii).

<sup>28</sup> Leslie Patrick-Stamp chronicles the over-representation of African Americans in Walnut Street Jail in “Numbers That are Not New: African Americans in the Country’s First Prison, 1790-1835” (95-128). Adam Jay Hirsch, Paul Keve, Dario Melossi and Massimo Pavarini, and David J. Rothman all emphasize the importance of the Pennsylvania and Auburn models in their histories of early U.S. prison practices.

<sup>29</sup> Edgardo Rothman emphasizes the failures of prison reform (151-177), and Rothman describes the ethnic populations of prisons (100-116). The National Prison Association published transcripts of its annual meetings, and Hayes’ comments are

from his keynote address; a reverend's speech thereafter suggests the proportion of those in custody who do not belong there (NPA 1888 14, 27). In 1968, A community treatment manager says that half a million of the prison and jail population could be released to alternative facilities without danger, and an additional quarter million could be released within a year given community programs (ACA 81). In 1977, a Pennsylvania Pardon Board member suggests the same argument as Hayes: "When inflation and unemployment increase, so do prison and mental health institution populations" (58). Unemployment remains the clearest corollary to incarceration rates (Gould, Weinberg, and Mustard; Western and Pettit).

<sup>30</sup> The Elmira Reformatory practices were a matter of heated debate at the annual conference (NPA 1887 204, 273-5, 281), and Rotman discusses them as well. Brockway's influence was considerable, as he served as NPA president in 1898 and is described by a 1970 participant in the annual congress as one of the "Big Three" in prison reform (ACA 1970 108). Keve and Rothman survey the various therapeutic approaches to prisoner treatment, and the APA transcripts record the discussion of psychological approaches at length (1929 349; 1930 35-65, 210, 286). A civil suit was brought against the Louisiana State Prison at Angola in 1975 regarding how conditions there violated prisoners' constitutional rights and led to numerous reforms (Rideau and Wikberg 41).

<sup>31</sup> The imprisonment of a black male character occupies much of William Faulkner's *Intruder in the Dust*, and Lucas Beauchamp is innocent, his exculpatory evidence quite literally unearthed by the County Attorney Gavin Stevens' nephew, Charles "Chick" Mallison, an effort engaged because the adolescent feels a debt to Beauchamp for a racist slight committed four years before. His racial guilt extends far enough to include the awareness that Lucas "would die not because he was a murderer but because his skin was black" (338). However, just as *Sanctuary's* jail largely functions as a gothic set piece, the genre conventions of a detective novel largely overshadow the racial and social currents of the 1948 novel. There is a question of which of the two corpses, the murderer, or Beauchamp is the intruder in the dust, and the emphasis on that discovery makes the real intrusions the cultural critiques focusing on race that Stevens occasionally offers to his nephew. *Intruder in the Dust* deserves closer examination than it has thus far merited, as it has received among the least critical response of Faulkner's novels, but given the degree to which Lucas in prison serves as a backdrop to grave robbing and detective work, this is not the place for it. The black female character Nancy Mannigoe is similarly in jail throughout all of *Requiem for a Nun* (1951), but she is equally a background character to Gavin Stevens' interrogation of his niece-in-law, Temple Stevens. Chapter Two briefly touches upon these two novels.

<sup>32</sup> Cleaver and Mailer offer highly problematic authors of their own characters, particularly with regard to their political shifts and changing commitments to civil rights. Cleaver's move to the far right and accompanying polemics saw the socially liberal Berkeley City Council threaten to eject him from a meeting in the 1990s, and

even the Mailer of 1968 writes that “he was getting tired of hearing of Negro rights and Black Power” (*Miami* 187).

<sup>33</sup> These advances include the legitimacy of writ lawyers (*Johnson v. Avery* [1969]), the right to communication with the press (*Nolan v. Fitzpatrick* [1971]), and the right to receive both mail and visitors (*Procurier v. Martinez* [1974]). Cleaver describes the limitations facing such writ lawyers in *Soul on Ice* (69). The writing of both books depends upon letters passed back and forth between prisoners and those outside, and, in *The Executioner’s Song*, the interviews with Gilmore provide the basis for much of the second half of the book.

<sup>34</sup> The number of people in prison with sentences of death increased every single year between 1976 and 2000 (the total growing from 420 to 3,601), according to the U.S. Department of Justice (“Prisoners on Death Row”). The number of people actually executed rose sharply in 1984, and from 1984-2003 returned to numbers not seen since the 1950s, an average of over 40 per year and in 1999 falling just short of 100 (“Executions”).

<sup>35</sup> That number grew to over two million for the first time in U.S. history by the middle of 2002, according to the U.S. Department of Justice (“Prison and Jail Inmates”). In addition, another 4.3 million people were not incarcerated but under another form of legal control, whether in an alternate facility or on probation or parole. According to *Corrections Today*, the U.S. accounts for less than one-twentieth of the world population, but accounts for almost one quarter of the prisoners worldwide, and in the nation’s capitol, one out every one hundred people are in prison (Coyle 8).

<sup>36</sup> These factors continue past the South in the 1930s and 1940s. Andrew Hacker argues that social and economic structural inequities contribute to raced prison populations in Chapter 11, “Crime: The Role Race Plays” (166-183) of *Two Nations: Black and White, Separate, Hostile, Unequal* (1995). Marc Mauer in *Race to Incarcerate* (1999) offers a more extended version of this argument, further demonstrating that the incarceration of black men is disproportionate not only with their overall population but with the number of crimes committed. These differences compound in the 1980s and 1990s, when rates of illegal drug use between white and black men are similar, but rates of arrest for drug offenses are five to six times higher for black men (Schlosser 54; Morris “The Contemporary Prison” 214-215; Tonry 19).

<sup>37</sup> Anthony Trivisono reiterates the original goals in his 1990 plenary address “ACA’s Future,” his farewell after serving as ACA Executive Director since 1975 (95-96).

<sup>38</sup> One ACA participant points out in a 1990 presentation titled “Where Will Corrections Stand Ten Years Down the Road?” “Everybody’s child, virtually, is a criminal by the time they are in their teens, simply because of existing laws” (ACA 1990 14). That claim suggests the pervasiveness of criminality, though in this view it is crime rather than conviction that produces criminality. However, the speaker is an

editor of the *Tennessean* newspaper and thus likely less familiar with ACA policies and principles.

<sup>39</sup> Slavoj Žižek suggests instead that Michel Pêcheux “has given us the most elaborated version of the theory of interpellation” (*Sublime* 3), and others trace the term back to Lacan (Nehring 139).

<sup>40</sup> Althusserian interpellation is largely addressed as a single authority—the policeman, God—hailing a single subject. The model of the judicial body in the APA declaration matches the sense of interpellation as not a singular call, but the interruption or summons offered in legislative assembly to one of its members (*Oxford English Dictionary On-line*). As we shall see in Chapter Five, this plural and participatory sense of interpellation opens more possibilities than that those left available by Althusser.

<sup>41</sup> Biology is not discounted entirely in cultural conflict over race, as demonstrated by Richard J. Herrnstein and Charles Murray’s *The Bell Curve: Intelligence and Class Structure in American Life* (1994) and the controversy it elicited. Kalpana Seshadri-Crooks’ *Desiring Whiteness: A Lacanian Analysis of Race* (2000) provides a concise survey of race as shifting in use and meaning among various fields. Blackness—or rather, multiple blacknesses—as ethnicity dates at least as far back as Portuguese slave traders preferring Angolan slaves, according to Gwendolyn Midlo Hall and Daniel Littlefield. The slip from blackness as a racial marker to ethnicity is sometimes a symptom of cultural anxiety, as can be seen in media descriptions of a highly acclaimed “black” man such as Tiger Woods as “multi-racial,” emphasizing his mixed ancestry (Kamiya). That anxiety is predicated upon cultural expectations of race and thereby it becomes an ideological position, whereby former President Bill Clinton can be the first “black” president and Supreme Court Justice Clarence Thomas and National Security Advisor Condoleezza Rice are not “really” black because of their political conservatism.

<sup>42</sup> Tania Modleski’s *Feminism without Women: Culture and Criticism in a “Postfeminist” Age* (1991) and Kaja Silverman’s *Male Subjectivity at the Margins* (1992), while hardly in agreement, were early entries in the effort to make “gender studies” not just another term for feminism and constructions of masculinity more than something to push against. Fred Pfeil’s *White Guys: Studies in Postmodernism, Domination, and Difference* (1995) and Calvin Thomas’ *Male Matters: Masculinity, Anxiety, and the Male Body on the Line* (1998) are two examples of masculine studies following in the wake of such feminist theory.

<sup>43</sup> Rideau discusses how the over-representation of black men in prison created a localized numerical superiority in the 1970s, wherein black men employed sexual violence against white men in prison as a retaliatory gesture to white racism outside of prison (*Life Sentences* 92-93). Wideman also comments on this phenomenon as a fantasy (cf. n. 186), a matter relevant to the discussion in Chapter Four of *American History X* and its occasional treatment of race as a free-floating signifier.

<sup>44</sup> Of these texts, *Light in August* and *American History X* come the closest to capitulating to and thus perpetuating the automatic criminality of black men. *Jury Duty* is the only text that operates outside of the narrow guidelines of always masculine and largely black criminals, and I offer it as both a counterpoint and a direction for further investigations of criminality and incarceration organized around representations of women, as well as greater diversity of class, ethnicity, and sexuality.

<sup>45</sup> These protests reached the attention of prison administrators, and the president of the American Correctional Association in 1968 made reference in his keynote address to “The revolt of youth, as seen in student demonstrations from New York to California” (ACA 1968 23). In New York, student strikes led to open admissions. At Berkeley, cross-cultural alliances among the Afro-American Student Association, the Mexican American Students Confederation, the Asian American Political Alliance, and the Native American Students Union led to courses, programs, and departments that sought to represent and include the culturally diverse populations of the campus, state, and nation.

<sup>46</sup> *The United States Constitution* begins with “We the people,” thereby initiating nation-making as an uneasy balance of pluralism, democracy, and representativeness. Emerson in “The American Scholar” (1849) and “The Transcendalist” (1842) simultaneously calls for and participates in a national literature celebrating democracy and diversity, even as he largely ignores existing cultural variety. F.O. Matthiessen’s *American Renaissance* (1941) virtually defined U.S. literature as “dedicated to the possibilities of democracy” (ix), but managed to locate that ideal in just five white upper-middle class men in the Northeast (Emerson, Hawthorne, Melville, Thoreau, and Whitman). So-called “New Americanists” of the 1980s and 1990s have expanded national literary representation better to reflect the diversity of lived experience. However, scholars working in mid-nineteenth century studies have the luxury of Matthiessen’s periodization and canon with which to contend. Twentieth century literary study is consolidated far less in terms of what writers, periods, genres, and media might constitute its “literature.” This dissertation benefits from the elasticity produced in that uncertainty, particularly in the inclusion of multiple genres across a broad historical period. However, the same lack of a consolidated canon also necessitates far greater substantiation of the texts selected, and therefore longer introductions.

<sup>47</sup> The institutionalization of such multi-cultural approaches also is glossed easily in a survey of American literature titles published by the Modern Language Association during the time period between the Yale conference and the fourth edition of the Heath Anthology, from 1979 to 2002: *Afro-American Literature* (1979), *Teaching Women's Literature from a Regional Perspective* (1982), *Ethnic Perspectives in American Literature* (1983), *Studies in American Indian Literature* (1983), *Women's Personal Narratives* (1985), *Asian American Literature* (1988), *American Indian Literatures* (1990), *Professions of Desire: Lesbian and Gay Studies in Literature*

(1995), as well as meta-critical and combinatory surveys, including *Three American Literatures* (1982), *Redefining American Literary History* (1990), *Redrawing the Boundaries* (1992), and *Disability Studies* (2002).

<sup>48</sup> Yarborough delivered the paper at the University of Texas at Austin May 1, 2003, and again at the University of Maryland November 7, 2003. *Amistad* (1997), directed by Steven Spielberg, and *The Hurricane* by Norman Jewison, were relatively mainstream and widely promoted films. *Rosewood* (1997) is directed by John Singleton, one of the most prominent filmmakers of black experience in the U.S.

<sup>49</sup> Žižek offers an interpretation of Lacan's pun, *Unbewusste – une bévue*, that casts such an oversight as at once symptomatic and constitutive of an unconscious participation in the real. "The unconscious is not a kind of transcendent, unattainable thing of which we are unable to take cognizance, it is rather [...] an overlooking: we overlook the way our act is already part of the state of things we are looking at, the way our error is part of the Truth itself" (*Sublime* 59). Yarborough's analysis of black men in these historical films *overlooks* the pattern of racial control (slavery, Jim Crow, incarceration) that is not above or transparent in that history, but so visible as to not be seen.

<sup>50</sup> The disparity emerges in *Newsweek's* inclusion of former prisoners and the lifetime likelihood of future imprisonment with those currently in prison and jail.

<sup>51</sup> John Edgar Wideman makes use of the same discursive tactic of writing back and forth through bars with his imprisoned brother in *Brothers and Keepers* (1984). He turns from the image of the reflective mirror to the tension of imagination and reality in his keynote address to the conference "The American Dilemma Revisited: Psychoanalysis, Social Policy, and the Socio-Cultural Meaning of Race" (2002), printed in the *Black Renaissance/Renaissance Noire* 8.1 (2003).

<sup>52</sup> The poem, submitted by Allen Carter Jr., prisoner #87750, is Judy Deputy's (March/April 1985 101).

<sup>53</sup> Some notable examples include Jack Henry Abbot's *In the Belly of the Beast* (1981), introduced and guided to publication by Mailer, Cleaver's *Soul on Ice*, Truman Capote's *In Cold Blood* (1966), George Jackson's *Soledad Brother* (1970), Richard Wright's *Native Son* (1940), Malcolm X's *The Autobiography of Malcolm X* (1964), and the collection of poetry *Words From the House of the Dead* (1974). Prisons also appear at the periphery of William Wells Brown's *Clotel* (1853), Delillo's *Underworld*, Theodore Dreiser's *An American Tragedy* (1925), Faulkner's *Sanctuary*, *Light in August* and *Go Down, Moses*, Nathaniel Hawthorne's *House of Seven Gables* (1851) and *Blithedale Romance* (1852), Harriet Jacob's *Incidents in the Life of a Slave Girl* (1861), Henry James' *The Princess Casamassima* (1886).

<sup>54</sup> Bruce Crowther's *Captured on Film: The Prison Movie* (1989) is a survey rather than a rigorous analysis of prison films. Nicole Rafter's *Shots in the Mirror: Crime Films and Society* (2000) includes a provocative chapter focusing on prison films, but it similarly focuses on breadth rather than depth.

<sup>55</sup> Posner, a law professor, argues for formalist, aesthetic accounts of literature and leaves that category at once underdetermined and sharply differentiated from law, which he situates closer to history and judged by “ethical standards” (7). However, in a curious footnote, Posner sharply critiques the U.S. justice system in no uncertain terms: “The mistreatment by the American criminal justice system of persons charged but not yet convicted of crime is an international scandal [...]. People accused of crimes of violence are generally though not always drawn from social strata in which a public arrest is not a conspicuous badge of shame, but neither are they released on bond; they are thrown into jail to languish, sometimes for many months and often in horrible conditions, while awaiting trial. It is curious that the arrest of Joseph K. in the first chapter of *The Trial* is more civilized than arrests in the land of freedom at the threshold of the twenty-first century” (29). While Posner’s gloss of “social strata” is bleak, his critique is a rich one in that it can be read to legitimize the politicized readings he so deplors, the historicist rather than formalist study that makes actual incarceration part of the study of its representation.

<sup>56</sup> Norval Morris and David J. Rothman make this point (viii), and such criticism is legion—see especially Dario Melossi and Massimo Pavarini, who catalogue much of the debate in that regard in appendices to *The Prison and the Factory* (1981).

<sup>57</sup> Many critics Foucauldian analysis leads them to treat representations of imprisonment, criminality, and law enforcement as symptomatic of more generalized mechanisms of social control. Examples of such include John B. Bender’s *Imagining the Penitentiary: Fiction and the Architecture of the Mind in Eighteenth-Century England* (1987), D.A. Miller’s *The Novel and the Police* (1988), and Mark Seltzer’s “The Princess Casamassina: Realism and the Fantasy of Surveillance” (1981).

<sup>58</sup> A full account of the writers and texts that inform the method and purpose of my analysis of representations of incarceration, as well as race and masculinity, would of course be impossible. However, I would like to draw attention to the historiography and cultural criticism that though not surveyed at length have shaped the efforts and approaches of my argument, including Foucault’s *Discipline and Punish*, H. Bruce Franklin’s *Prison Literature in America*, Barbara Harlow’s *Barred: Women, Writing, and Political Detention* (1992), Jameson’s *The Political Unconscious and Postmodernism: Or, the Cultural Logic of Late Capitalism* (1991), Peter Linebaugh’s *The London Hanged: Crime and Civil Society in the Eighteenth Century* (1992), Oshinsky’s “Worse than Slavery,” Pfeil’s *White Guys: Studies in Postmodernism, Domination, and Difference*, Timothy Powell’s *Ruthless Democracy: A Multicultural Interpretation of the American Renaissance* (2000), and Eric J. Sundquist’s *To Wake the Nations: Race in the Making of American Literature* (1993).

<sup>59</sup> Walter B. Rideout, in his forward to Mercer Cook and Stephen E. Henderson’s *The Militant Black Writer* (1969), is slightly more circumspect, describing open discrimination as “the jailing of black leaders or the socio-economic imprisonment of black people in ghettos” (vii).

<sup>60</sup> For example, Charlene Avallone claims that criticism needs to be “historically responsible,” that literary study “needs to articulate values commensurate with America’s hybrid culture and cross-cultural relations and with America’s promise of democratic ideals” (1104, 1115). In nearly identical terms, Timothy Powell remaps the “geographical and cultural margins” in his multicultural interpretation to represent the “multicultural hybridity” of American identity (6, 23). Powell acknowledges the degree to which his own study relies on Ronald Takaki’s *A Different Mirror* (1992), a gesture to the extent to which New Americanist literary scholarship relies upon the methods and works of historical scholarship. Indeed, Powell points out that his *Ruthless Democracy* is as much a work of cultural historiography as literary study (19), a shared goal for much of this dissertation.

<sup>61</sup> There is not a tremendous leap, given the wording of the Thirteenth Amendment: “Section 1: Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.” Legalizing slavery within the context of imprisonment created the basis both for Jim Crow laws inequitably punishing black Americans, and for prisons serving as factories and plantations of slave labor. However, not all historians view prisons so critically. Keve, Blake McKelvey, and Richard A. Wright all argue that the narrative of prison administration is, from the sub-title of McKelvey’s study, “A History of Good Intentions.” Keve’s history is that as told from the inside, as he served as the Commissioner of Corrections in Minnesota.

<sup>62</sup> No reader, teacher, or critic can select this book or that book to be the “best” or worth reading or teaching from a vantage point outside of history; such decisions are made from within a history of judgment, of obscurity and revision. The reader can read what he or she likes; the teacher and scholar, however, as cultural power brokers whose syllabi and scholarship produce and revise literary history, have a responsibility to situate their claims and painstakingly trace the allegiances and erasures of those claims. Such an understanding of teaching and scholarship counters John Guillory’s critique of canon reformation. In *Cultural Capital* (1993), his rewriting of Pierre Bourdieu, Guillory argues that debates over canon formation and the cultural production that is education presume too much in the equation of literary study and cultural history. It is certainly true that adding Cleaver’s *Soul on Ice* to the reading list for a course in U.S. literature does nothing to challenge the material circumstances of prisoners in Folsom today. However, this dissertation emphasizes the historical conditions of the production and reception of the texts it surveys, in part to challenge the assumptions of incarceration and race in order to offer a broader and richer cultural history, literary and otherwise.

<sup>63</sup> Sacvan Bercovitch is of course the critic of U.S. literature most associated with such dissent in *The American Jeremiad* (1978), “America as Canon and Context: Literary History in a Time of Dissensus” (1986), and *Rites of Assent* (1993). David Howard-Pitney in *The Afro-American Jeremiads* (1990) points out the degree to



which such dissent is insufficiently associated with African American discourse, arguing that black literature in the U.S. has consistently maintained that edge of critique and prophecy. Sundquist demonstrates that some African American literature therefore results as a “strange combination of fiction and cultural analysis” (*Hammers* 6), a description that resonates most clearly with Cleaver’s *Soul on Ice* and “The Flashlight” (1969), but also with Faulkner’s *Go Down, Moses*, dedicated to Caroline O’Barr, the black woman and family caregiver whose storytelling likely in part shaped his.

<sup>64</sup> *Go Down, Moses* was originally published by Random House with *and Other Stories* as part of the title; for its 1949 reprint, Faulkner asked that they drop what he describes as an editorial addition. Whether the book is a novel or a collection of short stories proved a dominant critical question. I survey this discussion and describe it as a novel in “*Go Down, Moses [and Other Stories]: Bibliography as a Novel Approach to a Question of Genre*” (2002); the emphasis on slavery to incarceration gives further focus to this argument.

<sup>65</sup> The perceived rift does not acknowledge latent historicist aspects to Lacanian psychoanalytic theory. A passage from among Lacan’s earliest work provides a sense of the subject in history offered in a manner that, coincidentally, speaks directly to imprisonment. In a brief and highly elusive image of the trope of the prison as a model of subjectivity offered in “The Mirror Stage,” likely the most fundamentally important essay with regard to the application of psychoanalytic approaches to cultural study, Lacan suggests that “the historical effort of a society to refuse to recognize that it has any function other than the utilitarian” produces a false liberty of imagined autonomy. Such individualism denotes “a freedom that is never more authentic than when it is within the walls of a prison” (*Écrits: A Selection* 6). Lacan rejects that naïve existentialist model to acknowledge the constructive force of history, which is only the first suggestion of the degree to which he regards psychoanalysis and history as paired disciplines, “both sciences of the particular” (51). He continues, “What we teach the subject to realize as his unconscious is his history—that is to say, we help him to perfect the present historization of the facts that have already determined a certain number of the historical ‘turning-points’ in his existence” (52). The equation of unconscious and history, the “historicization of the facts” and the focus on formative “turning-points” recognized after the fact makes this analysis of the subject something of a blueprint for historicist approaches developed and refined more than a quarter century later. A turn to a printing in the original French demonstrates that the historical turn of the late seventies is not retroactively overwriting Lacan in this instance. After all, the English translation of *Écrits* was published in 1977 and translated by Alan Sheridan, who the same year translated Foucault’s *surveiller et punir* (1975). However, each of the instances cited does not use a term for the more individual past (*passé, antecedent*), but *histoire*, which develops both the sense of larger history as well as story or narrative (*Écrits I* 96, 139).

<sup>66</sup> Prominent examples of such connections located at least in part in U.S. cultural study include *Female Subjects in Black and White: Race, Psychoanalysis, Feminism* (1997), *The Psychoanalysis of Race* (1998), a special issue of *Black Renaissance/Renaissance Noire*, “The American Dilemma Revisited: Psychoanalysis, Social Policy, and the Socio-Cultural Meaning of Race” (2003), and Peter Coviello’s “Intimacy and Affliction: DuBois, Race, and Psychoanalysis” from the *Modern Language Quarterly* (2003). This influx emerges more than four decades after Frantz Fanon’s *Black Skin, White Masks* (1952), a landmark psychoanalytic study of race framed in terms of postcolonialism. However, Fanon’s work, while influential for U.S. revolutionary writers such as Cleaver, did not gain ground in U.S. academic study until the broader coalescing of postcolonial studies in the 1980s, and has seen only recent expansion in U.S. studies, such as in *The Fact of Blackness* (1996), *Fanon: A Critical Reader* (1996), and *Frantz Fanon: Critical Perspectives* (1999). Homi Bhabha, whose introduction to the 1986 edition of *Black Skin, White Masks* in part produced the resurgence of Fanon’s work, cautions against such (mis)use. Fanon offers his own warning that the book speaks only to black experience in the Antilles and not that of Africa—“at least concerning the black man at home” (14). Understanding imprisonment as an interior colonization provides a referential context for future postcolonial applications to a critical discourse of carceral culture.

<sup>67</sup> Slavoj Žižek’s work is roughly split between philosophical critique of the limits of historicism (arguing for the necessity of historicizing historicism) and specifically Lacanian criticism (which remains largely ahistorical). Joan Copjec argues in *Read My Desire: Lacan Against the Historicists* (1994) that historicism in the vein of Foucault makes marginal or lacks entirely the power of desire that psychoanalytic approaches make central. Lane’s work is divided between arguing for the relevance of psychoanalytic criticism in various historical periods and polemicizing against historicism. One way to gloss the disciplinary turf war is to read the reviews of his book *The Burdens of Intimacy: Psychoanalysis and Victorian Masculinity* (1999) and his edited collection *The Psychoanalysis of Race* in the *Journal for the Psychoanalysis of Culture & Society*, which would presumably be sympathetic to such approaches. However, both reviewers—Kathy Alexis Psomiades and Ellis Hanson, respectively—note the lack of historicist rigor in each work (154-157; 173-175). Part of the problem is that Lane less bridges the fields than argues for the legitimacy of specifically Lacanian psychoanalysis, and with regard to race, seeks to write race into Lacan in its very absence—which is fine as a gambit, but it is not a terribly successful tactic in arguing for a psychoanalytic historicism. For example, Lane points out that Lacan’s Other does not denote skin color. According to Lane, that very lack means that Lacanian alterity “fosters a more precise and historically subtle account of group identification and racial fantasy than we find in Hegelian accounts of whites and blacks” (297). Such “reading in” works to a certain extent, though Lane downplays the degree to which the Lacan Other “fosters,” allows for

historicity rather than actually conducting it. The Lacanian Other is only “more precise and historically subtle” in interrogating race to the extent that critics use it so, which most of the contributors to *Psychoanalysis and Race* do not. Lane continues, “For important reasons, then, Lacan does not simply or timelessly represent the black man as the Other; ironically, it is post-colonial theory, taking its notion from Hegel, Sartre, and Fanon, that produces this ahistorical and occidental account of racial difference” (297). I appreciate what Lane is trying so hard to do in suturing psychoanalytic reading with cultural study in particular historical contexts. I therefore groan more deeply at his dip to polemic and deconstructive reversals, pulling the rug out from under post-colonialism’s straw critics (Hegelians all, to Lane’s read) to upend the interpretive strategies that many critics of the collection he edits find useful.

<sup>68</sup> Gwen Bergner frames her study with the admission that “classic psychoanalysis emphasizes gender and sexuality as the determining factors of social organization and subjectivity, neglecting racial difference altogether. Furthermore, psychoanalytic theory has tended to describe psychology in terms of universal frameworks that ignore cultural and historical specificity” (222). Ricardo Ainslie and Kalina Brabeck open their own study with a similar acknowledgement (44).

<sup>69</sup> Certeau extends this representation in the “A Walk in the City” chapter (97-110) of *The Practice of Everyday Life* (1984). “The act of walking is to the urban system what the speech act is to language or to the statements uttered” (97). If we missed the Lacanian gesture of the unconscious being structured like a language, Certeau returns in what is effectively a linguistic montage of citations that in their aggregate are an effort to suture Freudian psychoanalysis to poststructuralist discourse. The signs of the city “characterize both a ‘symbolic order of the unconscious’ and ‘certain typical processes of subjectivity manifested in discourse’” (102). A passage prefaced with Derrida and haunted by the spectre of Deleuze and Guattari—the “wandering of the semantic”—races immediately through a rewriting of Freud to collapse city, language, and dreams to one landscape. The chapter ends by rewriting the Freudian *fort-da* and the Lacanian *jouissance* of misrecognition not in terms of possession or sight but in terms of space. “To practice space is thus to repeat the joyful and silent experience of childhood; it is, in a place, *to be other and to move toward the other*” (110). This *fort-da* of self becomes then a spatial rather than a visual relationship constituting subjectivity.

<sup>70</sup> The manner in which I employ psychoanalytic terms itself gravitates to historical context, as I generally employ a particular psychoanalytic vocabulary in the analysis of texts coincident with the development of that framework itself. For example, I apply largely Freudian descriptions of the unconscious and the primal scene to Faulkner’s *Sanctuary* and *Light in August*, novels first published contemporary to popular discussion of Freud and when models of psychological development proved pervasive in prison officials’ discussions of the origins of criminality. Furthermore, Cleaver and Mailer were employing “schizophrenia” as a socio-historical term just a

few years before Deleuze and Guattari made it a primary focus of *Anti-Oedipus: Capitalism and Schizophrenia*. I am not claiming that psychoanalytic readings are only useful in this manner of historical parallelism, but I am implying that their application in a less coincident and more transhistorical fashion requires very rigorous substantiation of the use-value and relevancy.

<sup>71</sup> This 11-year period is also one of unprecedented representation of prisoners in popular periodicals, according to Sloop's survey of such in *The Cultural Prison* (203 Appendix 2 Table 2).

<sup>72</sup> Such teaching strategies have their own genealogy, with antecedents in the critical pedagogy of both Paulo Freire and Henry Giroux, who has his own debt to Raymond Williams and the Birmingham School.

<sup>73</sup> In another context, Antonin Artaud argues, "Our present social state is iniquitous and should be destroyed. If this is a fact for the theater to be preoccupied with, it is even more a matter for machine guns" (41-42). Artaud distinguishes between the stage and staging social struggle, but from Kenneth Burke's dramatism to Judith Butler's theorization of performativity, theatrical language has proven useful in describing the practice of human experience. Unlike the trope of the prison, which too often linguistically substitutes an existential for a material condition, the trope of the stage provides a more nuanced means by which Burke describes a grammar of motives and Butler, the performance of identity. Protesting the social state of imprisonment in the instance of raced incarceration is indeed a matter for the *rhetorical* equivalent of machine guns, resistance in which I hope this dissertation might play a small but still significant role.

<sup>74</sup> Faulkner described his fictional county in those terms in a 1955 interview (*Lion in the Garden* 255). The description exactly matches that of seven years earlier, in *Intruder in the Dust* and Lucas' ownership of "the house and the ten acres of land it sat in—an oblong of earth set forever in the middle of the two-thousand-acre plantation like a postage stamp in the center of an envelope" (289). The likeness between Faulkner's right to ownership and that of Lucas is suggestive in its cross-racial identification. There are many ways to describe the proprietorship of some small thing that is at once the sum of and the field for all one's labor, after all, and Faulkner chooses the same for himself and Lucas, a black male character among the writer's most powerfully rendered.

<sup>75</sup> The first edition of *Absalom, Absalom!* opens with Faulkner's hand drawn map of his fictional county, a map which identifies the topography and the population: "Whites, 6298; Negroes, 9313." Robert W. Kirk identifies 1,200 characters in 19 novels, as well as 94 shorter works, and 175 of these characters appear in multiple texts (vii). Thomas E. Dasher offers a more detailed index that does not substantively alter the prior accounts.

<sup>76</sup> In 1963, Cleanth Brooks could write of Faulkner's "masterpieces" and "greatest works" as bracketed in this period (viii, ix). As Chapter One demonstrates, history

and subjectivity supersede conventional aesthetic descriptions in more recent literary criticism.

<sup>77</sup> Execution is the extreme extent of punishment, and the matters of the harsh economic climate and incarceration practices have a more than juxtapositional relationship. In a comprehensive study covering 1979-1997, Gould, Weinberg, and Mustard (2002) found that economic downturns defined by unemployment and low wages offer the clearest—and arguably, the only—correlation for crime rates, and therefore incarceration. More statistical research is necessary to compare their findings to earlier periods in U.S. history, but their work is certainly suggestive.

<sup>78</sup> Between 1930 and 1942, 1002 of those executed were white, with 959 for murder, 20 for rape, and 23 for other offenses. 1034 of the executed were black, with 852 for murder, 165 for rape, and 34 for other offenses, according to the U.S. Department of Justice's "Sourcebook of Criminal Justice Statistics."

<sup>79</sup> John Irwin makes a similar point of *The Sound and the Fury* and *Absalom, Absalom!* in *Doubling and Incest, Repetition and Revenge: A Speculative Reading of Faulkner* (1975). Joseph Blotner does point out that there are "many links of tone and phrase [in *Light in August*] with *Sanctuary*," but does not press further (300).

<sup>80</sup> A sheriff's deputy narrates Rider's death in an entirely unsympathetic manner; he does not comprehend that Rider, a black man, could feel overwhelming grief at the death of his wife and thereby seek his own death.

<sup>81</sup> Wright also makes this point in *Native Son*. It became a matter of wider discussion in the late 1960s, and black revolutionary writers, some writing from inside prisons, make this argument. Cleaver's *Soul on Ice* and Jackson's *Soledad Brother* are two prominent examples.

<sup>82</sup> That introduction, one of the few Faulkner wrote, was included with the Modern Library edition of *Sanctuary* in 1932, though he thereafter recommended against its use. The 1993 Vintage edition describes that introduction as "misleading, but often quoted" (321) to preface its reprinting (321-24). Criticism that would place the novel among the writer's finest are André Bleikasten's *The Ink of Melancholy* (1990) and Philip Cohen's "'A Cheap Idea... Deliberately Conceived to Make Money': The Biographical Context of William Faulkner's Introduction to *Sanctuary*" (1988).

<sup>83</sup> The second time, "I gave you your chance" becomes "I give you your chance." The phrase appears in the same context in *Light in August* too, as Hines declares the contest was one between he and God: "God give old Doc Hines his chance and so old Doc Hines give God His chance too" (371).

<sup>84</sup> As Christmas is hounded, it is the "*sound and fury* of the hunt" he hears (emphasis added—331), though this referentiality seems more an authorial wink than a reworking of material.

<sup>85</sup> Michael Oriard offers a rich account of Faulkner, game, and sport in *Sporting with the Gods* (1991), and Thadious M. Davis addresses games of chance in *Games of Property: Law, Race, Gender, and Faulkner's Go Down, Moses* (2003). Warwick

Wadlington is the foremost among Faulkner's critics who emphasize the role of the reader.

<sup>86</sup> Wright offers a similar description of "Bigger" Thomas in *Native Son*, as "Bigger" proceeds from repeatedly saying, "Sometimes I feel like something awful is going to happen to me," to, "It's like I was going to do something I can't help" (23, 24).

<sup>87</sup> Such accounts are offered in Dianne Luce Cox's "A Measure of Innocence: *Sanctuary's* Temple Drake," (1986), Linda Dunleavy's "Sanctuary, Sexual Difference, and the Problem of Rape," (1996), and Elisabeth Muhlenfield's "Bewildered Witness: Temple Drake in *Sanctuary*," (1983). In "The Dark Lady: Temple Drake as Femme Fatale" (1999), Scott Yarbrough offers a compelling suggestion of Temple's capability to act, intimating that her perjury is "one last blow as an empowered femme fatale at the system that has so spurned her" (62).

<sup>88</sup> Faulkner's introduction suggests that he anticipated popular beliefs and "current trends," which echoes eight years later in Wright's description of his process of writing *Native Son*. Wright offers that he used "terms known and acceptable to a common body of readers, terms which would, in the course of the story, manipulate the deepest held notions and convictions of their lives. That came easy" ("Bigger" xxvii).

<sup>89</sup> Others have addressed Christmas' complicity with his threatening universe. Warwick Wadlington suggests that "in resisting his world, [he] collaborates with it to compose his version of tragic drama" (135); David Minter identifies "Joe's secret affiliation with the world that pursues and mutilates him" (132).

<sup>90</sup> Wadlington points out this winning and losing of points as well, but likens it to "child's play" rather than sport (147).

<sup>91</sup> It is worth noting that state forces also employ such terms, though rules such as California's "three strikes and you're out" law, passed in 1994, which mandates life sentences for those convicted three times, even for minor felonies. That seems a glib reproduction of game rather than sport, an unequal contest where the state sets the rules. It is also a truncated version of New York's "Four Felony Law" of the Baumes Commission (APA1929 135 -137).

<sup>92</sup> Goodwin, Popeye, Christmas, Rider, and Butch all at least to some extent seek out their deaths. Faulkner is writing tragedy, of course, and characters' actions laying the basis for their ends is fundamental to the genre. Nevertheless, in *Light in August* and *Go Down, Moses*, black or mixed race characters so often seeking their own deaths as Christmas, Rider, and Butch seem to resembles a tacit racism similar to the conclusion of Harriet Beecher Stowe's *Uncle Tom's Cabin*, an abolitionist text where all of the black characters are either dead or headed to Africa.

<sup>93</sup> Noel Polk edits *Sanctuary: The Original Text* (1981), though the author's revision moves the scene of the jail to the center of the book, beginning instead with Horace Benbow and Popeye at the pond. And as a side note, *Go Down, Moses* ends where it begins as well—Faulkner typed the first two paragraphs of the final episode of *Go*

*Down, Moses* on the reverse side of a discarded typescript of a story called “Almost,” which in revision became “Was,” the opening of *Go Down, Moses* (Blotner 421).

<sup>94</sup> I am grateful to Wadlington for bringing this military strategy to my attention.

<sup>95</sup> Some theorists identify individuation as a primary purpose of imprisonment. Drawing heavily from *Discipline and Punish*, Dario Melossi and Massimo Pavarini describe the prison as a factory for the manufacture of a particular person, the transformation of the criminal “real subject” into a prisoner, an “ideal subject” disciplined to the designs of the state (144-145). Such a manufacture is viewed negatively here, though it is less a by-product of a critique of punishment practices than of an analysis of the political economy of capitalism.

<sup>96</sup> More than either a Freudian or Lacanian subject, Gavin Stevens at the end resembles Deleuze and Guattari’s model of socially constituted selfhood, wherein a “schizophrenic out for a walk is a better model than a neurotic lying on the analyst’s couch” (*Anti-Oedipus* 2). Certeau offers a related account in the “A Walk in the City” chapter (97-110) of *The Practice of Everyday Life* (1984).

<sup>97</sup> That Faulkner has Butch Beauchamp buried just outside the limit of the town may seem ominous to some and just a consequence of the placement of the cemetery to others. Incidentally, Faulkner sometimes spells the grandmother’s name as “Molly,” sometimes as “Mollie.”

<sup>98</sup> The conceit of Jefferson as of one mind, as a singular body, reaches its apex in *Absalom, Absalom!*, where the town is repeatedly described in bodily terms, particularly surrounding Sutpen’s marriage to Ellen Coldfield:

[T]hat public opinion which at some moment during the five preceding years had swallowed him even though he never had quite ever lain quiet on its stomach, had performed one of mankind’s natural and violent and inexplicable volte faces and regurgitated him. And it did not help him any that at least two of the citizens who should have made two of the teeth in the outraged jaw served instead as props to hold the jaw open and impotent while he walked out of it unharmed. (40)

<sup>99</sup> The story of Butch Beauchamp is told in the titular episode of the novel was first published in *Collier’s Magazine* January 25, 1941. Readers first encountered the story on a page largely taken up by George Howe’s illustration of Molly Beauchamp sitting in a rocking chair, leaning slightly forward, holding a pipe and staring wide-eyed and still above a caption quoting her lament for her grandson. However, while the story describes Molly as “little,” with a “shrunken” face and “not as big as a ten-year-old child” (19, 46), the illustration is that of a heavy-set woman. Given the degree to which the “Mammy” figure, given widespread representation just two years before in *Gone with the Wind* (1939), served as the exemplar of mature black femininity in the 1940s, Howe’s picture demonstrates how the cultural imagination shapes interpretation coincident with production.

<sup>100</sup> Early criticism of *Requiem for a Nun* reads the character of Temple Drake in negative terms and her housekeeper Nancy as a saintly figure, which Noel Polk

challenges sharply, casting Temple as tragic heroine and Nancy—and Gavin Stevens—as unremittingly villainous (*Faulkner's* 188-212). Less polarizing accounts are offered in more recent criticism, such as Judith Bryant Wittenberg's "Temple Drake and 'La parole pleine'" (1995) and Barbara Ladd's "'Philosophers and Other Gynecologists': Women and the Polity in *Requiem for a Nun*" However, these analyses do not focus on the matter of criminality, its causes and punishments, and the responsibility for them.

<sup>101</sup> In the first 70 years of the Association's history, two presidents represented the South; between WWII and 1979, there were eight. In *Dixie Rising: How the South is Shaping American Values, Politics, and Culture* (1996), Peter Applebome describes the expansion of Southern policies and practice, particularly how divides over civil rights split the Democratic party, sending many conservative Democrats to the right and making Southern states largely Republican. Incidentally, in his April 3, 1964 speech "The Ballot or the Bullet," Malcolm X predicted that exact split for those very reasons, even foretelling the expansion of violent riots that summer (23-44).

<sup>102</sup> The 1964 Civil Rights Act proved a turning point in the federal government's "hands off" policy for the oversight of state prisons. The Arkansas ruling in *Holt v. Sarver*, 309 F. Supp. 362 (1970) was the broadest of several states' similar findings. Earlier rulings focused particularly on the First Amendment rights of black prisoners. The ACA tried to bar the religious practices of Black Muslims in the early 1960s, but the Federal Courts upheld the latter's religious freedom in *Pierce v. LaVallee*, 21 F. Supp. 865 (1962); *Sewell v. Pegelow*, 304 F. 2d 670 (1962); and *Pierce v. LaVallee* 293 F. 2d 233 (1963).

<sup>103</sup> In 1972, *Furman v. Georgia* reversed the death sentences of two men convicted in Georgia, one for murder and one for rape, and another man in Texas convicted of rape (408 U.S. 238; 92 S. Ct. 2726; 33 L. Ed. 2d 346). Such sentences for black men convicted of rape echo the similar circumstances addressed in Chapter Two. The 5-4 decision was contested bitterly, resulting in nine separate opinions.

<sup>104</sup> Nor does this chapter conduct a Foucauldian reading of *Soul on Ice* and *The Executioner's Song*, though like *Discipline and Punish*, published in English the same year as the latter, all focus on individuation in imprisonment. Mailer's Gilmore suggests that reformatory efforts in part produced him as a convict, a claim identical to Foucault's in *Discipline and Punish*. Furthermore, Cleaver can be read as identifying with as much imagination, if with less rigor, the methods and purposes of imprisonment in terms very similar to Foucault's. *Soul on Ice* sometimes reads as if Foucault had one hand in it as he wrote *Discipline and Punish*, particularly with regard to individuation, surveillance as a force of order, and systemic and thus diffuse authority. Foucault's list of disciplinary architectures that replicate prison's systems of control—"prisons resemble factories, schools, barracks, hospitals, which all resemble prisons" (202, 228)—sees its preview in Cleaver's similar list of "prison, the Army, a monastery, hospital, spaceship, submarine" (23). In his short story "The Flashlight," those in the "Army," "jails," and "factories" share a sense of



indoctrination (288). The function of the police in Cleaver's account of domestic law is observation, surveillance, division, and making visible: "The police patrol the city, cordon off communities, blockade neighborhoods, invade homes, search for that which is hidden" (*Soul on Ice* 129). He traces that use of force on a national and international level not to a clear sovereign, but to systems of power not clearly visible. "Behind police brutality there is social brutality, economic brutality, and political brutality," lines of authority leading to offices "shrouded in mystery" (133). Cleaver's sketch of control and force offers a blueprint for Foucault's use of Benthamite architecture to chart a physics of power, particularly in the "Panopticism" chapter (195-228), though *Soul on Ice* is less a meticulous examination of economic, political, and historical formations of culture than a point from which such analysis might begin.

<sup>105</sup> A participant in the ACA's 1971 conference refers to cover articles in *Time* and *Newsweek* addressing how "prisons have failed" (11)—and prisons would return to the covers of those news magazines in 2000 and 2001, thought the perceived failure of the system chronicled in those pages is quite different. The earlier cover articles emphasize how existing imprisonment practices have failed to stop rising crime rates. The later articles address how the radical increase in the number of prisons and prisoners does not meaningfully correlate to crime rates and dramatically over-represents black and Hispanic men.

<sup>106</sup> The next few years would see the same points raised in nearly identical terms. A 1970 participant begins, "It is difficult to speak about corrections today—indeed about any part of the administration of criminal justice—without reference to the massive social changes which are occurring in this country. Tensions in the black community, a discordant youth culture, an unpopular war which is producing an increasing number of young men convicted of offenses essentially political in nature, raise profound questions about the limits, methods and aims of correctional activities" (ACA 1970 131). The presidential address the subsequent year notes that "society is experiencing a period of cultural and social revolution" (1971 3). Such recognitions fall off sharply thereafter, though they do not disappear entirely. In 1973, ACA President Martha Wheeler, the first woman to head the organization, speaks of crime as socially and historically determined. She asks, "Are there some kinds of behavior defined as illegal which the community is now willing to tolerate? On the other hand, are there some kinds of behavior which were formerly tolerable but are no longer?" (3-4). Such liberal views are more prevalent among the plenary addresses than the rest of the papers.

<sup>107</sup> Like any large group—in 1968, the ACA had a membership of nearly 10,000 (ACA 1968 326), and it would grow ten-fold by the turn of the century—the organization was by no means entirely homogenous, and reactionary voices occasionally appear. In 1969, for example, a warden cites university riots not as symptomatic of social change but as a pernicious direct cause of unrest in prison (ACA 1969 62). At one point, he offers a list of trouble-makers: "resistors, draft

dodgers, professional agitators, communists, hippies and revolutionaries [... and] former prisoners, militants, far-out liberals, subversives, and even a few clergymen, educators and social workers,” whose “delight in fomenting unrest” he parallels with “drunken Mexicans” rioting in prison (62-63). Presidential addresses remain significantly more progressive through this 12-year period.

<sup>108</sup> The Goldman Panel supervised the prisoners directly after the riot. The McKay Commission held public hearings in April 1972 in a broader examination of the state’s practices and concluded by criticizing the violent response and Rockefeller’s failure to visit the prison in person. The “Rights of People” panel at the 1972 ACA conference focuses largely on the rights of corrections officers and administrators (ACA 1972 136-151). The shift between the 1968 meeting in San Francisco and four years later in Pittsburgh is significant, and the violence of Attica likely set the tone for the 1972 opening address. The Governor of Pennsylvania Milton J. Shapp, rather than begin with the customary congratulatory remarks saluting the ACA, begins with a vignette of a furloughed youth raping and murdering a young girl (1).

<sup>109</sup> The federal government implemented the strongest anti-drug laws in 1986 and 1988, and in 1989, William J. Bennett became President George H. W. Bush’s “drug czar.” Bennett’s deputy John P. Walters served that role for the subsequent President Bush’s administration in 2001.

<sup>110</sup> The 1976 ACA congress includes a panel of five papers on “The Overcrowding Crisis,” and the schedules thereafter do not feature a similar panel because the issue saturates panel presentations. Housing the increasing number of inmates has presented tremendous fiscal problems for counties, states, and the federal government. For example, by the early 1980s, New York’s prison population was over twice what it had been before the Rockefeller drug laws. Voters who had supported “tough on crime” legislation failed to support bond measures to pay for new facilities, so Governor Mario Cuomo ended up diverting funds designated for low-income housing to build the prisons (Schlosser 56-57).

<sup>111</sup> Martinson offered some of the 1969 research findings in his 1974 ACA presentation, “The Effectiveness of Correctional Treatment” (105-111), and he clarifies that the suppression does not necessarily seem a deliberate effort, as the findings could have been—and eventually were—spun to support Rockefeller’s more extreme sentencing platform. Two years later, a prison director comments on a forthcoming study by Martinson that claims parole programs reduce recidivism, and another suggests that his article argues that most prisoners should not in fact be incarcerated (1977 64, 179). His research is among the most frequently cited in ACA presentations of the late 1970s. Closing down contentious inquiry was nothing new to Saxbe, an Ohio Senator and National Guard colonel before becoming Attorney General under Nixon. He had just emerged from his appointment hearings, where petitioners in 1973 had demanded his disqualification due to conflicts of interest regarding the federal government’s involvement in the commission determining National Guard responsibility for the 1970 Kent State shootings. Saxbe had promised

to end the investigation if appointed, according to William A. Gordon's *Four Dead in Ohio: Was There a Conspiracy at Kent State?* (1995).

<sup>112</sup> Chapter Four in *The Cultural Prison* charts the divide between "Rehabilitation and Immorality, 1960-1968," which becomes more focused with regard to race in the next chapter, "Rehabilitation, Revolution, and Irrationality, 1969-1974." The three types differentiate between the redeemable white from the black male inmate, who either views his imprisonment as a consequence of social injustice or has proven uncontrollable and irrational. That characterization of white convicts remains in place in 1979, according to Sloop, though general patterns in the representation of incarceration in popular periodicals in general focus on "just deserts," wherein the punishment matches the crime, regardless of mitigating circumstances such as socio-economic factors (132-133).

<sup>113</sup> Cleaver's short story "The Flashlight" offers a different account, where the black and Latino underclass cross over from their greater Los Angeles barrio of Crescent Heights to the white and affluent El Serrano to commit their petty thievery and burglary.

<sup>114</sup> In "Lockdown at Angola: The Case of the Angola 3" (2001), Scott Fleming chronicles the three decades of imprisonment at the Louisiana State Prison endured by Herman Wallace, Robert King Wilkerson, and Albert Woodfox, whose incarceration he describes as a part of the longstanding persecution of the Black Panther Party. Regarding the associate warden's comment regarding communism, it is at odds with Cleaver's observations that black revolutionary radicalism conflicted with the Communist Party—a charge disputed in U.S. Senate hearings (Heath 79-80; Jones 1).

<sup>115</sup> He begins his talk with a bit of historical juxtaposition: "While on July 4, 1970, Bob Hope, Billy Graham, and 350,000 persons were celebrating "Honor America Day," in Washington D.C., a prison riot was starting at Holmesburg Prison, Philadelphia, Pennsylvania" (1970 19). In a subsequent footnote, the judge acknowledges that during the riot, participants tried to contact him, presumably because he is a prominent liberal black judge. Higginbotham applauds the Crime Commission Report and former U.S. Attorney General Nicholas Katzenbach in supporting efforts to increase employment, housing, education, and health care as means to decrease crime, as "every effort to improve life in America's inner cities is an effort against crime." Higginbotham places the initial bill of funding the services in the order of \$20 billion and suggests its immediate initiation, pointing out that commissions have been tracing crime to the same causes and recommending the same solutions every decade of the century (1970 32-33). An acting commissioner of the New York corrections system makes the same recommendation nine years later in "Social Justice through Resource Allocations" (ACA 1979 191-98).

<sup>116</sup> The same point offered by these three appears again in the 1990 ACA presidential address (112). Of course, at one level, they are correct, in that correctional officials lack any direct recourse in the management of prisons to change the complex matters

of the social and economic causes of imprisonment. At the organizational level of the ACA, however, they very much did have such an opportunity to raise those issues, and the group would do so in the 1990s. Incidentally, the chaplain in 1972 represented the Elmira Correctional Facility in New York, which in the late nineteenth century was the site of the most fully developed educational programs of reform in corrections under Zebulon Brockway. In a telling quotation attesting to the degree to which prison officials responded to black organization as a national threat and a declaration of war, the chaplain concludes his speech with a gesture to “never surrender to the militant purveyor of hate and disorder, to quote Winston Churchill, ‘NEVER, NEVER, NEVER’” (196). However, prisoners themselves situated themselves in an identical manner. One of the Attica prisoners cited Claude McKay’s poem “If We Must Die” in an interview, a quotation attributed to the prisoner himself in a 1971 *Time* article. H. Bruce Franklin points out that Churchill himself had quoted the poem in another urge never to surrender (*Prison Literature* 235). Like the “Rights of People” panel (n. 110), prison officials sometimes appropriated the rhetoric of resistance to achieve a sort of moral high ground. Incidentally, the Attica prisoner is not the only one to whom a national weekly misattributes a poem. *The Executioner’s Song* recounts how *Newsweek* attributes to Gilmore what is in fact his quoting from Shelley’s “The Sensitive Plant” (668).

<sup>117</sup> Fox argues, “The majority of persons arrested for crimes are white, but the majority of persons sent to prisons in many jurisdictions are black. The social distance and the cultural differentiations have contributed to a new ideology of revolution and social change among many blacks, an ideology intensely resisted by the white power structure” (1972 178).

<sup>118</sup> Fox traces the politicizing of black prisoners to Malcolm X’s *Autobiography*, then *Soul on Ice*, then *Soledad Brothers* [sic] (ACA 1972 179-180). Another paper offers a similar reading list, citing *Soul on Ice* twice, along with *Killers of a Dream* (1949), *Dark Ghetto* (1965), *Black Like Me* (1961), and *Rap on Race* (1971). The presenter identifies the sociological concept of “status degradation,” whereby an identity becomes a denigrated type—specifically, how blackness becomes identified with criminality in the uncritical diagnosis that is part of the sociology of corrections (ACA 1972 185-87). Culturally sensitive education can address that matter, according to E. Eugene Miller’s “Necessary Preconditions to Achieving Cultural Awareness.” He opens by mocking his very invitation to speak on that topic because he had worked with blacks and Native Americans and thus was presumed able to speak knowledgably, giving a 15 minute synopsis of the culture of each (1972 170-71). He interprets this very invitation as symptomatic of the white racist “paternalism” he argues against (172). He also mentions an Association of State Correctional Administrators position paper published earlier that year acknowledging “that racism has and does exist in corrections” (172). He argues for knowledge of and respect for cultural difference and ends with a call for an identification of an “us” between corrections administrators and a “them” of prisoners “without regard to race,

color, or creed” (174). The call for such specific identification between prisoners and those who imprison is virtually unprecedented—though over 40 years earlier, a participant says of non-prisoners and prisoners alike, “All are brothers under the skin” (APA 1929 349). Miller’s encouragement for culturally sensitive history paradoxically echoes the more reactionary Army Major’s support of black history classes—presumably, the Major does not envision them being taught by Cleaver, who led such classes in prison, according to Robert Sheer in his introduction to Cleaver’s *Post-Prison Writings and Speeches* (ix).

<sup>119</sup> One lengthy presentation in 1974, by far the longest of that year’s conference, by a West Virginia warden titled “Prisons and the Revolutionary” manages to at one moment decry McCarthyism, then lay the blame for grassroots and inmate-led prison reform movements at the feet of the Communist Party (1974 109-117, 132). It cites position papers by the House Committee on Internal Security and the opinions of J. Edgar Hoover on various intra- and extra-prison groups as threats to national security, including the Black Panthers, the Nation of Islam, and the National Lawyers Guild. The warden clarifies that the involvement of the Communist Party is “not a giant Communist conspiracy,” but *merely* a matter of 25,000 revolutionaries, and claims that “sworn statements, affidavits, and committee reports” support his position (132). He concludes by quoting an extended passage from *Mein Kampf*, much of which is indistinguishable from his own speech, and thereafter collapses Hitler’s words and views with those of Che Guevarra, Ho Chi Minh, and U.S. anti-war protestors, claiming derisively that “Venceremos” and “Viet Cong” translate to English as “We shall overcome” (1974 134). It is unfortunate that the Association ceased the practice of recording and publishing question and answer sessions following the papers, as it would be interesting to know how the warden’s audience responded. The next year, a participant dismisses the term “political prisoner” in an aside as a wholly pejorative bogeyman, designating a black man who is “loud and demanding, half articulate, aware of his rights and blind to the rights of others” (1975 31). What had been a seriously debated topic in 1972 had three years later faded to derision and obscurity.

<sup>120</sup> The legislation of that model can be seen in Senate Bills 1437 and 2699, among others introduced there and in the House between 1976 and 1984, which provided for standardized rather than indeterminate sentencing and de-emphasized parole. These efforts culminated in the Sentencing Reform Act of 1984. Those “just deserts” reforms were the consequence of on the one hand, liberals who were critical of what they perceived as harsher sentences for minority criminals, and on the other hand, conservatives adopting a “tough on crime” posture (King 592-593).

<sup>121</sup> As early as 1978, Wilbert Rideau describes the causes of the expanding prison system as “a spiraling crime rate, the violence of revolutionary groups, the senseless violence of the young, and the growing perception that prisons do not rehabilitate” (*Life Sentences* 65). He had a unique perspective of the situation as a prisoner serving a life sentence at Angola, an editor of its award-winning periodical *The Angolite*, and an investigative journalist. Toward the close of the 1970s, when some officials were

anticipating that the rising costs of increasing imprisonment might demand changes in the system, Rideau suggests that as it grows larger, “the more resistant it will prove to change because of the vested interests involved” (69). His assessment proved far more accurate. Twenty years later, he acted as co-director of *The Farm*. A few years prior to Rideau, ACA member and prison historian Norval Morris offered his own view that the prison population would climb until the mid-1980s and then level off or even decline. However, he hedges his claim by suggesting that if “punitive attitudes by legislators and judges harden, as there are signs they will, the prison will further grow” (ACA 1975 2).

<sup>122</sup> As part of an ongoing critique—in the pejorative sense—of “liberals in the 1960s,” Roger Kimball so describes Cleaver in the *New Criterion* (5). This is just one of many articles in 1998 using the occasion of Cleaver’s death to bury or praise him. *The New York Times* and *Jet* followed Cleaver’s transformations most closely through the 1970s, 1980s, and 1990s.

<sup>123</sup> For example, in his account of the Democratic convention in Chicago, Mailer does not stay to see how it all ends, excusing himself by failing to say to Eugene McCarthy’s daughter that “we will be fighting for forty years” on his way to drinks at the Playboy mansion. His full investment is not necessary; the outcome is uncertain and a toss-up either way—“We may yet win, the others are so stupid. Heaven help us when we do” (222, 223).

<sup>124</sup> Cleaver’s *Soul on Fire* (1978) chronicles his turn to Christianity, and by 1980 he was supporting Ronald Reagan for president, a stark contrast to their heated debates of the 1968. Kathleen Rout titles the section of her biography and commentary *Eldridge Cleaver* (1991) “Advertisements for Himself,” a gesture to Mailer’s *Advertisements for Myself* (1959).

<sup>125</sup> Critics such as Chevigny, Davies, and Franklin link self-representation in the form of autobiography with much prison writing (xiii; 120; “Literature” 120). *Soul on Ice* and *The Executioner’s Song* offer important if problematic articulations of identity fashioned behind bars, though the latter is not prison writing *per se*, in that aside from his letters, Gary Gilmore is the subject rather than the author behind bars. The tendency to autobiography is not surprising given the degree to which the very methods of incarceration such narratives speak against include silence and concealment.

<sup>126</sup> These include the legitimacy of writ lawyers in *Johnson v. Avery* (1969), communication with the press in *Nolan v. Fitzpatrick* (1971)—though *Pell v. Procunier* (1974) would limit that right—and prisoners’ rights to receive both mail and visitors in *Procunier v. Martinez* (1974).

<sup>127</sup> The most dismissive read Cleaver’s description, “Rape was an insurrectionary act” (33) as a rationalization and seem to stop there, never getting as far as his admission that he was wrong, sick, and evil (34-35).

<sup>128</sup> According to H. Bruce Franklin, carceral practices in the U.S. have so disproportionately imprisoned black men that the African American literature written

on the margins of dominant culture has, paradoxically, proven the dominant discourse within prison literature (“Literature” 51-52). Deleuze and Guattari’s definition of a minor literature offered in *Kafka: Toward a Minor Literature* (1975) illuminates the rhetorical position of prison writers such as Cleaver—and in a more mediated fashion, the prisoners who represent themselves in *The Farm* and “Live from Death Row” in Chapters Four and Five. Deleuze and Guattari identify three characteristics of minor literature: the articulations of the oppressed in the language of the oppressor, which they relate specifically to “blacks in America today”; the political nature of writing and its implication in social conflicts and asymmetrical power relations; the collective value and political expression of writing, as “*literature is the people’s concern*” (*Kafka* 16-17). Alternatively, as they summarize minor literature themselves, it is “the deterritorialization of language, the connection of the individual to a political immediacy, and the collective assemblage of enunciation” (18). These are precisely the terms M. Karenga uses to define black art in *The Norton Anthology of African American Literature* (1997 1973-1977). Jameson similarly privileges resistant discourse which he also explicitly associates with “black language,” one of the “still vital sources of language production” (*Political* 87), prior to its assimilation by dominant language use.

<sup>129</sup> The 1999 Random House edition features an excerpt from the review in *The Progressive* describing it as a “spiritual autobiography,” and the publisher describes it as a “classic biography.” Sundquist points out that James Weldon Johnson’s *Autobiography of an Ex-Coloured Man* (1912) embodies a “strange combination of fiction and cultural analysis” (6). His analysis similarly suits Cleaver’s own writing, suggesting that black literature in the U.S. shares common genre combinations and likely for comparable historical conditions, constraints, and resistances to being black in America. With regard to conventional covers, Mumia Abu-Jamal’s *Live From Death Row* (1996) similarly deploys his image on the cover. The jacket of *Soul on Ice* is such an icon of revolutionary prison writing that it is cited in an animated film distributed on the Internet for the on-line music service Napster, which returned as a pay service after a 2001 court decision famously ceased its free file sharing network. The short film “Jailbreak” has the Napster mascot escape from prison and shows his cell with a copy of “Bad as Ice” on a shelf, the cover featuring the face of a man with an Afro.

<sup>130</sup> Kasia Boddy gestures toward the self-absorbed character of *Armies* in “*Shards of God: An Epinician to the Heroes of the Peace-swarm*” (1999), pointing out that while Mailer casts himself as an Emersonian Representative Man, others played far greater roles but downplayed them, as Ed Sanders does in *Shards of God*.

<sup>131</sup> Didion’s description from her New York Times Review of the novel appears on the cover of numerous editions of Mailer’s book. The veracity of that assessment is Robert Merrill’s line of inquiry and conclusion in “Mailer’s Sad Comedy: *The Executioner’s Song*” (1992) one of the few essays to disregard the “true life novel” aspects of the text and emphasize instead its overall aesthetic structure.

<sup>132</sup> Gilmore reiterates this point in an interview with his lawyer Ron Stanger that features one of his poems. He describes writing the poem because “I get irritable at the noise I have to listen to, toilets flushing, water pipes jarring, stupid conversations, screened conversation.” The poem begins, “Dark thots of mayhem on a cold steel nite,/ when the little noises won’t let you sleep.” He says, “I would love an absence of sound so profound I could hear my blood.” Gilmore’s part in this interview ends, “On the seventeenth of January I hope to hear my last harsh noise” (773-74). The scene not only reinforces that it is the “noise” Gilmore seeks to escape, but that it saturates his own prison writing as well. Also, it is noteworthy that it is not complete silence he desires but an absence of all noise except his own, a sociopathic characteristic. Stanger offers only, “Hum, it’s a good poem.” Schiller complains that the “lawyers were hopeless as journalists” (835)—they are apparently similarly inadequate as reviewers of poetry. Schiller himself does no better, admitting upon receiving a different Gilmore poem that he “wasn’t sure what to make of it” (737).

<sup>133</sup> The epistolary convention sees fuller development in the book-length collections of George Jackson’s *Soledad Brother* (1970) and Jack Henry Abbott’s *In the Belly of the Beast* (1981), the latter edited by Mailer. That editing and Abbott’s subsequent release made Mailer a hero to some prisoners—if less so in the popular media (Franklin *Prison Literature* xiii), given that Abbott subsequently killed a man in a fight. Prisoner and writer Paul St. John in “Behind the Mirror’s Face” (1994) claims, “*With Mailer for an editor I’d write my way out of hell*” (119). However, St. John’s claim of Mailer’s editorial power here also calls into question the degree to which Gilmore’s—or Abbott’s, for that matter—words are really Mailer’s, though Mailer in both instances downplays his redaction of character and text (*Executioner’s* 1052; Abbott ix-xv). In this analysis, the authenticity of the carceral experience is less the stake, else it might be more relevant that Mailer spends a day in jail as chronicled in *Armies of the Night*—and nearly does so at the Democratic National Convention, as described in *Miami and the Siege of Chicago*, both published the same year as *Soul on Ice*. Instead, this chapter is guided by the trafficking back and forth between imagination and history as these two texts offer a deployment of carceral identity and the resistance to it.

<sup>134</sup> John Hersey famously denounced Mailer (as well as Capote) for mixing fiction and non-fiction in “The Legend on the License” (1980). Jonathan Dee offers a more nuanced critique of that method in “The Reanimators: On the Art of Literary Graverobbing” (1999). On the other hand, Robert Merrill largely takes the “true” aspect of the novel at face value in “Mailer’s Sad Comedy: *The Executioner’s Song*,” and Mark Edmundson in “romantic Self-Creations: Mailer and Gilmore in *The Executioner’s Song*” (1990) calls attention to its lies of omission while accepting the truth of what it does say (442-443).

<sup>135</sup> *Anti-Oedipus* was of course initially released and subsequently translated to English contemporary to Foucault’s *Discipline and Punish*, and Foucault wrote a preface to Deleuze and Guattari’s book. In the introduction to his own text, Foucault



emphasizes that his “history of the present” is invested deeply with illustrating a “political anatomy” productive of autonomy, in which “the soul is the prison of the body” (30-31). He echoes this claim in the preface to *Anti-Oedipus* (xiii), as well he should, given that resisting what all three perceive as the fascism of autonomy is Deleuze and Guattari’s very project. The rigorous critique of atomistic subjectivity, part and parcel with much French critical theory of the 1960s and 1970s, met a formidable obstacle in the rhetoric of individual autonomy so prevalent in U.S. culture. Cleaver and Mailer use “schizophrenia” as a pejorative, but Deleuze and Guattari’s theorization of schizophrenia invites more positive associations with the lived contradictions of plural selfhood and identification across boundaries of difference, matters upon which social change likely depends. The question then becomes not whether the U.S. is schizophrenic, but is it schizophrenic enough?

<sup>136</sup> Alan Sheridan translates Lacan’s *manque* as “lack”—with the exception of “the expression, created by Lacan, ‘*manque-à-être*,’ for which Lacan himself proposed the English neologism ‘want-to-be” (xi). In his translation, Bruce Fink similarly clarifies “want in being or want to be” as distinct from “lack of being” (103). Without the dashes, the phrase emphasizes lack more than the impossible desire to fill the lack; with the dashes, then, *manque-à-être* emphasizes the want rather than the lack in Lacanian subject formation. Given the degree to which Gilmore defines himself in his want to *not* be, his character might be best understood to be mobilized by a *manque-à-n’être-pas*. This is distinct from the Freudian death drive in the degree to which it is the “noise” of other voices Gilmore seeks to leave, escaping into an imaginary unity of spirit where he is whole, the only voice, his. Gilmore’s death is secondary to the degree to which he wants to opt out of history and its language of others.

<sup>137</sup> It is of some small interest that the psychoanalytic emphasis on the family does complicate the multiple available identities of the invoked characters of *Go Down, Moses*, particularly Carothers McCaslin, Eunice, and Tomasina. In the incest he commits, McCaslin is not his own father or son, but he is his daughter’s father and his daughter’s rapist, his daughter’s father and grandfather, becoming retroactively the All-Father.

<sup>138</sup> A passage in *Anti-Oedipus* opening with “the goal of schizoanalysis” ends with a quote from Arthur Rimbaud’s *Season in Hell* (1873): “I am of a race inferior for all eternity. . . . I am a beast, a Negro,” and Deleuze and Guattari repeat that quote of cross-race identification and self-abnegation three times in *Anti-Oedipus* (85-86, 105, 277). Given their theorizing of minor literature, with its collective enunciation and *de facto* politicization, and their association of such writing with “blacks in America today” (*Kafka* 16), it is not surprising that they turn to a citation of blackness as a primary illustration of the sort of cultural investments that lead to social repression and its internalization, for which schizoanalysis offers the best practice. Nor is it surprising that they turn to Rimbaud for such an example, who “admired the hardened convict on whom the prison door will always close,” (*Season* 51), who declares in

*Lettre du Voyant* (1871), “*Je est un autre*” (135) and spent a week in prison a year prior. Deleuze and Guattari find in Rimbaud a “white negro” preceding Mailer’s by three quarters of a century.

<sup>139</sup> The pledge of allegiance encapsulates this sense nicely, in which individuals affirm their commitment to a unified belief in “one nation, under God”—a unity, singularity, and deification largely at odds with the subsequent and final line, “with liberty and justice for all.” These connotations of paranoia are identified largely in the explication of Deleuze and Guattari’s work. Eugene W. Holland describes Deleuzo-Guattarian paranoia as implicated in semiotics that are “permanently fixed and exhaustively defined by a supreme authority, figure-head, or god” (3). Žižek traces this sense to Lacan, in whose mirror stage “identity and alienation are thus strictly correlative” (*Sublime* 24).

<sup>140</sup> As determined in *Coffin v. Reichard* (1944), “A prisoner retains all the rights of an ordinary citizen except those expressly, or by necessary implication, taken from him by law.” However, that affirmation of rights must be read in conjunction with *Price v. Johnston* (1948): “Lawful incarceration brings about the necessary withdrawal or limitation of many privileges and rights, a retraction justified by the considerations underlying our penal system.” Prisoners’ rights as citizens are both retained and withdrawn.

<sup>141</sup> Cleaver further claims that the “ghost of John Brown is creeping through suburbia” (*Soul on Ice* 110), an image he returns to in his *Post-Prison Writings*: “a second Civil War, wit thousands of white John Browns fighting on the side of the blacks, plunging America into the depths of its most desperate nightmare on the way to realizing the American Dream” (165). Rubin Carter in his biography, *The Sixteenth Round* (1974), quotes at length from a statement John Brown made the morning of his execution (233). In an echo of both, Deleuze and Guattari draw relationships between if not equate outright the political radical with the black prisoner. In calling to “become black like John Brown. George Jackson” (270), blackness marks not abjectness or complex inferiority but revolutionary consciousness, even as it overwrites skin with politics. The tactic of cross-racial identification founded on political action was a political imperative for Deleuze and Guattari, according Philip Goodchild. He writes that through the 1960s and 1970s, they directed their philosophical work “with hopes of liberating minorities, the mentally ill, and prisoners” (45). However, the limits of such alliances as claimed by philosophers and their critics are drawn in an example Goodchild poses, where in beginning with court verdicts, he reads through Deleuze’s *critique et clinique* (1993) and *Difference and Repetition* (1994) to perform a deconstruction of judgment and justice whereby he concludes, “Injustice itself becomes just” (37). What liberatory impulse is enacted here is unclear. The difficulties of equating philosophical discourse with a particular social project have proven legion, and Ernesto Laclau, Chantal Mouffe, and Žižek are among the most visible critics arguing for the political efficacy of richly theorized radical democracy.

<sup>142</sup> His biographer and critic Kathleen Rout proves less prepared to disown the psychoanalytic imperative of tracing contemporary problems to childhood. Her *Eldridge Cleaver* claims an effort to interpret its subject not only as “one man, but also to gain a hint of the compound influences of childhood and family, socioeconomic status, current events, and peer personalities that condition all our decisions and beliefs” (ix). However, in her reading of the passage from *Soul on Ice* condemning this Freudian inquiry, Rout describes Cleaver’s critique in psychoanalytic terms, as “evasive,” a matter of “defenses and rationalizations” (13, 14).

<sup>143</sup> This section of “The Flashlight,” with its vanishing wild spaces, hunters, Indian burial ground, and rumors of hidden gold, echoes Faulkner’s fiction, especially *Go Down, Moses*. Thomas W. Benson’s review of Mailer the same year in the *Quarterly Journal of Speech* describes Mailer in terms that strongly recall Faulkner as well: “America has discovered the man to read this spoor—a bourbon-breathed backwoodsman who can tell the tale of a leaf, a footprint, a week-old pile of ashes. He has a tendency to ramble, and he is full of tall tales, but he alone knows the mystery. Norman Mailer” (330). Benson reads Mailer as writing history as a novel like Ike McCaslin tracking the bear. How Cleaver writes at times and how Mailer is written about suggest that Faulkner presents such a definitive U.S. literary figure that later writers mimic him or are cast in his shadow by critics.

<sup>144</sup> The analysis has a clear debt to Fanon. Cleaver refers to *The Wretched of the Earth* as the “Black Bible,” and the relationship between black and white men in Cleaver’s model here demonstrates how “historical and economic realities come into the picture” when Fanon adds race to Lacanian identification (*Black Skin* 161). The anxiety of white masculinity produces its own fulfillment: “Projecting his own desires onto the Negro, the white man behaves ‘as if’ the Negro really had them” (165).

<sup>145</sup> Cleaver’s paeon to black women in the final chapter reads as something of an apology both to this general matter and to Cleaver’s own involvement with Beverly Axelrod, his white lawyer. His painfully derisive descriptions of homosexuality are both numerous and have received comment elsewhere, as in Amy Abugo Ongiri’s “We Are Family: Miscegenation, Black Nationalism, Black Masculinity, and Black Gay Cultural Imagination” (1998) and Shelton Waldrep’s “‘Being Bridges’: Cleaver/Baldwin/Lorde and African-American Sexism and Sexuality” (1993). What has not received much attention is how the predatory homosexuality endemic among men in prison might form Cleaver’s perceptions of homosexuality.

<sup>146</sup> William Cosgrove in “Modern Black Writers: The Divided Self” (1973) and E.S. Miller in “Cleaver and Juminer: Black Man and White Woman” (1977) similarly suggest the use-value of the model of divided identity. The heuristic provides further illumination for Faulkner’s *Go Down, Moses*. Cleaver argues that white masculinity must seek to test its power, its “potency through a confrontation with other strength,” and thereby becomes “addicted to a masculine-imaged sport, become[s] a big-game

hunter, outdoorsman, mountain climber” in an attempt to blind itself to its impotence (183). This formulation critically informs the character of the woodsmen Ike McCaslin in *Go Down, Moses* and, in its entirety, the whole set of relationships among the McCaslins, Beauchamp and Edmonds both.

<sup>147</sup> The bodily convulsions brought on by the tension of history also have a parallel in *The Executioner’s Song*. Larry Schiller debates whether or not to agree to sell his firsthand exclusive account of the execution for \$125,000, and his deliberations focus on “true history” versus “journalistic crap,” a tension that he internalizes. He finally rejects the monetary reward, quite literally rejecting such crap in a wild episode of diarrhea before he turns down the deal (857-59).

<sup>148</sup> Cleaver’s analysis of racial struggle in the 1960s leads him to an extended quote from Frederick Douglass’ Fourth of July speech juxtaposed with a gloss of *Uncle Tom’s Cabin*. That turn to Stowe anticipates her critical re-evaluation in the 1980s, though his reading of the popular response to *Uncle Tom’s Cabin* remains flat-out inaccurate: the “most alienated view of America was preached by the Abolitionists, and by Harriet Beecher Stowe in her *Uncle Tom’s Cabin*. But such a view of America was too distasteful to receive wide attention” (76). Stowe’s novel of course received very wide attention in terms both sales and popular comment upon its publication.

<sup>149</sup> Cleaver and Mailer specifically relate a national schizophrenia to international wars and domestic race relations, to a schism in the American dream. Explicit in Deleuze and Guattari, and implicit in aspects of Cleaver’s and Mailer’s discursive techniques, is a sense of schizophrenia as the recognition of the division of the One, be it self or nation. Another way to frame the contemporary use-value of *schizophrenia* as variously offered by Cleaver, Mailer, and Deleuze and Guattari is to think of imprisonment as the means by which a nation wages war on its own people. The necessity of framing the interrogation of such historical practices in a psychoanalytic manner is perhaps most clear when that view shifts to international warfare as it has been conducted thus far by the U.S. in the twenty-first century. In March 2003, President Bush declared war on an Iraqi nation metonymically produced through the hailing of its dictator Saddam Hussein, a proxy for Osama bin Laden, and a return to the goal of Hussein’s execution that Bush’s own father, President George H. W. Bush, failed to accomplish in the prior Gulf War. The “war on terror” has been cast in terms of violence directed toward individuals—bin Laden, Hussein—even as a far broader group of people in Afghanistan, Iraq, and elsewhere have actually faced the bullets and bombs of U.S. violence. Bush further sought to imagine a unified U.S., rhetorically transforming diversity and dissent into a singular national identity, the U.S. as “us,” the eye of the nation-as-President sternly fixed on redeeming his father’s unfulfilled desire. We can then understand the nation’s contemporary paranoia as oedipalization, the fictional unity and factual violent expression of imperialist hegemonic U.S. domestic and foreign policies, a war waged on black men and women at home and Arabs abroad.

<sup>150</sup> Of course, if critics and historians were to discount the writing of all who have committed crimes or reprehensible acts, we would presumably not read anything from Louis Althusser, who strangled his wife, Martin Heidigger, whose Nazi affiliations are a matter of record, or from any slave owners, such as the framers of the Constitution—or, for that matter, watch Roman Polanski films or listen to Led Zeppelin or R. Kelly albums, all of whom faced statutory rape accusations.

<sup>151</sup> In *An American Dreamer: A Psychoanalytic Study of the Fiction of Norman Mailer* (1980), Andrew Gordon touches on Mailer's loose use of "schizophrenia," and he associates it with the tension between author and nation, between liberty and despotism (187). However, lacking a Deleuzo-Guattarian sense of the term, the cultural and historical ramifications remain hazy.

<sup>152</sup> Mailer clarifies his response as "a miserable recognition, and on many a count, for if he felt even a hint this way, then what immeasurable tides of rage must be loose in America itself?" (51). He reiterates the point later even as he defends its basis: "Of course that was why he was getting tired of hearing of Negro rights and Black Power—every Black riot was washing him loose with the rest, pushing him to that point where he would have to throw his vote in with revolution—what a tedious perspective of prisons and law courts and worse; or stand by and watch as the best Americans white and Black would be picked off, expended, busted, burned and finally lost" (187). Mailer wants to cover his bases, defend even a borderline racist refusal to identify himself with blackness in terms of hesitant sympathy for revolution. "And all the Left-wing Blacks would be his polemical associates—the Lord protect him!" (214). Cleaver's presidential campaign with the Peace and Freedom party demonstrated an alliance between its mostly white membership and the Black Panthers. Unlike Cleaver, and unlike Deleuze and Guattari, Mailer is less prepared to allow a tenuously shared radical project supersede race in identification. There is no ghost of John Brown circulating in Mailer's writing.

<sup>153</sup> Merrill reads this episode as "perhaps the most powerful in all of Mailer's writing" (141), which may or may not be the case. He also identifies the scene as "perceived in much the same way by everyone present," which is not accurate. On a side note, the assessment of the *literary* execution of the scene may be pertinent to the resemblance between the writer of the book and its subject. Two of Gilmore's writers, Barry Farrell and Larry Schiller, agree that when Gilmore describes the murders he commits, he adopts the "same narrative style every hustler and psychopath would give you of the most boring, or the most extraordinary evening [...] Episodic and unstressed" (798). It is a rhetorical gambit on Mailer's part in that if his own highly episodic narrative is similarly unstressed and flat in its account of both the boring and extraordinary, then the narrator of the novel is as psychopathic as Gilmore. Mailer's biographer Mary V. Dearborn misses this point when she lauds the "equal emphasis" of "each detail of the story," particularly surrounding Jensen's murder (348). Regardless, "psychopath" is not a term from which Mailer—arrested once for stabbing his wife—necessarily withholds in describing himself.

<sup>154</sup> Mailer's use of news excerpts works slightly differently than that of John Dos Passos in *U.S.A.* (1937). The accounts in the earlier novel provide a texture of the historical real, commenting on coincident events as a gesture between history and fiction and a testament to the "truth" of the latter. *The Executioner's Song*, with its emphasis on the narrativization of history, attests not only to the narrative equivalency between the novel's events and the news excerpts, but mutual causality. By including more complete excerpts and the process of narrativization, Mailer's gambit is that of realer-than-thou, which, in a different context, Phil Barrish suggests is a transhistorical phenomenon in U.S. letters in *American Literary Realism, Critical Theory, and Intellectual Prestige, 1880-1995* (2001).

<sup>155</sup> That Vintage International imprint, also borne on 1990s editions of Faulkner novels, effectively has become Random House's latest incarnation of the Modern Library series, which became a contributing force in consolidating mid-twentieth century U.S. literature, as I suggest in "Go Down, Moses [and Other Stories]: Bibliography as a Novel Approach to a Question of Genre."

<sup>156</sup> *The Armies of the Night* offers similar challenges of genre. Its own categorization is "History/Writing" and its jacket praise includes that of *The New York Times Book Review*, "Only a born novelist could have written a piece of history so intelligent, mischievous, penetrating, and alive." *Time* offers that the book is "worthy to be judged as literature."

<sup>157</sup> Gregg Easterbrook makes the same point in the exact same terms in "It's Unreal: How Phony Realism in Film and Literature is Corrupting and Confusing the American Mind." Easterbrook castigates another "true story" account of multiple murder in terms he might apply to Mailer as well, suggesting that *In Cold Blood* muddies "the lines of realism and the invented not so much in the pursuit of an otherwise unobtainable truth (as Truman Capote initially claimed about *In Cold Blood*) but in pursuit of an improved story that would call attention to the writer (as Capote later admitted was his real goal)" (42).

<sup>158</sup> Mark Edmundson views the bond between writer and written as that of "Romantic Self-Creations: Mailer and Gilmore in *The Executioner's Song*," an account Merrill also suggests. Guest goes the furthest in reading author and object alike as in the romantic outlaw's double-bind of resistance. If Gilmore disavows his own self-determination and agency, he might receive a life sentence; if he declares himself the sum of his actions, he pits himself against the state in a contest that at once asserts his importance (*he is so dangerous that the state must kill him*) and condemns him (*he is so dangerous that the state must kill him*). Guest in his critique conflates character and author: "The more Gilmore and Mailer advertise their outlaw status, the more they participate in the work of the police" (168). However, it hardly seems necessary to read author and subject in the same double-bind, particularly as it is Gilmore who actually is killed by the authorities.

<sup>159</sup> Later, Gilmore again describes his soul as more "evil" than most, that he is "further from God," and "would like to come closer" (833), a description that

resonates with the words of another prisoner from the documentary *The Farm* examined in the next chapter. The inmate John Brown admits that he would like to live like Christ, but he does not know “if I got that far yet.”

<sup>160</sup> Gordon makes that confluence of personal and collective unconscious the starting point of *An American Dreamer* (15).

<sup>161</sup> When the policeman Nielsen questions Gary as to why he shot the two men, Gary can never offer any satisfying answer as to why them, why there. “I don’t know. I don’t have a reason,” “I don’t know,” “It was there” (288).

<sup>162</sup> According to the on-line magazine *Crime* Gilmore’s case set a precedent for voluntary executions, which accounted for approximately one-eighth of executions in the late 1990s (Phillips). Rideau offers a rich analysis of the social poverty of life imprisonment in “Conversations with the Dead,” an essay that closes with an exchange between two prisoners serving life sentences at Angola: “‘You know,’ Billy said, ‘I’m convinced that Gary Gilmore was trying to tell us something.’” Rideau responds with a simple, “Yep” (*Life Sentences* 71). That 1978 *Angolite* article won the American Bar Association’s Silver Gavel Award, given to the “communications media that have been exemplary in helping to foster the American public’s understanding of the law and the legal system” (ABA). This was the first time a prisoner had ever received it.

<sup>163</sup> The role of the mirror in self-identification resonates not only with Lacan’s “The Mirror Stage” and its own deployment of the trope of the prison of individuality, but with a case study of a prisoner’s treatment described in a 1970 ACA presentation. The prisoner resembles Gilmore—he is 34 years old, has had numerous arrests, and is a “hardened criminal, arrogant, egotistical and occasionally assaultive” (89). He regularly manipulates and outwits his therapist until the latter holds their sessions on opposite sides of a one-way mirror, communicating by intercom, the therapist observing the prisoner, the prisoner watching his reflection (92-93).

<sup>164</sup> The image also appears in a poem by Angola prisoner James E. Sutton Jr., #96250: “There’s a prison inside my body,/ That has a cell with no key” (*The Angolite* Nov/Dec 1983 116).

<sup>165</sup> In 1977, a Pennsylvania Pardon Board member first correlates economic trends and incarceration rates, then blithely suggests that all prisoners are murderers (ACA 58).

<sup>166</sup> Given Mailer’s *The Executioner’s Song* and its thousands and thousands of narrative shots drawn from “fifteen thousand pages” (1051), the degree to which its structure owes much to the rhetoric of film deserves more exploration. Also, it is worth noting that the material of Gary Gilmore’s story is divided among three of the largest media conglomerates. Mailer’s novel is published by Random House, and Doubleday, a division of Random House, offers Mikal Gilmore’s account. However, the German media giant Bertelsmann is the parent company of Random House. HBO, a division of Time Warner, produced and distributed the television movie adaptation of *Shot in the Heart*, while the television movie version of *The*

*Executioner's Song* is an NBC Universal (General Electric) property. With Viacom, Disney, Sony, and News Corp. (Fox), the seven companies control the vast majority of media communications in the U.S. and internationally, their collective holdings including film, television, music, and book publishing—both the intellectual properties and the means of distribution, from theaters, to video rentals, to the video stores, to cable companies, to the cable itself.

<sup>167</sup> The raw numbers of crimes committed by categories are from the U.S. Department of Justice. In 1980, 173,300 people were in state prisons for violent crimes, 89,300 for property crimes, 19,000 for drug crimes, and 12,400 for public order crimes. In 1999, there were 570,000 people imprisoned for violent crimes, 245,000 for property crimes, 251,200 for drug crimes, and 120,600 for public order crimes (“Number of Persons in Custody”). The overall population of the U.S. increased by almost 25% over those two decades, and I have adjusted the proportional increases in the categories to account for that population growth.

<sup>168</sup> In 1968, the president of the American Correctional Association addressed how “the halfway house movement” had shifted from supervised by religious organizations to state-run facilities (ACA 1968 19). The proceedings of the annual conferences of the American Correctional Association from 1968 to 1979 demonstrate a number of panels discussing community-based alternatives to imprisonment, though by 1977 more discussions focused on prison overcrowding due to the increasing number of offenders sentenced.

<sup>169</sup> Then U.S. Attorney, former U.S. Associate Attorney General, and later New York Mayor Rudolph W. Giuliani’s opening remarks at the height of the Reagan era prove a rare exception, as he points to the increasing prison population as the cause for decreasing crime. He describes criminality as a matter of the “soul” and of individuals rather than social groups (ACA 1985 1-3). Indeed, the only general addresses that maintain such a conservative tone during this time are those of federal officials from the Reagan and Bush administrations.

<sup>170</sup> The meeting that year staged “The Great Debate” concerning sentencing practices, positioning law professor Michael Tonry against Bruce Fein of the radical conservative think tank the Heritage Foundation, with Norval Morris moderating. Tonry cites the raced results of dramatically expanded incarceration and senses a “sea change,” as even Republican lawmakers such as Orrin Hatch question the legitimacy of increased sanctions. Fein knocks down a few straw men, such as twice citing a lack of polls “clamoring for the release of inmates” and pointing to Adolf Eichmann as an example of a prisoner—which Tonry (rightly) derides as a “bizarre, Willie Horton-type comparison” (95-106).

<sup>171</sup> He returns to this point in his keynote address the subsequent year, when he offers an anecdote of two women, one released from jail and the other leaving gang life. Each responds to mentorship and joins a larger community, a “we.” Wilkinson claims that we “recognize ourselves in these stories,” though the identification is with the mentoring organization, not the women themselves (ACA 1998 11). This differs



from the more radical suggestion to identify with prisoners, which he makes in his speech the previous year, itself an echo of the call for prison administration and staff to identify with prisoners offered in 1972 ACA presentation (cf. n. 118).

<sup>172</sup> Such corporate integration and the formation of media conglomerates can lend itself to conspiracy theory regarding cultural production in the vein of Adorno and Horkheimer. Certainly, the mergers have a clear economic downside in terms of inflated CEO salaries coupled with the layoffs that occur in corporate mergers. The degree to which vertical and horizontal monopolies limit artistic freedom is a far more complex matter. For example, Garbus offers accolades of the Time Warner cable company HBO in interview: “HBO is a very special place. They really support the filmmaker’s vision. They give you the support you need, and if your film wants a longer schedule because it’s gonna be a better film with a longer schedule, they’ll give that to you. They’ll give you another year. And their notes are always so helpful and great. It was like heaven making a film with them” (Stubbs 122). On the other hand, Rupert Murdoch’s Fox News has tilted television news to conservative punditry.

<sup>173</sup> *American History X* and *The Hurricane* also draw attention to cameras and screens to represent their own mediation. Seth (Ethan Suplee), one of Derek’s white supremacist soldiers, has a small video camera with which he records their gang’s destruction of a convenience store, and the shooting of that scene is conducted with rapid pans and hand-held cameras. Several scenes in *The Hurricane* feature Carter watching black and white television. Calling attention to the mediation of the camera and the screen is a double gambit: either everything is a projection, and the film is as real as the news, or the presence of the camera in some scenes means that its absence means the action is *really* real. Both alternatives underscore their own reality.

<sup>174</sup> Though under-utilized as such, Certeau’s rich description of urban subjectivity seems a particularly apt model for cultural analysis. In *The Practice of Everyday Life*, he describes in the chapter “A Walk in the City” a model of selfhood that fuses city culture with the Lacanian unconscious structured as a language. Certeau’s model can be illustrated as a Bil Keane *Family Circus* single panel cartoons depicting in a dotted line the wanderings of the ever grade school-aged Billy. Some presumably straightforward errand precipitates a path that crosses and recrosses itself repeatedly, an exploration that maps the environment, with his position at the end of the path concluding with some pithy saying. For example, if directed to find his brother in the next room, Billy might search all over the neighborhood, jumping fences and climbing trees outside to return indoors and say, “I couldn’t find him!” However, the closing enunciation depends entirely on the wandering trail visible in the single panel even as Billy responds to his mother. In effect, the path mobilizes Billy. This panel of the dotted path in *The Family Circus* as an exemplar “walk in the city” at once draws attention to the Freudian associations—Certeau describes the spacial location as *fort-da*—and dismisses the Oedipal frame of son and mother as irrelevant. It is the son’s path, not the son’s relationship with the mother, that is important in the *mise-en-*

*scene*. According to Certeau, various meanings proliferate in the to and fro of the paths of city pedestrians, the walk itself, the crimes, graffiti, and other semantic acts that resist textualization (102). That basis for subjectivity shares a family resemblance with Deleuze and Guattari's "schizophrenic out for a walk." Space supersedes language and movement trumps stasis in such cultural critique.

<sup>175</sup> Reviews in *Time*, *The Chicago Sun-Times*, and *Arena Magazine* draw attention to the film's racial ambiguities or offer an outright negative response (Corliss 100, Ebert, Lentini 52). Lentini proposes that the film features a retrograde American history of racism, though some other reviewers offer acclaim.

<sup>176</sup> Lentini cites a *Beat Magazine* review as describing the Amnesty International plans (52). An on-line forum of predominantly young adult film viewers mentions that the film both has been and should be screened in high schools as an educational tool. The discussion among seven members began when one post raised the question of whether or not the film is based on a true story (For the Ravers). Sean O'Sullivan points out that *American History X* is "widely used as a basis for discussion across a variety of courses in American universities and in other educational settings" (322).

<sup>177</sup> *American History X* proved the divergent point for the careers of its director and writer. The delay and lawsuit labeled Kaye a problem director in the industry, and his subsequent film was the highly marginal independent *Snowblind* (2002), the "true" account of the expansion of the U.S. cocaine market in the 1970s. David McKenna, author of the screenplay, saw greater career success in work that neatly divides between would-be blockbuster "high concept" films such as *S.W.A.T.* (2003) and edgy films in the vein of *American History X* such as *Blow* (2001). In a curious twist, the latter is also a "based on a true story" account of the development of the U.S. cocaine market in the 1970s, though its marquee cast (Johnny Depp, Penélope Cruz, Ray Liotta) and moderate budget (\$30 million) make it the high concept version—easily summarized, and therefore easily pitched—of the same story. For more on "high concept," see Justin Wyatt's *High Concept: Movies and Marketing in Hollywood* (1994).

<sup>178</sup> Rideau, serving a life sentence for murder at the Louisiana State Prison, rose to national prominence as the editor of the highly acclaimed prison magazine *The Angolite*. His journalism there merited him several awards, including the American Bar Association's Silver Gavel Award, and he co-authors with fellow Angolite editor Ron Wikberg *Life Sentences: Rage and Survival Behind Bars* (1992). That prominence has exacerbated the difficulty of his position. His fame may preclude his release, as several boards have recommended his pardon, but no governor has signed it. According to former Louisiana Governor Edwin Edwards, "In my judgment, I think he has effectively forever barred any possibility for clemency because of his self-generated press. That's unfortunate, because that should not be a consideration" (*The Angolite* July/August 1990 34).

<sup>179</sup> It received the Grand Jury Prize at the Sundance Film Festival and two Emmy Awards, and it was named Best Documentary by The National Society of Film

Critics, The New York Film Critics Circle, and The Los Angeles Film Critics Association.

<sup>180</sup> O'Sullivan offers a related argument of *American History X* in "Representations of Prison in Nineties Hollywood Cinema: From *Con Air* to *The Shawshank Redemption*" (2001), though his account of the film is both brief and highly derivative of one of his sources, an on-line review of the film posted to [www.prisonflicks.com](http://www.prisonflicks.com).

<sup>181</sup> The representation of Norton's (white) character in the film resembles the public defender Athay's description of his (black) client, Pierre, in *The Executioner's Song*. Derek is a difficult man, a complex man, but a beautiful man, as the narrative chronicles his self-reflection on his racism and the camera lovingly records his body in slow motion.

<sup>182</sup> Part of the equation of the brothers is conducted through the familiar pairing of school and prison. If Danny does not write the paper, Dr. Sweeney says, "You are a ghost at Venice Beach High." When Derek describes his imprisonment and the principal's visits, he says, "I read the stuff that Sweeney sent me and kept to myself. The last six months in that place I was like a ghost." Writing and reading, school and prison, Danny and Derek—all reflect one another.

<sup>183</sup> Such substitution, coupled with the visual power of powerful naked skin captured in slow motion on film, is one of the ways in which *American History X*'s black and white sequences owe a debt to Riefenstahl's work, particularly her account of the 1936 Olympics in Berlin, a link that is underscored when the camera's gaze on Derek's body always features his swastika tattoo.

<sup>184</sup> Brooks has fulfilled this role before, as he played Uncle Tom in the television adaptation of Harriet Beecher Stowe's novel in 1987.

<sup>185</sup> The MPAA claims that representations of sex and violence merit similar treatment in their ratings decisions, but casual viewing suggest otherwise, as does a 2002 study by Ron Leone of 210 sequences from 13 films (2002).

<sup>186</sup> The scene is evocative of John Edgar Wideman's description of how imprisonment functions in something very like what I term as the cultural imagination. In a wide-ranging talk that covers much ground in a variety of registers, including psychoanalytic, sociological, political, and fictive, Wideman offers the following:

Consider how prisons might function in this dream world. Think about the fact that prison walls serve society, symbolically to segregate good from evil, pure from impure, innocent from guilty. Think about the fact that blacks are over-represented in prisons and that prisons are one gender. Men must go to other men for sex, and given this necessity, prisons reify behind their locked doors the unspoken drama of homo-erotic interpenetration and exchange—the white fantasy of assault by the black males and assaulting black males. In the collective imaginary, prisons become a site of conflicted sado-masochistic desire (41).

Race as a free-floating signifier in its deployment in the film suggests the degree to which this rape scene, like the earlier murder that is its pair, capitulates to the fear fantasy of being assaulted by black males and the desire fantasy of retaliating in kind.

<sup>187</sup> I am grateful to Daniel Richards, a former student of mine, for making this observation in a 2003 essay.

<sup>188</sup> These ratings are as of the end of 2003. The list is compiled from user ratings based on a minimum of 1250 votes by regularly contributing users and given a ranking based on a “Bayesian estimate” that includes factors of the movie’s mean rating, the number of votes, the minimum number of votes, and the mean vote among all films on the Internet Movie Database (“Top 250 Movies”).

<sup>189</sup> That first description is of course the oft-cited Hobbesian description, though he also includes the terms “isolation” and “poor” to describe living in time of war. Given the poverty that contributes to the nasty and brutish condition of isolation in imprisonment, prisons in Hobbes’ terms are the places where nation states wage war on their own citizens.

<sup>190</sup> Mark Golub takes issue with the historical reconstruction in *Glory* in “History Died for our Sins: Guilt and Responsibility in Hollywood Redemption Histories” (1998). In “Legitimation Crisis and Containment: The ‘Anti-Racist-White-Hero’ Film” (1999), Kelly J. Madison points out how “white anti-racist heroes” such as Kevin Kline’s portrayal of Donald Woods in *Cry Freedom* whitewash racial conflict.

<sup>191</sup> The journal *History and Theory* for much of the 1990s grappled with how to “tell” history responsibly after the challenges to narration, history, and authoring posed by critical theory in a postmodern vein of the 1970s and 1980s. In a special issue devoted specifically to film, Marita Sturken argues in “Reenactment, Fantasy, and the Paranoia of History: Oliver Stone’s Docudramas” (1997) that Oliver Stone’s docudramas do not tell the difference between imagination and reality. In an interview from the same issue, documentary filmmaker Jill Godmilow sides with Paula Rabinowitz, that the “real” of documentary often follows the conventions of fictional narrative film. Even Liz Stubbs when championing documentary describes them in terms quite similar to Rabinowitz’s negative assessment of the truth-value of documentary (xi).

<sup>192</sup> The success of *Pulp Fiction* (1994) popularized such indebted narrative strategies, and from 1996 to 2002, four of the eight Academy Award Best Picture winners have departed from conventional (i.e., continuous and chronological) narrative, including *The English Patient* (1996), *American Beauty* (1999), *A Beautiful Mind* (2001), and *Chicago* (2002), and the first of these and *Shakespeare in Love* (1998) are styled deliberately as literary packages, based on Michael Ondaatje’s Booker Prize-winning novel and Shakespeare, the big gun of the canon, respectively. The other three Best Picture winners are *Titanic* (1997), *Gladiator* (2000), and *Lord of the Rings: The Return of the King* (2003), historical or fantastical epic dramas in the vein of many Best Picture winners since 1971. However, I am not suggesting that any of these are art-house films. All are glossy pictures with marquee actors, big budgets and

accompanying production values, soundtrack tie-ins; all can be represented sufficiently easily to pitch to two powerful audiences, studio executives and popular viewers. They are, in a term, “high concept” pictures.

<sup>193</sup> All of Jewison’s comments on the film are from director’s commentary available on the DVD release of *The Hurricane*. Such special features are a valuable tool for film criticism and theory, though they are far from serving as any authoritative last word. That is, accounting for them presents no return to auteur theory, and it would be a mistake to read them as a record of directorial intent; such voiceovers are, after all, recorded after the film is complete and included to boost DVD sales.

<sup>194</sup> In sorting those various actualities, I draw from Hirsch’s biography of Carter, especially Chapters 13 and 14, “Final Judgment” and “The Eagle Rises,” as well as Jewison’s directorial comment on the DVD release of the film.

<sup>195</sup> Carter’s argument is more in line with Deleuze and Guattari’s claim that lack is not an *a priori* condition but is instead “created, planned, and organized in and through social production [...] It is never primary” (29). In effect, Carter’s self-sustaining strategy relies on an anti-Oedipal formulation of desire to maintain his Oedipal autonomy, which short circuits itself. His reintroduction to history occurs with his reintegration to social participation outside the prison through freeing the blocks to the circulation of desire, which Deleuze and Guattari characterize as the first order of schizoanalysis.

<sup>196</sup> The cast and crew first tried shooting the second episode with two Washingtons in the cell, like the first, but the director felt that it did not work. Instead, Jewison himself stood off-camera in the cell and read the other Carter’s lines, and Washington responded to them. The other Hurricane’s dialogue was looped later in post-production. Whether historical accident or an unconscious endorsement of consciousness made manifest in the social rather than singular, Jewison so participating in Washington’s performance of Carter’s mind seems far more Deleuzo-Guattarian than Lacanian.

<sup>197</sup> From 1962 to 1999, three actors have won Academy Awards in Jewison’s films: Rod Steiger for *In the Heat of the Night* (1967), and Cher and Olympia Dukakis for *Moonstruck* (1987). However, for Washington’s portrayal in this “most original and powerful” of scenes, Jewison then ascribes its excellence to the camera and the editing.

<sup>198</sup> One might differentiate between the intersubjective moment of recognizing the self in the other (either a Hegelian or Lacanian recognition), and the transsubjective moment, where the distinction between “I” and “we” disappears, where “one” is no longer separable from “many.” Lesra’s recognition of himself in Carter is therefore an intersubjective awareness, Carter’s identification of participating in a social world beyond the self a matter of transsubjectivity. It resembles the point in *The Executioner’s Song* where the writer Farrell in reading and writing Gilmore feels “out of himself” (831), meeting the other in a discursive middle ground.

<sup>199</sup> In another connection, Spike Lee, who directed *Malcolm X*, directed Norton in *25<sup>th</sup> Hour* (2002), chronicling his character's last 24 hours before going to prison—a tight parallel of Norton's character in *American History X* and its chronicle of his character's first 24 hours *after* prison.

<sup>200</sup> Presumably, these are the sort of depictions the American Correctional Association seeks to challenge. The organization's mission statement as of 2002 includes eight goals, the sixth of which is to “enhance positive public perception of the corrections field” (“Vision Statement”).

<sup>201</sup> Understanding the film in these terms challenges O'Sullivan's claim of a subversive subtext inhabiting the rehabilitation narrative of *The Shawshank Redemption* (326-327).

<sup>202</sup> The statement is inscribed above the New York Supreme Court Building, and although generally attributed to George Washington, John C. Fitzpatrick's edition of Washington's September 28, 1789 letter to Edmund Randolph actually reads, “the *due* administration of justice” (emphasis added). Incidentally, the closing shot of the New York Supreme Court motto is a recapitulation of the opening shot of Sidney Lumet's *12 Angry Men* (1957), where Henry Fonda leads the jury from a 11-1 straw vote to convict to a 12-0 verdict of innocence. Where Lumet's film opens with the quote and reproduces in nearly real time the jury's deliberations, Jewison closes with it and has the film drastically telescope almost two decades of imprisonment.

<sup>203</sup> Carol Clover makes a related argument, though organized around gender in horror films, in *Men, Women, and Chain Saws* (1992). She argues that two films characterize mainstream and marginal representations of the rape-revenge fantasy, where a raped woman seeks justice. In *The Accused* (1988), Sarah Tobias (Jodie Foster) is raped; her attacker gets a light sentence, and she and a female prosecutor pursue judicially the men who cheered on the public attack. A lengthy and dramatic legal battle upholds the legitimacy of the legal system, and the closing shot, a long, high view of the courtroom, is nearly identical to the closing shot of *The Hurricane*. Clover contrasts this perception of justice with the far more marginal horror film *I Spit on Your Grave* (1978), where the rape victim mutilates and kills her attackers one by one. Her argument seems to apply as well to *The Hurricane*, that mainstream films will uphold rather than challenge social norms.

<sup>204</sup> Almost no feature films are shot in the sequence of their final exhibition. For example, in *The Hurricane*, the looped voiceover provides continuity for the jump cuts between the location shots of Carter in prison and the Canadians sending and receiving his letters. The shots for any of the scenes taking place in the prison would be filmed together, and the shots of the home in Canada would be shot together as well. Editing would assemble the continuity of the footage in post-production.

<sup>205</sup> A review in the industry trade *Variety* claims that the scene “will have viewers shaking their fists at the screen” (Lovell). *The Film Journal* describes the scene as “startling” (Garcia), and Anne S. Lewis addresses it at length in her introductory comment preceding an interview with Garbus.

<sup>206</sup> Rideau offers a description of a far more knowledgeable and professional parole board at Angola in *Life Sentences* (124-128).

<sup>207</sup> The masculine homosociality of *Cool Hand Luke* occurs strictly among white men, while *The Shawshank Redemption* initiates the shift to cross-racial identification. As in *Soul on Ice* (and *Anti-Oedipus*), the shared carceral identity trumps racial difference, though there is the significant lack of the revolutionary imperative to social change in Darabont's film. Incidentally, the character of Red (Freeman) originally was written as a white man, which fosters the unremarked nature of racial difference in the film. With regard to the homosocial affection of the scene in *The Farm*, it is possible that this scene is more about the relationship among the men rather than about the men themselves, emphasizing the social investment in the connections among the people rather than the individuals. This would distance its representation from the romance of *Shawshank* and also suggest a social subjectivity in line with that of Deleuze and Guattari.

<sup>208</sup> The tone here and elsewhere in the narration is reminiscent of Rideau's writing in *The Angolite* and Wikberg's in *Life Sentences*, where each several times recalls earlier floods in the history of Angola, in 1912, 1922, 1973, and 1982 (Nov/Dec 1982 63; 17).

<sup>209</sup> Treating prison as a setting and thus one of several formative components in narrative representation differs from the arguments of Crowther, Mason, and Rafter that the "prison film" is a coherent genre. Instead, prison is a setting "with strings attached," which shapes but does not wholly determine the sort of stories told in films set there.

<sup>210</sup> Oliver Stone's films, particularly *Natural Born Killers* (1994), are a lightning rod for such criticism, as are ambiguously anti-war war films such as *Saving Private Ryan* (1999).

<sup>211</sup> Brockway was the president of the National Prison Association in 1898 and frequently cited in its annual conferences through the twentieth century as one of its most important early leaders.

<sup>212</sup> Žižek cites Jacques-Alain Miller's unpublished seminar differentiating between imaginary and symbolic identification (*Sublime* 105; *Looking* 135).

<sup>213</sup> Garbus says of her and Stack's directorial intentions in the film, it was an effort "to get a view from the inside—which of course we never can, because we're not locked up" (Kaufman). Rideau is a life prisoner at Angola, and the extent to which the direction is his therefore locates the film as prisoner discourse. However, as he was far less a part of the editing, and this was a film Garbus acknowledges as "made in the editing room" (Stubbs 120), the film's position in and out of prisoner discourse is ambiguous.

<sup>214</sup> This litany of theorized interpretations runs a double risk, on the one hand that of specious appropriation, and on the other, a pretense of mastery over a broad array of challenging discourses. Their incorporation here is focused in the confluence of

imagined and actual prisons and the deployment of the carceral identity. I leave the reader to judge the use here less on the breadth of reach than the merit in application.

<sup>215</sup> Ethnographic research provides one point of entry to the difficulty of audience, and textual study could expand efforts in this vein. However, understanding books, films, performances, and other works as the visible manifestation of a cultural imagination, symptomatic of a social unconscious, complicates the use of ethnography. Case studies combined with more empirical work could provide a richer texture to cultural fears and desires, what is remembered and believed to be true. Still, the unconscious, whether personal or social, is secret knowledge, unknowingly known, and thereby emphasizes the interpretive work of the analyst.

<sup>216</sup> The October 9, 1999 performance benefited the Diversity Institute, a division of the School of Social Work at the University of Texas at Austin. It was offered more conventionally in September 1999 and then again in January 2004.

<sup>217</sup> The field of performance studies emerged in the 1980s as a combination of strategies from theater studies and cultural anthropology to describe both social events in terms of dramatic convention and drama in terms of cultural work. The conventional origin narrative of the field traces performance studies to Victor Turner's *From Ritual to Theatre* (1982) and Richard Schechner's *Between Theater and Anthropology* (1985), radically expanding in the late 1980s and early 1990s with the work of Judith Butler, Jill Dolan, Peggy Phelan, Joseph Roach, and others at the intersections of critical theory, drama, and gender and cultural studies.

<sup>218</sup> Indeed, Kenneth Burke's contribution in *A Grammar of Motives* has received insufficient notice in this regard. His model of dramatism, of understanding literary and cultural narrative in terms of act, actor, agency, purpose, and scene, anticipates critical characteristics of what would become performance studies in the 1980s.

<sup>219</sup> Still, this chapter in part describes some of the processes by which staged activism works, and doing so may well contribute to analyses of how engaging audiences as social bodies can contribute to historical change.

<sup>220</sup> *The New Abolitionist*, a newsletter sponsored by the same organization that sponsors "Live from Death Row," was among the first to chronicle failures of public defenders in the 1990s, including a court-appointed lawyer repeatedly falling asleep while defending a man facing a murder charge (Roth). President Bush as Governor of Texas in the late 1990s vetoed the "Texas Fair Defense Act," which would have included minimum standards for defense lawyers. Such cases made broader national news in 2001 and 2002, and that publicity helped prompt Bush's successor Governor Rick Perry to sign such a measure.

<sup>221</sup> Some of the rhetorical moves made by Thigpen are components of what Jurgen Habermas identifies as the "bourgeois public sphere," "based on the fictitious identity of the two roles assumed by the privatized individuals who came together to form a public: the role of property owners and the role of human beings pure and simple" (56). Thigpen moves beyond that fictional unity in describing a social body uniting speaker and audience, even as she implies differences of agency between them.



<sup>222</sup> Artaud's conception of a "Theatre of Cruelty" sought to unite audience and stage in a communion initiated by trauma, where the depiction and the tactics of the depiction of cruelty preclude disassociative spectatorship. Elaine Scarry's magisterial *The Body in Pain* (1985) is a richly theorized investigation of the limits and the necessities of textualizing human suffering, and she touches upon ways in which actual torture practices have been engaged theatrically. Anthony Kubiak repeatedly conflates and distinguishes torture and theater, demonstrating how understanding ritual and spectacle as performance complicates public violence in *Stages of Terror: Terrorism, Ideology, and Coercion as Theatre History* (1991) and *Agitated States: Performance in the American Theater of Cruelty* (2002).

<sup>223</sup> Descriptions of forced sex are a regular means of conducting a sort of theater of cruelty to confront an audience with pain. Rideau's chronicle of rape in men's prisons in "The Sexual Jungle," originally printed in *The Angolite* (December 1979) and reprinted in *Life Sentences*, includes the most graphic horror of the collection. *American History X* draws on the social cachet of representing such violence in Derek's prison rape scene.

<sup>224</sup> Such an account is in accord with Habermas' theorization of public spheres as enabling rather than precluding social action (240). He points out that such spheres are constructed: "Today occasions for identification have to be created—the public sphere has to be 'made,' it is not 'there' any more" (201). One might contest "any more," the possibility that at some earlier point in history such homogenous publics could be engaged *in media res*; still, public spheres offer a corollary enlargement of the social subject. In a related context—and in yet another example of the metaphorical prison over-writing actuality—Oskar Negt and Alexander Kluge frame such potential spaces of discourse in terms of the prison visiting room. Such a public sphere is constructed wholly by institutional constraints, written with power, simultaneously bringing together and keeping apart the inside and out. In "On Negt and Kluge," Jameson describes the boundaries that distinguish each within that space: visitors from outside, prisoners from inside, are constrained within a system of rules regulating contact (72). "Live from Death Row" in its actuality evacuates some of the rhetorical force of Negt and Kluge's metaphorical prison.

<sup>225</sup> That claim is largely implicit in *The Body in Pain*. The interpretation offered here clarifies the function of the lengthy discussion of material culture and enlarged and material sentience, particularly in Chapter Four, subtitled "Body and Voice in the Judeo-Christian Scriptures and the Writings of Marx." In referring to Karl Marx's writing, Scarry points out his repeated use of terms of bodily process such as *production*, *consumption*, *reproduction*, and *circulation* to describe social systems of economy (245). The social body in its aggregate becomes a corporate singular between "I" and "we."

<sup>226</sup> I do not mean to reduce the value of these two performances to the theoretical model of identity as a social body that can be drawn from them. Performances in their production and reception may benefit from terms by which to describe them

more richly, but they are more than that vocabulary. This is especially true for staged activism and activist performance, whose effect is offered always with strings attached to a particular social project. While staged activism and activist performance differ in the degree to which they imbue their representation with truth-value and maintain dramatic convention in their performance, both cast their audiences as communities, hail them through and unify them by the common identity in the social project in which these performances situate themselves. In the case of “Live From Death Row,” that commonality is the opposition to the death penalty held by those attending the protest; in *Jury Duty*, the audience attends the fundraiser in support of a social work program. What works such as these two do most successfully is remind their audiences that they are a “we”—plural in number and singular in commitment. Those audiences are reminded of their position and that others share it, and in being so reminded, maintain it.

<sup>227</sup> Benjamin’s “The Work of Art in the Age of Mechanical Reproduction” (1935) is ostensibly an examination of how the camera in general and the cinema in particular fundamentally transform art in terms of originality, authorship, ownership, and identification. The epilogue serves as an indictment of fascism’s deployment of politics as art and a call for those who would combat fascism to answer “by politicizing art” (242). That epilogue includes a lengthy excerpt from Filippo Marinetti’s Futurist manifesto claiming, “War is beautiful.” One way to reframe Benjamin’s critique to carceral practice is to follow the implications of Chapters Two and Three of this dissertation, which suggest that imprisonment is one way in which a nation wages war on its own people. Paraphrasing Marinetti as a way of laying bare the unspoken values of fascism then reads as, imprisonment is beautiful for its domination over technology, its surveillance cameras, electronically monitored gates, lethal injections, and electric chairs. Prisons are beautiful because they create new architecture, geometrical formations of cells of steel and concrete. Benjamin’s counterattack against fetishizing war reads as, “Imperialistic war is a rebellion of technology which collects, in the form of ‘human material,’ the claims of which society has denied its natural material. Instead of draining rivers, society directs a human stream into a bed of trenches; instead of dropping seeds from airplanes, it drops incendiary bombs over cities; and through gas warfare the aura is abolished in a new way” (242). Humanity as a sort of raw material echoes Cleaver and demonstrates Benjamin’s similar use of Marx. More to the point, the degree of relevancy is telling when one replaces *war* with *imprisonment*, whereby society drains its human resources into prisons; instead of homes, cells; instead of vaccines, lethal injections.

<sup>228</sup> *The Farm* similarly features prison officials rehearsing John Brown’s lethal injection, joking among themselves as they do so.

<sup>229</sup> However, it is not impossible for such recognition to take place. Cleaver’s rhetorical flourishes and ingenuous loops and dips in prose, as well as his invitations to cross-racial identification, invite non-prisoners to recognize themselves in *Soul on*

*Ice*. *The Farm*'s sympathetic portrayal of inmates encourages viewers not only to look to them, but in the cases of Tannehill and Witherspoon, look *up* to them.

<sup>230</sup> The violent police suppression of civil rights activists in particular and black neighborhoods in general in the early 1960s merits Rubin Carter's widely publicized comments—taken out of context—regarding killing policemen (*The Sixteenth Round* 226), a scene that also appears in the film *The Hurricane*. The violence he imagines for rhetorical effect became actual shoot-outs between some of the Black Panthers and the Oakland police from 1967 to 1973, the responsibility for which remains bitterly contested, but which contributed to the fear of black militancy exhibited in the ACA transcripts in the early 1970s. The social tensions producing such violence as a recurrent phenomenon see their reiteration in the similarly contested shooting that led to Abu-Jamal's imprisonment.

<sup>231</sup> While the Department of Justice acknowledges these declines ("Property Crime," Serious Violent Crime"), they nevertheless attribute increasing prison and jail populations to violent crime: "Over half of the increase in State prison population since 1995 is due to an increase in the prisoners convicted of violent offenses" ("Over Half"). However, elsewhere, that increase is described in more specific terms that clarify the alleged increase. "At the end of 2000, 49% of State prisoners were serving time for violent offenses, up from 47% in 1995" ("Prisoners in 2002"). Furthermore, other Department of Justice figures demonstrate that the rate of offenses has declined steadily, reaching its lowest level ever in 2002 ("Violent Crime"). In addition, by shifting the focus strictly to state prisoners rather than a combination of federal prisoners, these particular figures ignore the fact that over 40% of people accused of a federal crime are charged with a drug offense (Walters 3)—and other accounts from the Office of National Drug Control Policy place this proportion at 60% (*Policy* Chapter III). Some anecdotal evidence suggests that the harsher federal penalties for drug offenses encourage zealous or politically aspiring prosecutors to shift trials to the federal courts.

<sup>232</sup> Such high visibility users include the death by overdose of college basketball player Len Bias in 1986 and the arrest of Washington D.C. Mayor Marion Barry in 1990. Incidentally, Bias was later determined most likely to have used powder cocaine.

<sup>233</sup> Property crime has declined steadily since prior to the expansion of imprisonment. No correlation has been demonstrated between rates of imprisonment and the commission of crimes of theft or violence. Ruth Wilson Gilmore traces the expansion of California's prison system in "Globalisation and U.S. Prison Growth" (1998), identifying the economic factors and cultural costs of the 22 prisons the state built at roughly \$300 million a piece in the 1980s and 1990s (171-172). Abu-Jamal and Morris in the 1990s both point out that the U.S. imprisons its citizens at a rate far higher than comparable nations. There is not only the matter of rates of incarceration and length of sentences, but also the variable definitions of crime itself. As cited in Chapter Three, in 1973, the ACA president poses the questions, "Are there some

kinds of behavior defined as illegal which the community is now willing to tolerate? On the other hand, are there some kinds of behavior which were formerly tolerable but are no longer?" (3-4). While the term "socially constructed" has become passé, the president's view suggests the degree to which prison leadership itself realizes crime to be a set of acts historically fluctuating in their definition. Looking backward through the over three decades since her questions, what has become intolerable is wholesale and long-term imprisonment demarcating lines of race and class. In a similar vein, an ACA member and Washington D.C. director of corrections in 1976 claims, "The last decade in this country has been marked by an unprecedented moral decadence" (88). However, he is not referring to drug use, communes, or draft dodgers, but to the Vietnam War, Watergate, and corporate and government graft. He observes, "We have too long couched the public discussion of crime either in terms of fuzzy abstractions or melodramatic examples of a street mugging" (90). He argues instead to shift the emphasis to corporate and white collar crime.

<sup>234</sup> Gould, Weinberg, and Mustard conclude that rather than incarceration rates matching crime rates, unemployment provides the clearest correlation to imprisonment patterns. Western and Petit point out the perceived narrowing of the employment gap between white and black men is skewed by the number of black men in prison.

<sup>235</sup> Bullins' life and work provide something of a crucible for some of the historical tensions of the late 1960s and 1970s, as well as matters of identity and identification raised in Chapters Three and Four. Richard G. Scharine opens a 1979 essay in which he argues for the autobiographical qualities of much of the playwright's work with a description of Bullins as an "ex-Philadelphia street-gang member, ex-Navy boxing champ, ex-L.A. college student, ex-San Francisco Black Panther Minister of Information" (103)—a description that reads as an amalgam of Eldridge Cleaver and Rubin Carter as well, though Scharine mistakenly lists Bullins as Minister of Information rather than Culture. Cleaver was actually Minister of Information. Scharine further describes the main character of *The Reluctant Rapist* as "Bullins' best metaphor yet for the revolutionary artist" (108), another blurring of writer, character, and Cleaver. Bullins replies to Scharine's observations in terms that echo the focus on schizophrenia in Chapter Three—"I believe my characters sometimes have multiple identities, as parts of a whole, an ever-changing, interchangeable universe, as the points in a vision which expands—dreamlike" (109).

<sup>236</sup> I had the opportunity to teach just such a course in the English Department at The University of Texas at Austin in 2001 and 2002. The course, English 314L: Literary Contexts and Contests, was designed for sophomore English majors; however, because it fulfills a university writing requirement, non-majors comprised about half of the students. For the class, I first assigned Franz Kafka's *Penal Colony* and the "Introduction" and "Panopticism" chapters of Foucault's *Discipline and Punish* to establish imprisonment as our theme, initiate close reading practices, and provide a theoretical framework. Then, the primary works for the course included William

Shakespeare's *The Tempest*, Harriet Jacobs' *Incidents in the Life of a Slave Girl*, Faulkner's *Go Down, Moses*, and Cleaver's *Soul on Ice*, all accompanied by surveys of their contemporary history and current criticism. Each reading also was paired in the class with a section T.S. Eliot's *Waste Land: The Tempest* with "What the Thunder Said," *Incidents in the Life of a Slave Girl* with "The Fire Sermon," *Go Down, Moses* with "Burial of the Dead," and *Soul on Ice* with "A Game of Chess." I included *The Tempest* to introduce the idea of "America" and its literature as a trans-Atlantic colonial practice; in addition, Shakespeare's play features numerous images of punishment, particularly banishment and confinement. Then, slavery and imprisonment work nearly interchangeably in Jacobs' narrative. Class discussions those two semesters helped shape my understandings of Faulkner's and Cleaver's work as offered here in Chapters Two and Three.

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