INCARCERATING RHETORICS, PUBLICS, PEDAGOGIES

DISSERTATION

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ABSTRACT

“Incarcerating Rhetorics, Publics, and Pedagogies” analyzes how cultural beliefs about empowerment and rehabilitation inform contemporary prison art and writing, as well as how activists mobilize prisoners’ creative work in order to humanize the incarcerated and re-educate the public about incarceration practices in the United States. I argue that art and writing behind bars provides us with an opportunity to better understand the multiple discursive contexts that shape prisoner experiences as well as representations of prisoner experiences. Rather than taking a position in arguments over whether prison art and writing is or is not “empowering,” I look critically at discursive assumptions of empowerment, as well as how such assumptions are negotiated rhetorically in acts of art and writing by individual prisoners. I provide a critical framework for looking at art and writing by prisoners that moves beyond questions and assumptions of empowerment and provides instead a means for understanding the rhetorical and discursive conditions that shape its production as well as its reception.

Throughout my dissertation I investigate the interaction of physical and discursive contexts in prisoner art and writing. I track the history of prison pedagogies, examining
not only the development (and subsequent dismantling of) education programs in U.S. prisons, but the other ways in which institutional practices as well as rhetorics of reform and retribution have developed contemporary understandings of criminality. I provide ethnographic research to analyze how incarcerated youth use art and writing to respond to the conceptions of criminality and victimization applied to them in their treatment and programs at a juvenile corrections facility for girls. Finally, I investigate how activist mobilizations of prisoner writing, as well as prison writers themselves, often redeploy conventional discourses of criminality in their efforts to “humanize” prisoners.

This research enhances current scholarship in rhetorical studies – and English studies more broadly – that is concerned with rhetorical agency mobilized by speakers on the margins, by including much-needed perspectives from prison-writers, as opposed to simply writers about prison. However, I argue that analyzing carceral writing does more than simply expand the rhetorical canon; it also provides us with new ways for understanding how discursive and physical contexts interact to shape writers’ rhetorical choices. I offer a revised model for material analysis; rather than impose a top-down analysis that privileges the power of national and cultural discourses in structuring the institutional discourses and the works produced by prison artists and writers, I use a rhetorical theory of identification and resistance, informed by theories of institutional and discursive power, in order to account for the circumstances of production of the art and writing. This analysis also leads to a better understanding of the relationship between rhetoric and discourse more generally, and how discourses about the causes of and solutions for criminality function rhetorically in corrections facilities and in our culture as a whole.
Dedication

Dedicated to my parents, John and Carol Wolters
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I am unable to thank all of the people to whom I am indebted for the completion of this project. Yet, I must attempt to express my gratitude to those who have provided me with the most support. I thank my adviser, Wendy Hesford, for her continued patience and support as I evolved this project over the last several years, and for her eternal encouragement for my scholarship. You have mentored me throughout not only my dissertation but also my entire academic career, and have always provided me with a model for the type of scholar and teacher I want to be. Thank you for teaching me. I also thank the other members of my committee. Beverly Moss and Amy Shuman provided me with crucial support and guidance particularly during my fieldwork, and helped me negotiate not only the logistical complexities of ethnographic research, but also helped me to understand how to truly learn from my participation in this study, and to grow as a researcher through it.

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CHAPTER 1: ACTING “AS IF”

In her public lecture during her visit to Ohio State in May 2006, Shirley Brice Heath discussed her work with public art and literacy and proposed that “all art enables acting ‘as if:’” that art allows us to move toward a future imagined as “not yet there but that can be made to be there through our acting and believing to make it so.” Heath was referring here not only to art’s imaginative capacity but the capacity for self-expression in all composing processes. Imagination and self-expression are powerful things, but how do the spaces in which we make our art also shape the future we imagine? And how do the choices we make in creating our art express not only our own individual voices, but also the voices and imaginings in our surrounding environments? There is no question that any act of expression is a negotiation between the individual and her or his surrounding context, and so the investigation that Shirley Brice Heath inspired in me was not of whether art is affected by its environment, but how art expresses that negotiation.

When we “act as if,” what do we reveal about our surroundings: about the actions expected of us, the futures and possibilities imagined for us? What do our choices in making our art reveal about the means of expression we perceive to be available to us?

The picture in Image A.1. (see Appendix A), created by a 16 year-old girl incarcerated in a juvenile corrections facility, depicts hands simultaneously behind and in front of bars. In an arts-in-corrections program held at Brandy’s1 facility, participants
were asked to trace their hands and represent what gifts they already have available to help themselves and others. Brandy’s was one of many art programs facilitated by the Art for a Child’s Safe America Foundation, or ArtSafe, a non-profit Ohio arts organization that provides art as an avenue of expression for incarcerated as well as high-risk juveniles and young adults, emphasizing choice and individual empowerment in art. In her piece Brandy said she wanted “one hand to represent the bad stuff and one hand to have happy stuff.” The left hand contains a peace sign, a heart, and the word “family” in large, bubbled lettering. However, the left hand is partially covered by the right hand, which is inscribed with tears, handcuffs, a gun, bullets, and a cigarette, as well as the name of her older brother, who is incarcerated in an adult facility in Ohio. The location of Justin’s name on the “bad” right hand in the picture represents his crime (drug possession) and subsequent incarceration, but it also represents Brandy’s effort to include her brother among her “gifts” even as she is forbidden from communicating with him (both corrections facilities forbid residents from communicating with any other corrections facilities). Brandy wanted to draw a marijuana leaf on the right hand but drew the cigarette instead; although one of the messages of Brandy’s piece is the negative consequences of drugs and violence, she knew that images of or references to drugs are forbidden in her institution, and that the inclusion of such an image could cause her artwork to be confiscated.

Like all of the projects in the art class, this assignment is intended to provide the participants with an opportunity to create positive, affirming, and empowering representations of themselves – this time to have them represent their own positive gifts and attributes. However Brandy’s project seems to focus as much on obstacles as it does
attributes, suggested by the prison bars surrounding her hands. Features of the corrections institutions show up frequently in the projects produced by participants in the art classes, including walls, doors, cells, and uniforms. In *Cellblock Visions*, Phyllis Kornfeld notes that inmate artists often express that “they are sick of the ugliness around them and have no desire to reproduce it. But sooner or later, most make a picture of prison. Bars, which define the inmate’s view of everything, are the primary motif” (12). However, there are no bars at this or any juvenile corrections facility in Ohio. There may very well be bars at the facility where Brandy’s brother is housed, but she has had no means of visiting her brother or communicating with him in any way. Juvenile corrections facilities are insistent that they are not prisons, and Brandy’s facility works hard to identify itself as a “residential corrections facility”: built on the grounds of the first girls’ reformatory in the state, her institution still reflects some of the original cottage-style architecture popularized in nineteenth-century adult and juvenile reformatories and, like its predecessor institutions, envisions itself as an alternative to and intervention in more restrictive models of carceral punishment. However, despite this “reformatory” architecture, Brandy still envisions herself through the images and terminology of an adult institution – in “jail” and behind bars. She explained that in her picture the right hand overlaps the left hand because “my bad feelings in jail are overlapping my good feelings, and that’s how I felt today because I’m in jail and I’m locked up and I don’t have that many good feelings that get to come out in here.”

Brandy’s effort to represent her identity in an art class held in her corrections facility reveals how institutional, pedagogical, and personal objectives interact in prisoners’ art and writing: even as her art program attempts to create a separate space for
self-expression and empowerment within the institution, it is clear that Brandy sees herself as simultaneously coming out of and trapped behind the confines of her institution. Although her art does provide her with an outlet for expression, it also shows her identification with her institutional surroundings, and her awareness that this is how potential audiences see her as well: the imposition of bars in her artwork not only reflects her own imaginations of the conditions of her confinement, but also a cultural perception of juvenile corrections facilities as “mini-jails,” stepping stones to adult prisons. Prison art and writing programs are contested spaces: not only is their very existence in the current political and economic climate precarious, but they combine multiple intersecting and often conflicting goals of the institutions, the states, the program facilitators, and the prisoner-participants themselves. In my dissertation, “Incarcerating Rhetorics, Publics, Pedagogies,” I argue that art and writing by prisoners provides us with an opportunity to examine the multiple material and discursive contexts for “acting as if,” and in doing so raises fundamental questions about how rhetorical agency is negotiated in contexts of extreme oppression, and the potential for art and writing – for fundamental acts of self-expression – to transcend physical and discursive boundaries.

Scholars and activists frequently apply frameworks of empowerment to prison art and writing: the organization ArtSafe argues that arts in corrections programs provide fundamental tools for empowerment and self-esteem for incarcerated juveniles; similarly, Eve Ensler, who directs a writing program at the Bedford Hills Corrections Facility for Women in New York (which I will discuss in more detail in Chapter Four), sees her writing group as providing a means for incarcerated women to voice their experiences and beliefs. In both cases, the empowering potential of prison art and writing is tied to
self-expression and the freedom to make artistic and writing choices in the context of oppression. Although neither Ensler nor ArtSafe characterize their programs as rehabilitative – and in fact, both would strongly object to this term – the funding they receive and their ability to work within the prisons they serve depend on cultural beliefs in the empowering potential of art and writing; in long-standing “literacy myths” about the relationship between reading and writing skills and moral character. Such discourses not only support Ensler’s and ArtSafe’s programs, but arts and literacy programs across the country, as evidenced in the “healing power” of literature cited by the Changing Lives Through Literature program currently operating in Massachusetts, as well as the therapeutic benefits cited by many prison arts programs (Waxler 1; Williams 3).

I argue that “empowerment” is a term used loosely and too easily in connection to prison art and writing, and it masks the complex discursive genealogies of prison art and writing programs: the extent to which they are rooted in complex and often conflicting assumptions of the radical potential of art and writing as seen by activists and program facilitators, as well as conventional and historical assumptions about the “mythic” power of art and writing to moralize and otherwise rehabilitate criminalized subjects. I argue that art and writing behind bars is not automatically liberatory, but it does provide us with an opportunity to better understand the multiple discursive contexts that shape prisoner art and writing, and prisoner experiences more generally. Rather than taking a position in arguments over whether prison art and writing is or is not “empowering,” in the following chapters I will look critically at discursive assumptions of empowerment, as well as how such assumptions are negotiated rhetorically in acts of art and writing by individual prisoners. What I want to provide here is a critical framework for looking at
art and writing by prisoners that moves beyond questions and assumptions of empowerment and provides instead a means for understanding the rhetorical and discursive conditions that shape its production as well as its reception.

METHODOLOGY

From the beginning my findings were directly shaped by the material conditions for my research. I grounded my investigation in an ethnographic study in order to learn about prison art and writing from the “ground up.” Although I could have started with art and writing already publicly available, and certainly did begin to familiarize myself with this body of work early-on, it was important to me as a researcher to identify and build a relationship with a site where prisoners were actively producing art and writing so that I could better understand how their institutional and cultural contexts shaped the formation of their work. My ethnographic study then provided a foundation for the content and ethics of my research. Despite the challenges of seeking permission to conduct research with incarcerated children (a categorically “doubly vulnerable” population according to the terms of the IRB board), when I sought an opportunity to observe and participate in arts in corrections programming, ArtSafe’s programs at a nearby juvenile corrections facility for girls provided me with the best research opportunity. The first-person accounts of juveniles in the ArtSafe program provided me with a fundamental framework for looking at the wider body of art and writing by prisoners, and also established my professional and personal relationship with their correctional facility.

Although I began with an ethnographic, I sought a mixed-methodology for my research that incorporates ethnography as well as rhetorical and discourse analysis. My
ethnographic research into the ArtSafe class framed not only the rest of the materials that followed, but also how I conducted my rhetorical and discursive analyses. Ethnography provides a fundamental means for bringing materiality to rhetoric, so that even in chapters not grounded in participant-observation, I am able to maintain an ethnographic lens that focuses on the material conditions of different institutional settings. For example, my discursive analysis of the history of prison reform movements is informed by an investigation of the material conditions of prisons at different time periods; similarly, my rhetorical analysis of Eve Ensler’s documentary also questions the material conditions of Bedford prison and the experiences of the women outside of Ensler’s workshop. Although without an ethnographic study I do not have this information about the women’s experiences available to me, ethnography provides a lens that enables me to bring materiality to my rhetorical and discursive analysis.

This mixed-methodological approach then also informed my incorporation of rhetoric and discourse within my ethnographic study: from its beginning I focused on rhetorical actors and conditions, as a traditional rhetorical analysis might: what were the rhetorical conditions that shaped the art program at the juvenile facility? What were the dominant rhetorics (of art, empowerment, choice-making, etc.) provided by the art program facilitators, and how did they contrast/interact with the dominant rhetorics (of obedience, of categorization, of rewards and discipline, and of reform) that characterized the institution? How did all of these rhetorics interact in the art and writing produced by the incarcerated girls? I employ an understanding of rhetoric in its broadest sense – as the pursuit of identification through symbolic communication theorized by Kenneth Burke. In order to theorize the connection between rhetorical acts and their larger
discursive contexts, I build on theorists such as Michel De Certeua and Michel Foucault to theorize the interaction between acts of communication and the broader systems of language and knowledge that provide their context. This methodological approach then enables me to integrate the first-person accounts of art and writing by incarcerated juveniles with a broader investigation of art and writing by prisoners that is publicly available, and therefore directly informing public discourses about incarcerated writers, as well as a broader historical perspective of the different ways in which we have constructed criminal subjectivities.

This is fundamentally, then, an ideological critique – I investigate how these ideologies shaped the art and writing produced by the girls. But I also sought to get past a traditional materialist critique, which assumes a top-down relationship between discourse and rhetoric, and identify the rhetorical disruptions and resistances enacted by the girls. For instance, was asserting a dominant institutional rhetoric (say of remorse or obedience) in the face of the art program’s emphasis on individuality and empowerment an act of resistance or of concession? Does asserting a gang identity reinforce institutional categorizations of criminality and deviance, or does it demonstrate artistic empowerment and choice-making? A simple discursive analysis provides a limited means for accounting for the incarcerated girls’ art: the art is either resistant to dominant discourse or complicit with it, but always located within and in response to those terms. While a rhetorical-discursive analysis does still acknowledge dominant cultural and institutional discourses that shape the rhetorical choices available to incarcerated writers and artists, it offers a broader methodology for interpreting and understanding how prison artists and writers negotiate multiple discursive contexts along with their individual
purposes and objectives. Whereas a discursive analysis might embrace all art and writing by prisoners as automatically liberatory in the sense that it reflects self-expression and choice-making within an oppressive institutional context – or, conversely, as necessarily over-determined by its institutional circumstances – a rhetorical-discursive analysis creates a methodological space for negotiating agentive and non-agentive interpretations of prison art.

Methodologically, “Incarcerating Rhetorics” brings together rhetorical and discourse analysis through an investigation of theories of identity production; in particular, I explore how the identities of “criminal” and “victim” are discursively constructed, as well as how they function rhetorically. By applying my rhetorical and discursive investigation of identity production to pedagogical literature and pedagogical sites within penal institutions, I am able to consider the kinds of rhetorical identifications that are encouraged by individual institutions and particular prison programs, as well as the “culture of corrections” in which they operate. Michel de Certeau argues that all communication acts must be understood as both uses of and performances on dominant language systems because all individuals are constantly using and adapting imposed knowledge and symbols to their own interests and needs (33). De Certeau responds in many ways to Michel Foucault’s large-scale theory of disciplinary power, in that he analyzes the strategic and tactical techniques that form a counterpart to Foucault’s panopticon. Neither de Certeau nor Foucault is particularly concerned with individuals themselves: Foucault primarily addresses the discursive formation of subjectivities, in particular the discursive formation of the identity “criminal.” De Certeau theorizes the operational logic of culture, and the practices available to individuals rather than
individuals’ actions and practices in response to specific dominant language systems. However, Foucault’s investigation of the dispersal of discipline and surveillance throughout the public body – in other words, the extension of institutional habits into various and ever-increasing habits of everyday life – provides a framework for accounting for the relationship between dominant discourses and images of incarceration and the strategies and discourses within carceral institutions. In other words, Foucault’s theory can account for the presence of the bars in Brandy’s art by the circulation of images that collapse criminal acts with a criminal identity, and criminal identities with bars. De Certeau would have us focus on the availability of resistance in the practices of everyday life: the “popular procedures” available for “manipulate[ing] the mechanisms of discipline and conform[ing] to them only in order to evade them” (de Certeau xiv). De Certeau can account for the presence of the bars in Brandy’s art by acknowledging the extent to which she is recognizing a dominant feature of American incarceration, “the grid of ‘discipline [that] is everywhere becoming clearer and more extensive,’” even if it does not exist in her individual institution, and appropriating it for her own purposes of artistic expression (de Certeau xiv). Although Brandy has been disciplined to avoid depicting contraband in her art, and therefore chooses not to draw the marijuana leaf, the cigarette in its place can be interpreted alternately as a tobacco or marijuana cigarette as she so desires. Furthermore, her inclusion of her brother’s name represents a way of abiding by and also “making do” within the institution – contact with her brother is forbidden but his name is not itself contraband, and Brandy’s inclusion of it represents her continued effort to maintain a connection to him.
In his examination of how people respond to dominant cultural discourses and practices, de Certeau distinguishes between “strategies” and “tactics:” he uses the term strategies to describe how institutions and structures of power generate control, and the term tactics to describe how individuals create space for themselves in environments designed by strategies. The primary distinction for de Certeau between strategies and tactics is their relationship to place and space: strategy is a function of a distinct place – and also generates place – in that a strategy “assumes a place that can be circumscribed as proper (proper) and thus serve as the basis for generating relations with an exterior distinct from it” (xix). Strategies are, in many ways, akin to the disciplining procedures described by Foucault: they create a controlled environment that “disciplines,” or renders “docile,” the bodies contained within the place. Tactics are a function of indistinct space, and exist outside of the disciplining strategies; although not exactly the opposite of strategy, as a tactic “insinuates itself into the other’s place, fragmentarily, without taking it over in its entirety,” tactics are characterized by the absence of a proper locus (xix).

Because my project combines close ethnographic study of a juvenile arts-in-corrections program with broader investigations into the history of prison programs and public representations of prison art and writing, I am not only able to combine rhetorical and discourse analysis, but also to rethink their relationship: in other words, to consider how discourses of criminality also function rhetorically in the institutional environments and individual productions of incarcerated writers, and how the rhetorical choices of prison writers are also informed by larger cultural discourses. My dissertation research enhances current scholarship in rhetorical studies – and English studies more broadly – that is concerned with rhetorical agency mobilized by speakers on the margins, by
including much-needed perspectives from prison-writers, as opposed to simply writers about prison. However, I argue that analyzing carceral writing does more than simply expand the rhetorical canon; it also provides us with new ways for understanding how discursive and physical contexts interact to shape writers’ rhetorical choices. By asking not only when a writer can or can’t write, but also how their material circumstances shape their writing, my project addresses core issues in the field of rhetoric and composition about how our own institutional contexts and practices shape our students’ relationships to writing, and how to further understand the relationship between rhetoric and discourse. And finally, and perhaps most importantly, my project brings rhetorical theories about the relationship between language and social structures to bear on a current social justice issue: U.S. incarceration practices. My project illustrates the potential for, as well as the complexities in, scholarly and activist attempts to recognize and empower marginalized voices to work toward social change.

CONTEXTS FOR PRISON WRITING

This study of prison art and writing extends the parameters of rhetorical studies to a largely unexplored site: although scholarship in composition studies has begun to take some notice of writing practices and practices for teaching writing in prisons (see Jacobi, Rogers, Pompa, Mastrangelo, Kerr, Hastings), rhetorical studies has paid only marginal attention to rhetorics of incarceration. With the exception of Patricia O’Connor and Paula C. Johnson, those rhetorical projects that have addressed carceral productions have done so from a distance and focused on published works by primarily political prisoners (see Hames-Garcia, Harlow, Rodriguez, and Doyle), largely neglecting women’s
representations of incarceration and overlooking the experiences of juvenile offenders entirely. However, published writing by prisoners (both political and non-political) has flourished in the twentieth century – although it reached a high point in the 1970s and early 1980s, a growing prison activist movement and increasing avenues for prisoners to publish their work continue to support an ever-growing body of writing. Contemporary collections of prison writing such as those assembled by Wally Lamb of writing by women at the York Correctional Facility in Connecticut – *Couldn’t Keep It To Myself* and *I’ll Fly Away* – are perhaps the most recent and best-known examples of prisoner writing being brought to mainstream audiences, but Lamb follows a long line of writers, academics, and activists who have sought to bring public attention to prison writers – including Bell Gale Chevigny, Judith A. Scheffler, and H. Bruce Franklin. Such projects typically focus on creating an outlet for prisoners’ writing or art, thereby honoring the experiences and perspectives of prisoners as experts in their own right on the causes of criminality and the conditions of contemporary prisons.

The recent collection *Interrupted Life: Experiences of Incarcerated Women in the United States*, edited by Rickie Solinger et.al., also reflects the increasing scholarly attention to incarcerated women. Whereas men have historically dominated the field of prison writing, women’s writing and women’s experiences of incarceration have captured an increasing amount of literary and scholarly attention. Part of this is a response to women’s previous under-representation in criminological research as well as contemporary investigations of prison conditions. It is also a response to the dramatic increase in women’s incarceration over the last 30 years – women’s rates of incarceration increased 757% between 1977 and 2004, compared to 388% for men (Institute on
Women’s Criminal Justice 7), as well as the different causes and impacts of women’s incarceration on families and communities. Although our current incarceration of over two million people in this country affects all communities and areas of life, up to 84% of incarcerated women leave behind households with dependent children, compared to up to 55% of incarcerated men (Sabol “Prisoners in 2008” 8; Mumola 4). Since 1990 the number of minor children with mothers in prison has nearly doubled (98%), compared to a 58% increase in the number with fathers in prison (Mumola 2). In order to understand women’s experiences of incarceration and also the impact of women’s incarceration on communities and families we must understand its impact on motherhood and parental relations. Similarly, although experiences of violence and abuse are higher among both incarcerated men and women than the general population, incarcerated women are far more likely to be survivors of abuse (Women in Prison Project).

While the majority of contemporary media representations have focused almost entirely on men’s prisons, female criminals have also begun to be featured more frequently in an effort to meet a seemingly insatiable appetite for representations of “true crime.” Television series such as Snapped and the E-channel documentary Fatal Beauty: 15 Most Notorious Women feature biographies of high-profile women murderers, typically convicted of “crimes of passion” involving lovers or family members. Eve Ensler’s film What I Want My Words To Do To You, discussed in detail in Chapter Four, represents a departure from this investigative framework by allowing the incarcerated women to reveal their crimes, in their own words, throughout the film, and also by emphasizing aspects of the women’s lives beyond their crimes, including their own
experiences of victimization that often preceded their crimes as well as many of the women’s ongoing attempts to mother their children from prison.

THEORIZING AGENCY IN PRISON

The new emphasis on incarcerated women’s writing and experiences does and should importantly inform prison scholarship and activism. However, as I will argue in more detail in Chapter Four, it also brings with it new/specific representational risks. Solinger et.al.’s anthology begins with the anxiety of representation – the “obscene … materiality” of incarcerated women’s lived experiences and the problem of trying to represent those experiences; the “risk of creating unproductive, even violent, relations of representation and interpretation” (Tapia 2). Such risks are true whether you are attempting to represent incarcerated men or women – in any circumstance where you are attempting to represent the experiences of others, and where there is a significant difference in power between those constructing (and witnessing) the representations, and those being represented. Solinger’s collection attempts to address these representational risks both by foregrounding them in their introduction and methodology for assembling the collection, and also by truly integrating the perspectives of incarcerated and formerly incarcerated women writers with those of activists, policy makers, and scholars, constructing “a dialogue about women’s experiences of and struggles against incarceration, not – as a whole – the experiences themselves” (Tapia 2). I appreciate this collection as an example of scholarship about incarcerated people that is becoming more accountable to and inclusive of the voices and perspectives of incarcerated people. Although my own work does not include nearly the breadth of voices by incarcerated
people that Solinger et.al. have, it is also precisely about these risks – about identifying patterns in cultural and scholarly representations of incarcerated people, and assumptions about prisoner art and writing. Although my investigation is framed around art and writing produced by incarcerated juvenile girls, my larger focus is the carceral rhetorics and pedagogical contexts evident in prison writing and art more generally, rather than the communications of authentic experience by individual prisoners.

Tapia cautions in her introduction to the collection that “[i]n representing and reading the experiences of women-not-ourselves who have been institutionally erased from the category of human beings, we have to know that failure is certain, and we have to try to determine why” (1). I suggest that part of the “why” is our failure to develop critical ways of looking at art and writing by prisoners. This uncritical stance is linked to and perhaps even exacerbated by our increased attention to writing by incarcerated women, which seems to be subject to even more essentialization and romanticization. Scholars and activists alike who attempt to bring increased attention to incarcerated women and their writing run the risk of essentializing them, and resuscitating dominant heteronormative discourses in their attempts to offer a gendered critique of contemporary prison systems. We see this particularly in emphases on motherhood and experiences of victimization prior to incarceration – two areas of experience that disproportionately affect incarcerated women. (It should be noted that although Tapia’s collection does devote a substantial portion to issues of motherhood and parenting, it also devotes a section to intimacy, sexuality, and gender identity issues that help it go beyond more typical heteronormative representations of incarcerated women.) The main concern with such representations is that not only do they impose a narrow framework on the available
representations for incarcerated women, they may also have material consequences in arguments for release by incarcerated women and men, and for arguments for prison reform more broadly: sentimental idealizations of the maternal may help in activist attempts to humanize and feminize incarcerated women, as well as in the cases made by individual women for their own release. However, they do nothing for male prisoners (who represent 90 percent of the prison population in this country), and may also preempt more serious examinations of women’s criminal actions and responsibilities, and the circumstances under which such mothers parented their children before their incarceration.

It’s easy for art and writing by prisoners to become romanticized when mobilized by outsiders into arguments for prison reform. Whether they are describing “what I want my words to do to you,” or sharing their stories because they “couldn’t keep it to myself,” the starting point for mobilizing prison art and writing is that prisoners have a unique and valuable story to tell (which of course they do), and also that perspectives of incarceration by the incarcerated are more authentic. I would suggest that art and writing by prisoners is authentic, in the sense that it provides us with an interpretation of the circumstances under which they created it. But to the extent that we underestimate the complexity of these circumstances, or fail to perceive the multiple discursive contexts that help to create them, we risk simplistic, romantic, and even patronizing readings of such work.

Art and writing by prisoners requires us to confront questions of authorship and how the subject is constituted in writing that are central to contemporary English studies. Particularly because the majority of writing by prisoners is autobiographical, it invokes
questions of locating the personal in the political, and the potential for writing from the margins to disrupt hegemonic discourses and power structures, that have been central to particularly feminist autobiographical theory, as well as postcolonial approaches to literature. These theoretical approaches to politicizing experience and identifying writing from the margins also bring with them important methodological approaches for seeing how subjects access agency from within troubled locations. Like postcolonial subjects, we look to incarcerated subjects as agentive examples of “braiding” multiple discourses: we look to prison writing specifically for examples of agency; this is our reason for looking, our scholarly and political imperative. However, I argue that we need to be more aware of what we overlook when we presume agency: we need to negotiate our desire to find and celebrate examples of agency in the context of oppression with an understanding of the limits of material circumstances.

By investigating how cultural beliefs about empowerment and rehabilitation inform contemporary prison art programs, and the institutional treatment of (or failure to treat) the incarcerated, my study provides insight about the relationship between cultural representations of criminals and victims and the institutional programs and practices that serve to (re)construct these identity positions. In doing so, my investigation enhances current scholarship in rhetorical theory – and English studies more broadly – concerned with issues of power in culture and language by including much-needed perspectives from prison-writers, as opposed to simply writers about prison. Finally, my project highlights how the incarcerating discourses of victims’ rights and “tough on crime” agendas shape our environments and experiences, and in so doing exemplifies the potential of rhetorical analysis to create social change.
GOING TO PRISON

It was as a volunteer as well as a researcher that I learned the back-story, the complexity of life in (even a juvenile) corrections facility, and the many contexts that shape participants’ relationships with the programs that enter it. Although not an artist myself, I developed a partnership with ArtSafe that allowed me to learn about their many programs in and outside of corrections facilities across the state of Ohio, and enabled me to integrate their published materials into some of my own teaching. I participated in their program at the juvenile facility during my research, but as a volunteer I separately led a book group that met weekly in one of the facility’s housing units, and also tutored weekly at the school. As a researcher, this volunteer work was critical to my ability to learn about the culture of the facility, build connections and a network of support for my research, and get to know the lives of the girls outside of the ArtSafe program: I absolutely could not have conducted my research without these other experiences. However, it was also an important part of my service to this institution, and continues to provide me with a way for bringing meaningful benefits back to my research site. I hope my work will provide scholars as well as activists with better methods for theorizing how we read and represent incarcerated writers and artists, inform our institutional critiques that extend beyond carceral institutions to include all the institutions that shape our lives, and also provide tools and practices for teacher-researchers who are interested in building their own partnerships between prison and university classrooms. While I know the likelihood of my individual research to touch the institution where I conducted my study, and the lives of the girls who participated in it in particular, is very small, as a tutor I saw
girls walk across the auditorium stage and become the first members of their families to receive a high school diploma, and provided small assistance to many more girls who were able to achieve their GED or just improve their reading skills during their incarceration. In my book group I provided girls with a focus and outlet for their boundless energy, a brief solace from the “drama” of their housing unit, a fix for their insatiable appetites for more books, or a hook that brought them new interest in reading.

Like ArtSafe’s programs, my own volunteer programs were shaped as strongly by the pedagogical tools and goals I brought to the groups as they were by the ever-shifting activities and climate of the institution itself. For instance, I learned that if my evening reading group coincided with another volunteer event with more (or better) food, my group would always lose. I learned about the politics of food – how food would get you participants, but would also condition an expectation for a continued supply; eventually, I saved my food for the parties at the end of each book. I learned that popcorn and cookies and chips were sufficient fare to accompany our movie nights held at the conclusion of the books, but that what the girls I knew really craved was fresh fruit, good crackers, real cheese and real juice. Homemade spaghetti went a long way. I learned that group could start on time, but many things could also get in the way – a fight or lockdown on the housing unit, or lack of a willing corrections officer to escort you to your site, or to escort your participants to their site. I learned that much of my time and the girls’ time was defined by waiting and dependence on others, and that we relied heavily on the kindness and favors of COs. I learned that on any given week I could have more than half of my group absent due to appointments with social workers, other required programming, or restrictions or punishment due to fights and other misbehaviors. I learned that regular
attendance to group had part to do with me and the relationship I built with the girls, part to do with their level of interest in the book we were reading, and much to do with the immediate events of their day – the absence or presence of fights, phone calls, release papers, and medication, which other girls were and were not in the group, and, of course, food.

One of the most fundamental lessons I learned, about ethnographic research in general and about work in prison in particular, is that it is first and foremost about showing up. You cannot cancel on prison. You can send an email or call the front desk, but chances are that if you cancel at the last minute the participants in your group will not know and will not know why. They will only know that you didn’t show up. Similarly, there is no replacement in research for being there; for first-person contact, for physical as well as intellectual commitment to one’s research site and questions. My volunteer work as well as the larger representational concerns I have about prison writing and art are both fundamentally about respect – the latter is about respecting the multiple contexts that shape the production of prison art and writing, as well as the repercussions for showing it; the former is about respecting not only the site for my own scholarly research, but also the broader needs of individuals who contributed to it: understanding that they need tools to paint and draw as well as tools to complete their educations and address the tremendous gaps in many of their educations; that they need food for thought as well as comfort food, and their cravings for either alternate depending on the day they’ve had and the daily climate of their facility. As a participant in and researcher of the ArtSafe program, as well as in my own volunteer roles as tutor and book group facilitator, I sought to contribute to a more diverse selection of opportunities available to the girls at
the corrections facility. Each of these programs is increasingly rare and valuable in correction climates emphasizing containment and retribution; as I will discuss in more detail in Chapter Two, funding for prison programs is becoming more and more scarce, and prisons at all levels are increasingly relying on faith-based volunteer programs to supplement the kinds of educational and supplemental programs that were once a core part of prison curriculum.

In Chapter Two I track the history of criminal subjectivities, and the ways in which changing institutional practices in the nineteenth and twentieth centuries as well as rhetorics of reform and retribution have developed contemporary understandings of criminality. I specifically trace the rhetoric of important social movements including the birth of the penitentiary at the turn of the eighteenth-century, nineteenth-century women’s and juvenile reformatory movements, the rise (and subsequent dismantling of) post-secondary education in twentieth-century prisons, and the influence of the victims’ rights movement on current prison practices. This investigation not only provides an historical and cultural context for the ethnographic study and analysis of contemporary public prison writing that follow it, it also describes how we have historically distinguished between subjects deemed capable of reform and those who were not; demonstrating, for example, how the domestication of women’s prisons in the nineteenth century was modeled after similar reforms in juvenile institutions, and the extent to which such domestic ideologies continue to inform institutional rhetorics and practices in contemporary juvenile and adult women’s prisons, as well as women’s contemporary prison writing.
In Chapter Three, I demonstrate how incarcerated youth use art and writing to respond to the conceptions of criminality and victimization applied to them in their treatment and programs at a juvenile corrections facility for girls. I consider the ways in which the art program’s pedagogy leaves room for acts of participant resistance as part of the process of art-making within a prison, and the extent to which the students resist the program as part of the institution. My analysis highlights the relationship between rhetorical practices and identity formation by combining rhetorical and discourse analysis to investigate how the incarcerated juveniles use their art and writing to counter the discursive and institutional subjectivities imposed on them.

My fourth chapter argues that activist mobilizations of prisoner writing, as well as prison writers themselves, often redeploy conventional discourses of criminality in their efforts to “humanize” prisoners. I specifically analyze Even Ensler’s film What I Want My Words To Do To You, which documents a writing group held at the Bedford Hills Correctional Facility for Women in New York. I argue that the film galvanizes discourses of maternity and femininity that have been imposed on criminalized women for centuries, simply substituting one narrow conceptualization (the monstrous female criminal) with another (the female criminal as vulnerable and domestic). Ensler’s film and other similar activist texts privilege prisoner perspectives to authorize new, more empowering representations of women prisoners, without considering the extent to which incarcerated writers are also implicated in the institutional and discursive contexts that frame our belief systems about criminality and incarceration. The dominant discourses of incarceration operating in these women’s writing reveal how seemingly radical or liberatory rhetorics can be couched in non-liberatory traditions, the different ways such
rhetorics may serve activists versus the prison writers themselves, and the complex ways such rhetorics may be mobilized by prisoners. For example, many of the writings featured in the film focus on the women’s roles as mothers and daughters, or as potential mothers now unable to have children; while I recognize this is an important part of women prisoners’ lives, in the context of the documentary it also reframes them as more domestic, less threatening, and in overall more conventional terms that in many ways harken back to the nineteenth-century women’s prison reform movement.

In chapter five, I conclude my dissertation by revisiting the ethnographic experiences that provided the start of my research as well as the larger ethical and theoretical questions my research has raised for me – specifically, the difficulty in trying to look at and appreciate art and writing by prisoners while also recognizing how the material conditions of incarceration affect the production and public reception of such work. I discuss rhetorics of “amazement” – the extent to which prison artists as well as their audiences are often compelled to testify to the empowering potential of prison art and writing – and the specific risks for romanticization and idealization that accompany these rhetorical situations. I argue that amazement, like assumptions of empowerment, forecloses our ability to critically engage with art and writing by prisoners, in part because it fails to interrogate the relationship between authorship and material circumstances, but also because of its rhetorical configuration of the “suffering other” that ultimately limits our response incarcerated authors.

Buzz Alexander, director of the Prison Creative Arts Project at the University of Michigan, observes of prison art and writing teachers, “[w]e must recognize that our expectations and needs may not be those of the ‘subjects’ with whom we work” (xii). As
I conducted my research within and outside of the juvenile corrections facility, I sought to critique how cultural beliefs about empowerment and rehabilitation inform contemporary prison art programs, but I also sought to contribute to opportunities for agency and empowerment within prisons. Critical of simplistic assumptions of the “empowering potential of art,” I nonetheless insist that programs in art, reading, and writing contribute valuable alternatives to increasingly barren and restrictive prison climates. The question is never whether to bring such programs into prisons, or even whether or not such programs bring agency and empowerment with them: such action must be the basis for all scholarly work. In the chapters that follow I argue that as we continue to bring art and writing to prisons, we must be suspicious of agentive assumptions and self-congratulations for achieving empowerment, and instead critically interrogate how such modes of expression operate in a context of multiple institutional and cultural discourses and multiple choices for expression.

Extra

The availability of research opportunities to me therefore directly influenced the kind of research I was able to conduct: although I approached my research with relatively standard rhetorical questions about the relationship between rhetorical actors and conditions, my research experience would have been very different at a different kind of corrections facility – an adult or more secure facility, for example – and even a different population (boys instead of girls) within the facility I had chosen.

As a researcher seeking to observe art and writing in prisons, I , critical direction
The unfortunate advantage of doing research in prisons is that anyone, anywhere is surrounded by many potential fieldwork sites – juvenile and adult facilities operating at county, state, and federal levels. Once I had the opportunity to partner with the organization ArtSafe, I still could have sought to observe programs at adult or juvenile institutions housing either men or women, and because my research population was already categorized as “vulnerable,” many advisers to my project (including ArtSafe) recommended that I seek permission to work with an adult population, as permission to work with incarcerated juveniles (a doubly vulnerable population) is almost unheard of. However, the realities of time needed to seek institutional permission from both my own university and the Department of Corrections led me to look for program that was secured in as much advance as possible; the realities of funding for ArtSafe meant their programs in juvenile facilities were secured farthest in advance, and in the end the programs at a nearby juvenile corrections facility for girls provided me with the best research opportunity.
CHAPTER 2: AGENTS IN REFORM: MOVEMENTS IN PRISON PEDAGOGY

Throughout my dissertation “Incarcerating Rhetorics, Publics, Pedagogies,” I investigate the interaction of physical and discursive contexts in prisoner art and writing. In this chapter I track the development of contemporary criminal identities though the history of prison pedagogies, examining not only the development (and subsequent removal) of education programs in U.S. prisons in the late-twentieth century, but the other ways in which institutional practices as well as rhetorics of reform and retribution have shaped our historical and contemporary imaginations of the criminal subject. I specifically trace how the various social movements that have shaped the history of U.S. prisons, including the birth of the penitentiary at the turn of the eighteenth-century, nineteenth-century women’s and juvenile reformatory movements, the rise of post-secondary education in twentieth-century prisons, and the current victims’ rights movement, have also shaped the criminal subject – each differently defining the causes and solutions for criminality, and in doing so also the defining characteristics of criminal subjects themselves.

I suggest that a key part of theorizing criminal subjectivity is understanding criminal subjects as pedagogical subjects. Although the history of prison and prisoner reform has been closely tied to various education efforts – specifically religious, vocational, and scholastic – prisoner pedagogies extend beyond formal education
programs. In this chapter I consider the prison itself as a pedagogical site: although contemporary prisons have become a site for formal education and training, I suggest that from their beginning, prisons have been designed to reform bodies on the inside and outside of the institutions. Early penitentiaries were devoted to correcting criminal bodies – literally re-forming them for their own good. In contrast to earlier methods of public punishment, meant to educate the public through the example of the criminal, penitentiaries were designed to take the criminal aside, and punish him in private. The prisoner’s seclusion from the community, it was argued, allowed him to contemplate his crime and repent. Although initial ideals of solitary religious reflection were eventually displaced by hard labor and often brutal physical punishment and torture, the ideal of penitence and reform remained a part of much of nineteenth-century penal discourse, even if it did not exist as much in practice. However, the prisoner’s removal from the public square did not make his punishment any less pedagogical; on the contrary, the tall, intimidating institutions that were eagerly constructed in the nineteenth century served to reform the public as well. The criminal’s separation from the community initiated a new understanding of the criminal as identity, and inspired investigations into the source of his difference that continue today.

PENITENT SUBJECTS: LABOR AND CONFINEMENT IN EARLY PRISONS

The nineteenth century was a time of tremendous change in punishment and incarceration practices in the U.S. as the country began to conceptualize a new criminalized subject. At the beginning of the century there were no real prisons in the United States, and jails were primarily used as temporary holding facilities for debtors or
convicted criminals awaiting a more public punishment. Although criminality had been linked to poverty, laziness, and immorality in the American puritan ethic for some time, the status of “criminal” was itself temporary, and public punishment served as much as a reprimand to the offender as it did a warning to the surrounding community who bore witness to it.

The birth of the penitentiary began as an effort for kinder and more progressive punishment – a movement away from public, corporal punishment designed to discipline the public body through the punishment of the individual criminal body, and a movement toward reforming the individual. In opposition to earlier objectives of deterrence, penitentiaries were intended to reform criminals through an emphasis on solitude, religious study, and labor. The term penitentiary itself comes from the word “penitent,” and originates in Quaker beliefs in solitary religious study in order to find remorse and penitence. The Eastern State Penitentiary, which opened in Philadelphia in 1829, and the Walnut Street Jail that preceded it, were among the earliest American penitentiaries, both developed by Quakers. The penitentiary’s design, which eventually became known as the “Pennsylvania System,” emphasized reform through solitary reflection, biblical study, and silence: prisoners rarely left their cells, remaining in their cells or their individual connected yards for work as well as exercise. It contained some of the distinctive features of Jeremy Bentham’s panoptic prison model, such as a central hub with radiating cellblocks, that later became popular in Europe. However, in the U.S. the “Auburn System,” modeled after the Auburn Prison in New York, became the primary prison model in the nineteenth century. Constructed in 1816, Auburn preceded the Eastern State Penitentiary; also called the “silent system” or “congregate system,” the Auburn Prison
placed a similar emphasis on silence and individual living quarters, but the prisoners’
cells were much smaller, and prisoners were required to labor together in silence
(Johnston).

The new focus on labor and confinement reflected more than an enlightened
theory of punishment, but also an affront to the “unencumbered subject” at the heart of
western traditions of subjectivity and self-hood (Smith 5). By locating the criminal
identity more firmly (and permanently) in conditions of confinement, these new prisons
reinforced the significance of freedom of movement, and control over one’s own labor in
particular, as defining elements of modern subjectivity. The emphasis on silence in the
early penitentiaries also reinforced speech and voice as defining elements of freedom and
subjectivity as well. As criminality was being defined at this time through confinement –
of movement, of voice, and of labor, it was also defined through a new pedagogical
approach to identifying and solving the causes of criminality. In the two prison models
that emerged in the early nineteenth-century we can see the two major philosophies of
punishment and reform that would shape not only nineteenth-century incarceration
practices, but practices that continue in contemporary institutions: reform through solitary
confinement, and reform through labor.

Although the Auburn model eventually won out (undoubtedly due, at least in part,
to its potential for profit through prison labor), solitary confinement and labor were both
strongly emphasized in prisons at all levels throughout the nineteenth century. Auburn’s
use of prison labor, which helped to offset the costs of the institution, made it a popular
model in the U.S. Auburn emphasized a more collective model of discipline: although
prisoners were given individual cells, they were also segregated based on their crime,
required to walk in lockstep, and provided black-and-white striped uniforms to help
distinguish them from the guards (Johnston). The emphasis on labor in early prisons not
only guaranteed a return on the state’s investments in these expensive and radical
institutions, but also compelled order and regimentation in prisons that resembled a
quasi-military model (Rothman 122). The military model extended from the uniforms
and close haircuts required of prisoners, the lockstep used to move prisoners throughout
the institution, bells and horns used to signal changes in activities, and even the uniforms
and ranking systems used for prison guards; much of this, of course, continues today.
Along with the military, nineteenth-century prisons were also clearly adopting features of
the factory model, not only in their initial emphasis on routine and efficiency, but also
more broadly in their separation and retraining of the poor and working class.

While the philosophies behind early penitentiaries may have been reform of the
individual, this new vision of punishment was not necessarily kinder, and mainly
transferred punishment from the public square to the privacy of the prisons. Many have
argued that the institutions themselves – tall, overbearing, frightening – replaced the
former public bodies in disciplining and warning the public against breaking the law.
However, David Rothman makes clear that the Pennsylvania and Auburn plans were
“both committed to the rehabilitative potential of the prison and were both convinced that
the routines imposed on the inmate would transform him into a law-abiding citizen.
Reform, not deterrence” was the aim of incarceration (117). Although the conditions in
early prisons were far from kind, reform through confinement and the virtue of labor
remained the ideal, and influenced prison design and governance into the mid-nineteenth
century. After the Civil War, particularly as the South sought to rebuild its economy
without slave labor, prison labor increasingly began to fill the gap; prisons quickly took the place of slavery as a means of exploiting black labor and controlling black bodies (Rotman 176). The criminal subject became increasingly racialized, as criminality itself became located in increasingly racial terms. Prisons became more modern, plagued by overcrowding and disorder, and early reform ideals began to wane (Rothman 125). As reform efforts declined, conditions in the majority of men’s prisons continued to deteriorate, but by the end of the nineteenth century the increase of immigrants in U.S. prisons lessened the public reaction against substandard prison conditions (Rotman 175).

In response to overcrowding, treatment of prisoners grew more severe, but still remained in the name of “reforming” the deviant criminal; as Rothman notes, “in the name of reform, wardens had the excuse to mete out the most severe punishment while still believing that they were doing more than satisfying their own convenience” (125). An 1867 report on the conditions of prisons in the U.S. and Canada commissioned by the New York Prison Association reported inadequate food and living conditions for prisoners and regular reliance on corporal punishment for disciplinary purposes, and found that not one prison in the U.S. was seeking the reformation of its inmates as a primary goal (Wines and Dwight). The report proposed, among other changes, a system of gradual stages of discipline to prepare inmates for release; inspired by methods used in the British colony in Australia, the concept of graduated discipline became a focus of the antebellum prison reform movement. As a part of this graduated model, reformers argued for indeterminate sentencing that would encourage prisoners to “earn” their release by demonstrating their improved behavior; as their behavior improved, the conditions of their confinement might also improve. In this way, prison reformers
initiated changes not only in sentencing practices, but also in dividing and categorizing inmates based on the severity of their offense and proximity to release.

DEVIAN'T SUBJEC'TS: INSTITUTIONALIZING JUVENILE DELINQUENCY IN HOUSES OF REFUGE

As prison conditions devolved during the nineteenth century, reformers sought to improve prisoners’ treatment and living conditions, focusing particularly on women and children. Nineteenth-century arguments for juvenile reform intersected competing and sometimes contradictory discourses about poverty, criminality, gender, and childhood. The movement to reform juvenile delinquents depended on broader progressive interests in child-welfare reform, romantic notions of (white) childhood innocence, as well as nativist and xenophobic fears about immigration and poverty. Various names were given to these early institutions – “houses of refuge,” “reform school,” “industrial school,” etc. – that reflected their mixed-intentions and purposes. Houses of refuge were the first institutions to combine care of poor and orphaned children with the confinement of delinquent children. Before this, orphaned children were housed in asylums or other homes specifically for poor children, and children convicted of serious crimes were sent to adult prisons. The first house of refuge opened in New York City in 1825, sponsored by the Society for the Reformation of Juvenile Delinquents (formerly the Society for the Prevention of Pauperism). Similar facilities in Boston and Philadelphia followed shortly after that would serve as models to later facilities throughout the Midwest, including Ohio. Their names reflected the ideal that these facilities would serve as figurative homes for dependent and delinquent children, undertaking the responsibility for raising
them to be productive citizens in place of parents that were either deceased or deemed incapable by the courts of raising the children themselves. The term “refuge” was reminiscent of the earlier asylums\(^2\), their most immediate model, which “existed apart from the troubles and temptations of society to reform and protect” (Mennel 3). Houses of refuge were the product of public desires to provide more extensive services for needy and delinquent children, as well as of nineteenth-century romantic notions of the “innocence” of childhood. Yet at the same time, they also institutionalized a link between poverty and criminality. On the one hand, these institutions rescued or “saved” delinquent and poor or orphaned children from what were typically much harder and harsher circumstances; yet in doing so, they institutionalized the link between criminality and poverty, as well as our cultural solutions for them.

Houses of refuge didn’t invent the link between crime and poverty, but they did institutionalize the belief that crime is a symptom of poverty, and that both crime and poverty can be treated through the intervention of (private, and later, state-sponsored) institutions in social and family life, specifically through the separation of children from families. Not coincidentally, solutions to poverty and delinquency were being institutionalized at the same time as the subjectivity of “criminal” was developing in the context of changed practices of discipline and punishment in the modern age: earlier public responses to criminality were based on a conception of crime as something that you did, but in the movement to remove and reform law breakers, “criminal” became something you are. Juvenile institutions, beginning with houses of refuge, reflected the cultural constructions of criminality and poverty at the time. These juvenile institutions started out as separate, independent facilities – houses of refuge were private institutions
located in urban areas, sponsored typically by individual or groups of philanthropists concerned with controlling rising numbers of delinquent, often immigrant, youth. But these individual, private institutions led to the development of state-supported institutions that further reinforced cultural beliefs about poverty and criminality.

We can look at the effort to combine poor and delinquent children in one institution a couple of different ways: on the one hand, it was an effort to treat two separate but related problems with the same solution, suggesting, in many ways, that there was little difference between the children who had already committed crimes and children who were likely to commit them. In some ways, then, it criminalized poor children. To the extent that this reform movement was accompanied by increased state power over families – the development of parens patriae – this is certainly true. Poor children, and really poor families, were subject to new forms of state discipline. However, destitute children had for some time been housed in institutional care – the reform schools were arguably improved conditions; the change was really a broadened definition of “destitute” to include not only orphans, but children who were placed by their families, as well as by the courts. So while in one sense all of these children were criminalized, at the same time delinquent (mostly white) children were now being treated as children capable of reform, through the presumed innocence of childhood.

The development of juvenile institutions also represented an increased concern for delinquency in both boys and girls: a transformation in our conceptualization of children’s misbehavior from something common to all children (a “phase”) to a more serious symptom of poor children (Mennel xxvi). For boys, this meant a change in the “boys will be boys” attitude; the beginning of efforts to discern and predict which “boys
will be boys” (in other words, which will be delinquent), and to develop treatments for
delinquency. For girls, this meant increased attention to “female vices,” particularly
female sexuality. These changes set the stage for the production of various diagnoses and
treatments for criminality through the nineteenth and twentieth centuries. The rise of the
state institutions eventually helped to support scientific investigations of deviance by
providing captive populations to study, as well as the development of focused treatment
for populations deemed capable of reform (children more than adults, younger children
more than older, women more than men, whites more than nonwhites, etc.). The deviant
subject represented a shift from the earlier criminal subject in that it was grounded in
scientific inquiry and investigation, and supported by a host of developing theories in
eugenics, phrenology, etc. In the context of a growing eugenics movement and anti-
immigration concerns, poor children, especially those of immigrants, were particularly
subject to discourses of contamination and criminality. Yet at the same time, romantic
notions of (white) childhood abounded in the nineteenth-century that certainly helped to
frame arguments for the reform of poor and delinquent children.

Although houses of refuge were replicated in cities throughout the east and
Midwest, after the Civil War reformers began to look for more successful alternatives.
This was the result of a combination of things: growing realization that houses of refuge
weren’t solving the continued presence of juvenile crime, and pastoral idealizations in the
context of a growing industrial age. Houses of refuge in Philadelphia and elsewhere had
been “placing out” their children into foster families in the Midwest and western parts of
the country for some time, believing that “open lands in the West existed to absorb and
redeem, economically, morally, and socially, the impoverished masses enduring life in
the cities of the east coast” (Mennel 40). According to Mennel, these “child-savers” reflected a pre-Civil War belief that “delinquent children were by and large poor and neglected waifs whose delinquencies would cease if their environment were changed. A crowded and poor urban environment had caused their delinquency: a spacious and modest rural environment would cure it” (48). Populations in houses of refuge had increased sharply during the Civil War. After the war, concern about cities and the threat of urbanization to morality continued to increase, and the next logical step was the removal of reformatories to more rural settings.

REFORMED SUBJECTS: INSTITUTIONALIZING DELINQUENCY IN JUVENILE REFORMATORIES

The development of reform schools and industrial schools entailed more than a change in location; these institutions also adopted different philosophies of purpose and treatment: while houses of refuge had been “placing out” many of their youth to rural communities, the institutions themselves had continued to be built and run like a mix between asylums and adult penitentiaries. The most immediate difference in the reform schools was in their architecture and design: these new institutions were more spread-out, housing inmates in cottages rather than dormitories or cells. Prison reformers had observed “cottage-style” plans in Europe, and began to apply them in juvenile facilities, and later in the first women’s prisons. (Interestingly, men’s prisons never adopted the cottage-style³). Although still under the direction of a single superintendent, cottages were designed to emulate single-family homes, and were run by “house matrons” or “big brothers.” Eggleston and Gehring state that in the nineteenth century “[s]chools were
seen as a solution to the problems of industrialization, urbanization, increased crime rates, social upheaval, the need to Americanize vast numbers of immigrants, and advocacy of the democratic ideal” (88). The State Reform School for Boys at Westborough, Massachusetts, established in 1846, was the first American public institution of this kind.

The change in name from “refuge” to “reform” illustrates the much more active role in social change imagined for these institutions. Although houses of refuge were also responsible for parenting the children in their care, the popular use of the term “reform” indicated the transformative change these new institutions optimistically undertook to make in the youth committed to them. An 1856 article describing the proposal for a reform school in Ohio recommends a change in name from “refuge” to “reform”:

It is plain that the object is not so much to afford an asylum or ‘refuge’ to the inmates as to reform and educate them; and as the name is likely to have much effect on the character of the institution and the feelings with which it will be regarded by the public, it is important that such title should be adopted as will have the most salutary influence upon the public mind, especially as it may affect the feelings and character of those who will go out as graduates from its walls. It is to be hoped that a majority of these will go forth into the world reformed and educated – fitted for lives of usefulness and respectability in society. This is the great object desired, and for this purpose it is proposed to save these hundreds of young men from the crushing weight of infamy which now rests on such as have been consigned to the penitentiary or county jail. But if it is likely that a similar
feeling of disgrace will attach to those who have been confined in a ‘House of Refuge,’ and if this evil could in a great measure be avoided by calling it a 

Reform School, the latter name surely ought to be adopted. (“House of Refuge,” 1856).

The shift to the terminology of “reform” illustrated here is tied heavily to the assumption that the institution is designed for criminals previously “consigned to the penitentiary or county jail,” as opposed to the innocent and impoverished. Reform is also heavily grounded here to ideologies of productive labor, and conceptions of citizenship rooted in “usefulness and respectability in society.” The useful and respectable citizen is contrasted sharply with the deviant subject, characterized by “infamy” and “disgrace.”

With the construction of reform schools, juvenile institutions became more purposeful in their dedication to housing and reforming criminalized youth.

Juvenile delinquency was broadly defined in the nineteenth century. The transition to reformatories and reform schools was accompanied by the development of public schools in the U.S., and brought with it an increased emphasis on schooling and reliance on education as a form of rehabilitation. The crime of “stubbornness” – usually used to indicate truancy – was a new offense for which juveniles were committed to reformatories (Mennel 49). According to Mennel, by 1890 “nearly every state outside of the South had some type of reform school for boys and often a separate institution for girls” (49). According to an 1880 survey of reform schools by the U.S. Commissioner of Education, as quoted in Mennel, reformatories continued to be split in their mission to reform the criminal as well as simply the poor: six of the thirty schools at that time were dedicated exclusively to juveniles convicted of a crime punishable by imprisonment;
seventeen others admitted criminalized juveniles. Fourteen schools admitted children who had committed offenses for which the law provided no penalty, such as idleness, stubbornness, or “decidedly mischievous propensities;” thirteen admitted children guilty of “determined rebellion against parental authority;” seven received neglected or deserted children; and five accepted children committed by parents without specified reasons (Mennel 49).

The reform and industrial schools continued to emphasize discipline, focusing primarily on preparing the inmates for employment, just as the houses of refuge had done. However, the cottage style of these new institutions reflected their attempt to replicate domestic roles and relationships, and to even provide substitute families. Although the superintendents of the institutions were men, their wives served as head matrons for the girls’ institutions, and this role was viewed as crucial; “of graver import, requiring greater tact, skill and self-consecration, than are demanded in the head of the first female Seminary in all the land” (“Reform School for Girls,” 1869).

The new reformatories also reflected a shift in earlier nineteenth-century conceptualizations of reform through confinement and labor to a framework – applied initially to juveniles and then later in women’s reformatories – of rehabilitation through labor and education. Confinement, of course, remained an important component of juvenile and adult facilities – like their predecessors the houses of refuge, juveniles committed to industrial and reform schools were typically given indeterminate sentences, and released only at the discretion of the institution (a practice which remains largely intact today). The women’s reformatories that followed also brought with them similar sentencing policies, where institutionalization was more explicitly deemed to be for the
inmate’s “own good.” However, the basis of this paternalistic ethic was an emphasis on reforming criminalized subjects to social norms and preparing them for life (and labor) outside the institution. Even with indeterminate sentencing, the cottage-style of these new reformatories reflected an emphasis away from confinement and toward education, labor, and reform.

At the heart of the reforms intended at particularly girls’ schools was a desire to tame, placate, and domesticate girls perceived as wild, promiscuous, and threatening to middle-class social values. Because girls and women were largely charged with sexual crimes, juvenile and adult facilities emphasized the qualities of the “true womanhood” (piety, submissiveness, domesticity, and chastity). Girls were often committed to juvenile institutions for “moral offenses,” most often for allegations of promiscuity (Rafter 49; Mennel 16). “Rigidly separated from male delinquents, girls spent their time doing institutional chores – cooking, sewing, and washing – under the watchful eye of a matron” (Mennel 16-17). Girls’ reform schools valued submissiveness, order, quiet, even-temperament, and generally the qualities of “true womanhood”: piety, chastity, and domesticity. In 1870 the superintendent of the Ohio Reform School for Girls records progress in the inmates evidenced by “becoming more quiet, orderly and obedient, and consequently grown more contented and happy” (12).

As they, even those deemed the most incorrigible, lose sight of their old lives and associations, breathe the new atmosphere and drink in the new spirit of the institution, they begin to realize, many of them, their present privileges, the irksomeness of necessary, but to most, unaccustomed restraint wears away, and
hope for a better and brighter future begins to spring up almost unconsciously.

(Ohio, AR 1870, 12)

The primary instruction and training at the institution was domestic, but inmates at the Ohio reform school also attended classes in reading and map drawing (Ohio, AR 1870, 12). They were responsible for the housework in the cottages, and also assisted in the dining room, kitchen, and laundry (Ohio, AR 1870, 13). Two and a half hours were spent on sewing each morning, where the girls made and repaired their own clothing and bedding, and an hour each evening was spent knitting. As a model for the ORS, the superintendent quotes a report from the Massachusetts Industrial School for Girls: “Every girl should be taught to knit as an economy of time, and a resource in old age” (Ohio, AR 1870, 13). During their sewing a teacher would read to the girls “so that while their fingers ply the busy needles their minds are instructed and a taste for useful reading cultivated” (Ohio, AR 1870, 13). Domestic skills were emphasized in the inmates’ instruction “for the double purpose of securing remunerative employment in good families, and removing all occasion for a lapse into questionable modes of life” (Ohio, AR 1870, 13). Graduation from the facility typically entailed placement in a domestic occupation, as indicated by an 1884 Cleveland Herald article regarding a commencement ceremony at the institution, which stated that “nearly all the girls were conveyed to their new homes, which have been carefully elected for them, and to which they cannot fail to render satisfaction if they follow the training and wise counsel they have received” (“The Girls’ Industrial Home”).

As reform schools evolved into industrial schools and reform farms, and as vocational education and training became more central to their purpose, they also grew to
capitalize more on the labor of the inmates. Inmate labor became increasingly central to the economies of the institutions. Although houses of refuge included school time and work time, inmate labor had not really factored into the economies of the institutions.

For example, in 1875 the Girls’ Industrial Home in Ohio began producing cane-back chairs. In the 1875 Annual Report the superintendent writes that the institution entered into partnership with the Delaware Chair Company for weaving cane chair-backs, “and twenty-five girls have been employed in that industry whenever material could be furnished” (12). Although this small contract could hardly off-set the costs of the entire institution (179 girls at the time), let alone turn a profit, in his Annual Report for that year the superintendent notes, “Still, what can be done in this direction, not inconsistent with its original design, ought to be done. Both justice and gratitude demand it” (13). Training for future employment was increasingly emphasized (as opposed to intellectual or spiritual education), and the superintendent stressed the value of placing the inmates “in [the] charge of competent, efficient, reliable persons, who are able not only to do, but to instruct and control” (12; emphasis in original). In other words, the girls were trained in subservient labor and prepared to continue in similar employment.

PERFORMING DOMESTICITY: VISUALIZING THE CRIMINAL WOMAN

Women’s prison reforms in the nineteenth century were first and foremost concerned with the visibility of the female criminal. Women were an afterthought in the construction of the first prisons: early American and colonial jails, as well as their European predecessors, typically held women and men in the same quarters, leaving women at risk to violence by fellow prisoners as well as guards. American prisons into
the twentieth century provided segregated quarters for women, typically on the same property and often in the same building as the men, in order to take advantage of the available domestic labor that women prisoners could provide. Women prisoners were often responsible for the domestic chores of the institution, including laundry, cooking, etc., and were frequently subject to abuse from male prison officials and by the prisoners themselves. Women’s quarters were usually of poorer quality compared to men’s: as Nicole Rafter notes, “[i]nferior treatment has been the rule for incarcerated women since the establishment of the first penitentiary” (195). Although most houses of refuge accepted boys and girls (though of course in separate quarters), girls’ reformatories and industrial schools came later than for boys. In spite of prison reform efforts for adults and juveniles, in the middle of the nineteenth century both girls and adult women were being overlooked. The women’s prison reform movement, inspired by the reforms to juvenile institutions as well as the larger progressive movements of the era, sought to build separate facilities for women that not only protected them from male prisoners but also were better suited to cultivate their reform into productive citizens and mothers.

Although women’s confinement in men’s prisons was partly a product of their “invisibility” or marginality in discussions and designs for penitentiaries, it was also a product of their perceived deviance from gender norms: a woman convicted of crimes worthy of penal confinement was no “true woman.” It logically followed, then, that concerns for propriety or their protection in men’s prisons did not apply. The women’s prison reform movement rescued women from men’s prisons by arguing that it was not in women’s nature to commit crimes, and that women were largely not responsible for the crimes they committed. Improvements in the conditions of women’s confinement were
fundamentally based on arguments for their dependency, and that the crimes with which they were charged were negated by their own experiences of victimization. Focusing specifically on imagery of “wayward” girls and women, prison reformers sought to replace (or at least supplement) nineteenth-century imaginations of the “fallen” woman with that of otherwise normative feminine subjects who had been temporarily led astray by unfortunate circumstances or the failed protection of men (typically fathers and husbands).

When the first female institutions opened they were designed as custodial institutions and replicated the design of male penitentiaries; the first separate prison for women in the U.S. was the Mount Pleasant Female Prison, opened in New York in 1835; a “sister institution” to nearby Sing Sing, and resembled the labor and confinement practices of men’s prisons at the time (Rafter 21; Zedner 337). The first completely independent prison for women was not established until 1870. Brenzel suggests women may have been neglected in earlier institutions “because it was assumed that there were many more male delinquents than female. It may also have been that it seemed too difficult to treat females; they were considered prone to hysteria or, if already tainted, beyond the pale of treatment” (38). But by mid-century, reform efforts began to focus on women and girls out of concerns for the reproduction of future “Republican mothers”:

The role of the nineteenth-century woman was to stabilize the family, for as cities grew, families were looked to to buttress the social order. Particular attention needed to be paid, therefore, to the social upbringing of girls in order to avert catastrophe. It was from this fear of social chaos, therefore, that by mid-century had grown the conviction that girls could no longer be left out of reform efforts.
This conviction was reinforced by Victorian egalitarian impulses (for example, girls were to receive common schooling along with boys) and worries about the consequences of imprisoning youth with hardened criminals. But the danger to girls was seen to exceed the danger to boys, since girls had a special role as future mothers of the Republic. This only further increased public demand for appropriate provisions for delinquent daughters in order to stay their waywardness. (Brenzel 41).

For women and girls in particular, religious and vocational education was closely tied to a gender re-education, as women’s and juvenile reformatories sought to teach inmates to be proper women. This gender re-education was not only supported the overall philosophies of religious and vocational education, it also served the wider purposes of the Republican Woman at the time. Religious education supported efforts to teach women and girls to be more genteel and pious, and particularly to address crimes involving sexuality, drinking, and running away – in other words “moral” crimes and crimes rebelling against the family. Vocational education also emphasized proper gender performance, in that it emphasized domestic skills, motherhood, and the submissiveness necessary to be not only a good wife and mother, but also a good domestic servant.

The women’s prison reform movement sparked construction of separate women’s prisons in almost every state during the decades surrounding the turn of the twentieth century. Although custodial-style prisons for women continued into the twentieth-century, the last third of the nineteenth century also saw the rise of female reformatories: cottage-style institutions designed to replicate a more domestic setting. These reformatories – reserved for women deemed capable of rehabilitation – emphasized
religious education, discipline, and domestic training. Between 1870 and 1935 twenty
reformatories for women were created across the country (Zedner 353). The reform
movement was based on essentialist arguments that women prisoners needed different
treatment and protections than male prisoners in order to be reformed, and that they were
naturally more capable of reform than men; however, such arguments and
accommodations were largely unavailable to women who occupied social categories that
deemed them “always already deviant”: white and middle-class women were much more
likely to be sentenced to the new cottage-style reformatories, whereas women of color,
poor women, and women who were convicted of violent crimes often remained in men’s
or separate women’s prisons. A clear example of this is the history of black and Native
American women, who were confined in men’s prisons long past the birth of women’s
reformatories because they did not occupy the social status of white women; when these
women were confined in reformatories, they were often segregated from the white
women in sub-standard conditions, and so mimicked the earlier conditions under which
(white) women had survived in men’s prisons. As Angela Davis argues, women’s
reformatories and their accompanying “feminized modes of punishment – the cottage
system, domestic training, and so on – were designed ideologically to reform white
women, relegating women of color in large part to realms of public punishment that made
no pretense of offering them femininity” (Davis 72).

Zedner notes that although women’s reformatories typically offered far less
severe living conditions when compared to men’s prisons, in others ways they
represented a greater loss of freedom. Although sentencing practices varied across states,
the development of indeterminate sentencing practices meant that women could be held
for indeterminate periods if they did not show signs of reform. Furthermore, due to the women’s reform movement’s commitment to redeeming “wayward girls,” women were more likely than men to be committed to reformatories for misdemeanors or even lesser offenses (Zedner 355). Women’s longer and broader rates of incarceration were justified on the basis that “women were sent to reformatories not to be punished in proportion to the seriousness of their offense but to be reformed and retrained, a process that, it was argued, required time” (Zedner 355). The increasing popularity of the eugenics movement also served to encourage longer confinements for women so as to remove “genetically inferior” women for as many of their childbearing years as possible (Zedner 355). Similarly, Rafter argues that women’s greater freedom in cottage-style reformatories also left them more vulnerable to attack by each other (as well as by the officials that supervised and guarded the facility); the moral focus of these reformatories led women to be punished more frequently and severely for sexual misbehavior when compared to men, and still today the lower propensity for riots and assaults in women’s prisons result in claims by women prisoners to be taken less-seriously (196).

Although these early women’s reformatories differed significantly from men’s penitentiaries, by the 1930s the women’s reformatory movement had ended and women’s prisons began to again more closely resemble their more punitive male counterparts. This happened for a number of reasons: inmate populations were rapidly increasing (due to industrialization, the Great Depression, etc.), and the proportion of African American inmates was also rapidly increasing. Zedner suggests that the early twentieth century was a period of disillusionment with late-nineteenth century innovations (357). As in the case of men’s prisons, concern for women prisoners began to wane as immigrants increasingly
populated institutions at the turn of the century, and prostitutes and drug addicts after World War I: “[s]ympathy for the vulnerable, young women who had populated the early reformatories was less forthcoming for their ‘hardened’ successors” (Zedner 357). Additionally, growing numbers of black women also attracted less compassion. Finally, as in men’s prisons, overcrowding and cuts in prison funding eventually undermined earlier reform efforts. As Paula Johnson suggests, “increasing numbers of African American women garnered less compassion than the previous, largely White inmate populations” (31). Johnson notes that from the beginning of women’s reformatories, “[w]hite women were systematically channeled out of prisons, while African American women were systematically channeled into them” (32). This was due to, among other things, fundamental differences in conceptions of victimization based on race and gender; in other words, “[n]egative racial stereotypes justified these disparities by advancing the view that White women were victims of circumstance, while African American women were captives of lesser morals and uncontrolled lust” (Johnson 32).

RE-EDUCATING THE MIND: PRISON EDUCATION PROGRAMS

Although some efforts at prison reform continued into the early twentieth century, overall support for prison reform movements began to wane during this period. Men’s prisons, which had seen the least amount of reform in the nineteenth century, continued to be characterized by the worst conditions in the beginning of the twentieth century. Institutions at all levels were affected by overcrowding, increasing numbers of violent offenders, and a surge of European immigrants that made the public even less interested in improving prison conditions. Although women’s reformatories and juvenile industrial
schools continued to be built, overcrowding in women’s reformatories (like in men’s prisons) undermined much of the reformers’ efforts, and juvenile industrial schools increasingly specialized and narrowed the populations they accepted so as to protect their reformative goals. Juvenile institutions – female ones in particular – attempted to distance themselves from the “reform school” name, just as they had previously from “houses of refuge,” by renaming themselves first “industrial schools” and then “training schools,” and changing their names for their staff and inmates (inmates to “pupils” and guards to “guardians”). These training schools also distanced themselves from penal institutions by rejecting pregnant girls or girls with serious behavioral problems, as well as from their earlier capacities as orphanages and houses of refuge by refusing to admit children simply on the grounds that they were “dependent” or “neglected” (Mennel 114-15; Holy 10). In effect, they sought to educate and reform an increasingly specific population – young girls, often white, convicted of crimes that were relatively innocuous, who were deemed to have “normal mental and physical capacity for intellectual and industrial training” (Holy 10).

In place of the earlier efforts to mitigate some of the most brutal aspects of prison life, many prisons at this time were embracing a medical model of criminality, which further institutionalized cultural and scientific conceptions of deviance: “offenders were ‘sick’ and were to be ‘cured’ of their criminality in a setting that approximated, as far as possible, a normal society” (Rotman 169). The “deviant” subject represented a more specialized and medicalized view of the criminal subject, as it still sought to define the causes and solutions for criminality, but did so through increasing reliance on scientific theories of eugenics, phrenology (the measurement of the brain and skull size as well as
other facial and physical characteristics), and intelligence tests, as well as racist and xenophobic concerns over increasing access to citizenship by European immigrants and post-bellum African Americans. Psychiatric interpretations of social deviance began to assume a central role in criminology and public policy: by 1926, 67 prisons employed psychiatrists and 45 employed psychologists (Rotman 178). The rise of intelligence testing and the eugenics movement led reform schools in particular to distinguish between “defective delinquents” and those inmates they believed to be capable of reform. Mennel argues that delinquent girls were particularly vulnerable to the alarmist conclusions of intelligence tests, as sexual offenses were typically understood as signs of mental incapacity, and girls’ reform schools came to be seen as “storage bins for witless moral transgressors who, for their own protection, would have to be imprisoned during their child-bearing years” (Mennel 171-72). As reform schools implemented testing to identify juveniles most capable of reform, such tests also provided increasing data and “evidence” for early criminologists seeking to identify a link between “feebleminded” and criminal children, confirming beliefs that persistent wrongdoers were mentally defective (Mennel 97). Within the increasingly powerful framework of eugenics, sexual immorality was viewed as not just the misbehavior of a socially “fallen woman” (or girl), but rather an indication of an “inherited mental defect, or ‘feeble-mindedness’ as it was called at the time”; because of this, a woman or girl’s immoral behavior now represented more than just disobedience to social standards for acceptable gendered behavior, but a possible contaminant through the “spread of immorality, disease, and the propagation of ‘defective’ and ‘unfit’ offspring” (Odem 98).
In spite of the “medical turn” occurring in the early twentieth century, some important reforms in our approaches to prisons were taking place at this time: prison libraries were beginning to be established, in the U.S. particularly after World War I, as well as experiments with democratic models for correctional organization (Gehring and Wright 10). In 1931 Austin MacCormick published *The Education of Adult Prisoners*, a proposal on how to organize prison schools, and thereby founded the modern prison education movement (Gehring and Wright 10). A democratized model of prisons was also emerging at this time, based on the belief that prison inmates should have more control and authority within prisons so as to pave the way for their future reintegration into society (Rotman 179). However, such reforms took much greater hold in Europe: models for reintegration contrasted sharply with the increasing emphases on separation and confinement in the U.S., and brought only a few isolated changes in American prisons.

World War II brought an increased focus on labor in U.S. prisons, as prison industry was expanded to support the war effort (Rotman 188). However, in the post-war period the U.S. embarked on its broadest effort at rehabilitation through education, including interest in individualized models of education as well as attention to special education needs within prisons (Gehring and Wright 6). During World War II there had been an increase in prisoners incarcerated for conscientiously objecting to the war: intellectuals who began to plant the seeds of critical thought and rebellion within the prisons (Rotman 188). A series of prison riots and rebellions in the 1950s returned attention to inadequate living conditions and medical care in prisons, and also to the inadequate means for prisoners to bring grievances about their conditions. In 1955 the
United Nations published the Standard Minimum Rules for the Treatment of Prisoners, which provided that a sentence of imprisonment can be justified only when it is used “to ensure, so far as possible, that upon his return to society, the offender is not only willing but able to lead a law-abiding and self-supporting life” (Rotman 189-90). Federal support for prison education accelerated the developments that had already been taking place at the state level, including rapid developments in post-secondary education, statewide correctional school districts, special education legislation, and correctional teacher preparation programs. Federal education grants such as the GI Bill had originally been established after 1944 for World War II veterans; however, by the 1960s a stronger movement had developed to recognize prisoner rights. As part of the “great society” programs initiated by the Johnson administration, in 1965 Congress passed the Higher Education Act, which extended the guaranteed student loans to anyone qualified to attend post-secondary education programs, and specifically permitted inmates to apply for federal aid^4 (Ubah 75).

Post-secondary education classes were first offered at the State Penitentiary in Menard, Illinois in 1956. They evolved slowly: in 1965 only twelve programs existed nationally, but by 1970 six percent of the national penal population (approximately 12,000 inmates) were enrolled in college courses; and by 1977 enrollment had increased to ten percent of the offender population. Accompanied by dramatic increases in prison populations across the board, post-secondary correctional education programs continued to rise in the 1980s, and by the end of the decade there were 772 on-site prison college programs operating in over 1200 institutions around the country, with more than 35,000 enrolled students (Taylor “Alternative Funding,” 6). However, while prison populations
continued to increase throughout the 1990s, by 1992 the number of prison college programs had already begun to drop: whereas in 1987, 92 percent of states offered some form of post-secondary correctional education program, by 1992 that number had dropped to 84 percent (Tewksbury and Taylor 62). In 1993 there were still more than 38,000 inmates enrolled in PSCEs, but this represented a marked decline in participation rates, considering the growth in correctional populations over this time period.

The simultaneous increase in prisoners and decrease in prison education programs are both results of the conservative trend in corrections that began to take hold at federal and state levels by the 1980s, which was characterized by more severe sentencing practices (particularly for drug offenses), as well as increasing doubts as to the rehabilitative potential of criminals. Essentially what we saw during this time was a cultural shift that simultaneously increased the penalties for formerly low-level crimes, and also made it less feasible for the growing population of offenders to reintegrate into society: development of “three strikes” sentencing and sentencing without the option for parole made “criminal” a more permanent status than at any other time in American history, and the withdrawal of resources made successful integration less likely even for those with the opportunity for release.

Although legislation to exclude prisoners from Pell Grants was introduced by Republican senator Kay Bailey Hutchinson, adherents to the proposal cut across party lines; each year from 1982 to 1994 conservative lawmakers introduced bills to cut back Pell Grants for prisoner-students, slowly building support for the legislation (Ubah 76). In 1974, Robert Martinson’s article “What Works? Questions and Answers About Prison Reform” encouraged efforts to eliminate prisoner education and other rehabilitation
programs. In his article, Martinson criticized studies of prisoner education and rehabilitation programs, charging that they produced no clear pattern to indicate the efficacy of any particular method of treatment; he concluded that “with few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effects on recidivism” (Martinson 25). His article became known as the “nothing works” report, and had considerable impact on the academic and political discussion of inmate rehabilitative programs (Ubah 77). Although Martinson revised some of his conclusions in a follow-up article published just four years later, arguing in 1979 that some rehabilitative programs were indeed beneficial and had a measurable effect on recidivism (see Martinson “New Findings”), the tide of political thought had already shifted by that point in clear agreement with his earlier publication.

Representative of a shift in cultural and political thought rather than changed empirical findings about penal methods, Ubah suggests that Martinson’s later argument “failed” while the earlier one “succeeded,” “not because of the demerits of the revised argument, but because of its failure to be in tune with a climate of opinion increasingly frustrated with and hostile to a rehabilitative approach” (Ubah 77).

Martinson’s report lent scientific respectability to the shift in American ideologies of crime and punishment from rehabilitation and treatment to incapacitation and punishment, and provided politicians with an opportunity to argue for cutbacks in funding for prison education and rehabilitation programs. As Cullen and Gendreau argue, the rejection of rehabilitation had “less to do with a careful reading of empirical literature and more to do with changes in the social fabric that triggered a corresponding shift in the thinking about corrections” (24). In 1989 the turn against rehabilitation in
corrections was further solidified when, in *Mistretta v. United States*, the U.S. Supreme Court upheld federal sentencing guidelines that removed rehabilitation from serious consideration when sentencing offenders. Such guidelines require defendants to be sentenced strictly for their crime, with no recognition given to such factors as amenability to treatment, personal or family history, previous efforts at rehabilitation, or possible alternatives to prison. The Court characterized the history of the debate over rehabilitation by stating, “Rehabilitation as a sound penological theory came to be questioned and, in any event, was regarded by some as an unattainable goal for most cases” (Miller).

PAYING FOR PRISONER EDUCATION

From the beginning, higher education programs in prisons were primarily funded by Pell Grants. Prisoners were eventually excluded from accessing Pell Grants in 1994 through the Violent Crime Control and Law Enforcement Act (Taylor “Alternative Funding,” 6). When the Pell Grant legislation was introduced, Senator Hutchinson argued “[i]t is not fair to the millions of parents who work and pay taxes and then must scrape and save and often borrow to finance their children’s education” (Zook A24). However, only 1.2 percent of the total number of Pell grants were ever awarded to inmates (Taylor “Pell Grants,” 90). Additionally, the disqualification of prisoners from Pell grants did not result in new non-incarcerated students receiving any additional financial aid. Since the exclusion of prisoner-students from Pell Grants in 1994, about half as many post-secondary correctional education programs are in existence (Taylor “Alternative Funding,” 14). Werner argues that the exclusion of prisoner-students from
Pell Grants has resulted in approximately a 90% decrease in the number of college
courses for inmates throughout the U.S (qtd in Messemer 33). After the Pell Grant
legislation the number of prison education programs dropped from over 200 in 1993 to
eight in 2003.

As Taylor notes, current opportunities for post-secondary education in prison “are
dependent upon the happenstance of geography and the correctional system, even the
particular institution within the system in which the potential prisoner-student is
incarcerated” (Taylor “Alternative Funding,” 14-15). Almost half of states do not
currently offer any in-house college programs (Messemer 34). Although PSCE programs
declined sharply in the years directly following the Pell Grant legislation, the slow
recovery of some programs has been made possible by many diverse means, including
federal funding through specially targeted and creative uses of Youthful Offender
Opportunity Grants, Vocational and Applied Technology Grants, Federal Workplace and
Community Transition funds, foundation grants, business donations, volunteer teaching,
and various combinations of the above (Taylor “Alternative Funding,” 15). Youthful
Offender Grants typically provide funding at the state-level for rehabilitation programs
for inmates under the age of 25 (Messemer 35); however, because such funds are only
available to younger offenders, they draw a clear line between who is considered capable
of rehabilitation (or at least worth the investment), and who is not. While federal funding
for prisoner education through grants such as the Perkins Vocational and Applied
Technology Education Act is still available, inmates’ access is under the discretion of
each state’s own set of regulations; in states that have specific regulations against using
federal funds for college tuition for inmates, such funding is not available (Messemer 35).
Prisoner-students are typically responsible for whatever isn’t paid for by grants or donation, which can mean anywhere from a third or more of their total tuition. In Texas, most funding for current PSCE programs comes from the prisoners themselves, who must sign an agreement to repay their tuition as a condition of their parole; failure to repay tuition is a parole violation and is cause for returning to prison – as Taylor quips, “Imagine if the federal student loan program employed similar penalties” (“Alternative Funding,” 9). In Kansas, PSCE programs disappeared completely after the Pell Grant legislation, but have slowly begun to re-emerge through partial sponsorship of private industry already operating labor contracts within the facilities. Prisoner-students are still responsible for repaying one-third of their tuition, earned through minimum-wage labor (which in prison is typically pennies-on-the-hour) (Taylor “Alternative Funding,” 10). Messemer states that 16% of states with post-secondary prison education programs available receive funding for inmate college programs from private corporations (35).

After the passage of prisoner Pell Grant exclusionary legislation, post-secondary education is most commonly supported in prisons through donation and volunteer structured programs. Taylor argues that “alternative PSCE funding has become idiosyncratic with little uniformity of program provision across the nation” (“Alternative Funding,” 8). Education programs that survive in corrections facilities are often entirely supported by volunteers, which means that education access is uncertain and vulnerable. At the Bedford Hills Correctional Facility in New York, a maximum-security women’s prison that provides the site for Eve Ensler’s documentary *What I Want My Words To Do To You* (discussed in Chapter Four), an active volunteer program supports a college program so successful that one in five of the 850 inmates is pursuing a college or
postgraduate degree: “[h]ardened criminals arriving at the prison discover that the inmate leaders are not gang members but women who stay up late reading Romantic poetry and studying for sociology exams” (Worth 1). Worth notes that although the Bedford program is one of the largest and most robust prison education programs in the country, it’s difficult to replicate: Bedford’s program is entirely volunteer-run and funded, largely by donations of wealthy philanthropists in nearby areas. Most states require and provide (some) funding for basic education programs for inmates who have not received a G.E.D., but past the high school equivalency most prison education stops. Worth also notes that men’s prisons often have a harder time drawing community support and funding than women’s prisons.

Multiple research studies have shown that educated prisoners are less likely to return to prison: Clark found that inmates who completed a college degree while in prison returned at a significantly lower rate (26.4%) compared to those who did not earn a degree (44.6%) (qtd in Vacca 298). Much like the academic programs, Tewksbury and Stengel argue that “many vocational programs boast the same positive effects. The success of these programs is based on lowered rates of recidivism, fewer parole violations, better employment upon release, as well as fewer disciplinary problems while incarcerated” (16). Allen found that 25% of inmates who received vocational training in prison returned to prison compared to 77% for the general population, and Batiuk shows that inmates completing a college program can reduce the rate of recidivism by up to 72% (Allen qtd in Vacca 298; Batiuk 71).

When compared with other movements in the history of corrections in the U.S., the period of state-supported higher education in prisons was incredibly brief, and many
argue that education programs were never supported on a large-enough scale to be able to measure their effectiveness in U.S. prisons. Pell Grants provided individual prisoner-students access to financial aid that they could apply to available programs, and provided post-secondary prison education programs with an available body of students with access to funding. With funding far less certain, these programs are dependent on dispositions and time constraints of individual correctional education directors, whose time and resources are typically already stretched, and who are not always necessarily supportive of inmates’ educational needs (Taylor “Alternative Funding,” 12).

“TRANSFORMING THEIR HEARTS”: FAITH-BASED AND VICTIM AWARENESS PROGRAMS

In the place of state-sponsored educational and vocational training, volunteers have increasingly come to shape the face of contemporary prison programming. Little research has been conducted about how volunteer-sponsored programs have affected prisons on a large scale; however, a study by Richard Tewksbury and Dean Dabney of volunteers at a state prison found that two-thirds were men, most were white, and typically over the age of 50; the majority (91%) were involved in the institution’s chapel program, with only a fraction involved in other education or recreational programs (175). The most common reason for volunteering given was a religious calling, or desire to share religious values or beliefs with inmates (49%) (176). Tewksbury and Dabney suggest the religious propensity of prison volunteers “provides both good news and bad news for administrators seeking to introduce or expand their use of volunteers” (180). Although faith-based volunteers often represent a well-organized, committed, and well-
supported base, “prison officials will likely have to be more active if they expect to recruit individuals to help out with other types of prison programs and services” (180). For these volunteers, faith-based programs ranging from Bible study to church services to evangelical conversion programs fill the gap left behind by previous state-sponsored reform efforts. Faith-based programs are often well equipped to support prisoners as they transition from the institution back into society, and facilitators for these programs believe they offer real approaches to prisoner rehabilitation. Chuck Colson, the founder of Prison Fellowship International, which runs evangelical-based programs for prisoners in the United States and nine other countries, argues, “If we’re ever going to see the crime rate go down, we have to do more than simply lock criminals up. We must transform their hearts” (Colson; qtd. in Erzen 991).

“Faith-based programs” is a very broad label that might include everything from religious services offered at an institution to more formal, organized programs; although in many prisons faith-based programs consist of volunteer projects supported by members of nearby churches, more formalized partnerships have also begun to arise between churches, prisons, and the state. Recent examples of such state support include “faith and character” prisons that have opened in Florida, designed to rehabilitate prisoners through religious services and programs, as well as the increased federal funding for faith-based organizations through the Bush administration’s 2001 creation of the Office of Faith-Based Community Initiatives (Erzen 1007). Tanya Erzen suggests that faith-based programs such as these represent “the cutting edge of faith-based initiatives, which seek to have religious groups take over social services once provided by
state and federal agencies and, in doing, fulfill two goals: bringing more people to Christ and shrinking government” (Erzen 1008).

A parallel development to shrinking state and federally-supported rehabilitation programs has been the rise of the Victims’ Rights Movement. The conservative turn in sentencing practices and backlash against prisoner education and other rehabilitation programs were also accompanied by the 1982 recommendation by the Presidential Task Force of Victims of Crime that victims be given an integral voice in criminal proceedings. As American politics and culture increasingly envisioned a more punitive criminal subject, and the writings and voices of prisoners were increasingly silenced, the voices and perspectives of crime victims began to increasingly occupy the center of the American political stage.

The victims’ rights movement builds in many ways on other earlier identity-based civil rights movements in its mobilization of experiences of criminal victimization into a cohesive political identity – particularly to the extent that it supports and draws from feminist politicizations of rape and domestic violence, but the birth of the victims’ rights movement is most often formally identified with the 1982 Presidential Task Force. According to Robert Davis and Barbara Smith, within two years of the task force recommendation, twelve states had passed victim impact laws, and by 1997 all fifty states had instituted provisions authorizing some form of victim participation in judicial processes (32). The main focus of victims’ rights legislation has been on taking the emphasis off of criminals’ rights and putting it on victims’ rights, which has resulted in rolling back defendants’ rights and freedoms. While many advocates and participants in the victims’ rights movement have seen this as a step toward a more restorative model of
justice, where the needs of victims are better-recognized in the criminal justice system, and responses to criminal acts are adjusted to fit the needs and desires of the parties involved and their surrounding communities, in many ways the practices that have come out of the victims’ rights movement have actually resulted in emphasizing more punitive and revenge-based visions of justice.

The clearest impact of the victims’ rights movement on criminal subjectivities can be seen in the integration of Victim Impact Statements into sentencing and Victim Awareness Programs (also called “Victim Empathy” Programs) into prisons. First developed by the California Youth Authority in 1984 through a partnership with Mothers Against Drunk Driving (MADD), Victim Awareness curricula have since been developed for the National Office of Victims Services, and have also been adopted by individual states. The programs rely heavily on victim impact panels and other victim-authored materials in order to “stress to offenders their personal responsibility and consequences for their criminal behavior, while emphasizing the victim’s perspective” (Hawk Sawyer, qtd. in Muth 63). The curriculum covers topics including property and drug offenses, violent crime, domestic violence, sexual assault, child abuse, robbery, homicide, drunk driving, gang violence, and hate crimes, and is designed to change inmate behavior through increased awareness of the impact of these crimes on victims. The notion that offenders are “unaware” of and/or are unable to identify with the experiences of crime victims is fundamental to Victim Awareness curricula, and is ironic considering the high proportion of (especially female) offenders who have been victims of crime.

The primary purpose of the Victim Awareness/Empathy curriculum is to change inmate behavior through increased empathy for victims, and so the programs are firmly
based in pedagogies of emotion and compassion. Similar to the Victim Impact statements used in sentencing, the victim testimony used in the Victim Awareness courses often emphasize the most “innocent” victims and simplistic testimonies in order to “drive home” the lesson intended in the course: child victims are often emphasized, and stories of sexual assault and murder often focus on instances of stranger rape and stranger murder even though such violent crimes are much more likely to be perpetrated by a family member or acquaintance. Muth comments that some victim awareness programs also focus on preventing future victimization by and to offenders: “directed at both the prevention of victimization of others by offenders, and helping offenders avoid becoming victims themselves” (63). However, it is unclear how such programs prevent the offenders from being victimized (by, for example, robbery or hate crime). Additionally, some programs, such as one Muth observes in Baltimore, have had trouble staffing victim impact panels, and “frequently use other guest speakers (victim surrogates) to dramatize a victim’s story” (63).

The victim awareness and faith-based programs are in many ways parallel movements: both respond to absences left by state and federal de-funding of earlier prison programs, and both emphasize strategies for reforming prisoners’ character and emotion in the context of contemporary punitive conceptions of criminality. In the case of the Victim Awareness/Empathy programs, rehabilitation is founded upon rebuilding the offender’s character – actually teaching him or her empathy – and also the offender’s willingness to accept personal responsibility and demonstrate remorse through appropriate emotional response. The rhetorical practices of evangelical and other faith-based programming reinforce similar modes of confession and conversion. In her
analysis of evangelical prison ministries, Tanya Erzen suggests that confession and conversion are often key components of such programs. According to Erzen, “[c]onfession of past indiscretions is central to the testifier’s contention that she has become a new person through a born-again conversion” (995). Similarly, “[c]onversion is a process of acquiring a specific religious language or dialect that is recognizable to other Christians. Through participation in evangelical groups, a person internalizes the structure of a testimony, and in the telling the confessions become retrospective narratives that are shaped by the evangelical culture around them” (Erzen 995-96). Both Victim Awareness and faith-based circumstances emphasize accepting responsibility for one’s crimes or sins and asking for forgiveness. While the faith-based programs may leave more space for participants to discuss their own experiences of victimization – in fact Erzen suggests that in this context “nothing is too private or painful to share, and those with the most unsettling tales become the most sought-after speakers” – the focus remains on “reinterpreting the] individuals’ past lives in the language of sin and salvation,” rather than, for instance, their own victimization and survival (Erzen 995-96).

According to Erzen, although some findings have suggested lower rates of recidivism for prisoners participating in evangelical and other faith-based prison programs, these findings (like those of educational programs) have been controversial, and have produced no clear data as of yet (Erzen 1006). Similarly, Monahan et.al. note that there is a significant need for empirical research into the effectiveness of Victim Awareness programs (24).

However, it is clear that as the victims’ rights movement has helped to solidify punitive conceptions of criminality and a new pedagogy for “good penitents,” it may also
have constructed a similar pedagogy for “good victims,” thereby narrowing our spectrum for envisioning victimization. Scholars such as Lisa Langstraat have argued that Victim Impact Statements, often presented either in written form or in person by primary and/or secondary victims at the sentencing portion of a trial, “have inspired a dramatic change in social definitions of the victim insofar as they insist that crimes are perpetrated not only against the state but also against individuals” (270). However, this change does not recognize all victims equally: as Jennifer Wood argues, “the weaker, more ‘innocent’ the victim, the heavier the scales of justice weigh on the state’s side” (83). Because the use of and guidelines for Victim Impact Statements vary considerably across the country, and they are largely included at the prosecution and/or judge’s discretion, the experiences of crime victims are not evenly represented in sentencing hearings and factored into sentencing decisions. On the contrary, “[m]iddle-class, straight, white victims are normalized in many sample VIS, and victims who do not ‘fit’ the category of innocence – victims of gay bashing or victims of domestic violence who have chosen not to leave their abusers – are not considered credible VIS narrators, and their suffering is rendered illegitimate” (Langstraat 272). Angela Harris similarly argues that “black defendants are consistently thought of as predators, and the extent to which they may be victims is lost” (96). Langstraat argues that Victim Impact Statements institute “explicit cultural pedagogies of emotion” in that they not only radically reconceptualize the emotional dynamics of the law, but also consolidate the kinds of emotional responses recognized by the law (thus subverting much of their counterhegemonic potential).

It is important to emphasize that Victim Awareness programs, and the victims’ rights movement more broadly, are based firmly on a model of defining victimization
through the crimes with which the offenders have been legally charged, not through experiences of victimization that the offenders may also share. Even with the high proportion of abuse and sexual assault experienced by women prisoners, Victim Awareness programs rely solely on the experiences of Victim Impact panels and testimonials included in other curricular materials to “teach” the offenders what these violent crimes look like and feel like. Although there is certainly variation in how these curricula and materials are implemented in juvenile and adult facilities throughout the country, and it would be naïve to suggest that individual program facilitators never acknowledge experiences of violence or abuse shared by the offenders in their classrooms, the program is based on the assumption that offenders have other opportunities to receive “treatment” for these issues, and this is the only program devoted to teaching them empathy and remorse. The unfortunate truth is that the majority of offenders do not receive adequate treatment or counseling for trauma, mental illness, or the myriad of other issues that often form a context to their crime. While the Victim Awareness philosophy suggests that it is an exception to a slew of other programs and resources devoted to “treating” offenders, the opposite is more often true: Victim Awareness programs, along with other prison programs and the organization and philosophy of contemporary prisons in general, are largely dedicated to solidifying offenders’ identities as criminals, deviants, and social outcasts. Although the Victim Awareness programs may be intended to help build communication between victims and offenders as part of a larger movement towards “restorative” models of justice, what they often accomplish is a “restored” binary between “criminal” and “victim.” Without an opportunity for dialogue, and expanded and more complex envisioning of what
constitutes victimization, many offenders are left on a dead-end road, acutely “aware” of their guilt but without any productive recourse for action. Or, at the very least, aware of the kinds of demonstrations of remorse and emotion expected of them in response to the testimony of victims; such rigid models for emotional exchange leave little room for self-reflection and little doubt as to the behavior expected of them.

CONCLUSION

Current emphases on rehabilitation through faith-based programs and religious conversion are in many ways reminiscent of the earliest philosophies of the penitentiary: although the model of solitary religious study has been replaced by organized religious programs, the vision of a prison designed to heal the prisoner by saving his soul is a familiar one. Similarly, the focus on re-educating the emotions and character of prisoners through Victim Awareness programs is reminiscent in some ways of the backlash against the reformatory movement that occurred at the end of the nineteenth and beginning of the twentieth centuries, and the accompanying emphasis on scientific and pathology models to explain and diagnose criminality. Both periods followed important, albeit brief, eras of reform and innovation in our treatment of and attitude toward prisoners: in the nineteenth century, the reformatory movement, although disproportionately benefitting white women and children, improved the physical conditions of prisons and developed educational and vocational programming designed to prepare inmates for life outside the institution. Similarly, the middle of the twentieth century witnessed a brief expansion of educational access for prisoners, and a renaissance of prisoner-produced art and writing that reflected prisoners’ attempts to organize and advocate for their own rights and
protections. Although education programs continue in varying capacities at various institutions, and prisoner art and writing continue to influence popular representations of and conversations about the contemporary justice system, we are again in a period where we have all but abandoned goals of reform and rehabilitation in prison, and have again resigned ourselves to a philosophy of containment. The social, political, and economic conditions of this earlier backlash were complex, of course, but they included broad national anxiety about immigration, and the increases in poverty and crime rates that accompanied this new industrial age. The context for our current backlash against reform is equally complex, but is also accompanied by similar anxieties about immigration and national security, perceptions of an increasingly dangerous society in spite of continually declining crime rates, and concerns about poverty and economic disparity in an age of globalization.
CHAPTER 3: IDENTIFYING CHOICES:

RHETORICAL TACTICS IN A PRISON ART PROGRAM

All women’s prison texts are political, each speaking uniquely for silenced women behind bars and prison walls.

_Judith A. Scheffler, Wall Tappings_

In this chapter, I extend my analysis of the material and discursive contexts for prison art and writing to an investigation of a juvenile arts in corrections program. Specifically, I analyze how juvenile and young-adult participants in a prison art program in Ohio rhetorically identify with and/or refuse the labels of “criminal” and “victim” in their poetry and artwork. In order to research art and writing by juvenile offenders, I directly observed and participated in art classes at a juvenile corrections facility for girls in Ohio. The classes, facilitated by a community arts organization, The Art for a Child’s Safe America Foundation (ArtSafe), varied in length from one week to six months, and included participants who ranged in ages from 14 to 19 (the residents of the juvenile corrections facility can range in age from 12 to 20). In addition to my participant-observation of art classes at the juvenile facility, I also studied ArtSafe’s publication of artworks produced by young-adult offenders (ages 14 to 21) at an adult corrections facility, the Ohio Reformatory for Women.
The goal of my research was to learn how the participants in the art classes use their art and writing to respond to and reinvent the institutional, pedagogical, and public discourses that shape their environment. I wanted to learn first-hand how the participants in the class respond through their art and creative writing to the pedagogical goals brought in by the ArtSafe facilitators as well as the other elements of the institutional environment that shape their lives. I also wanted to learn how people who are partnering with the justice system and trying to enact change talk about issues of victimization, criminality, and justice. As I argue in the previous chapter, although the amount and degree of educational and rehabilitative programs vary widely across corrections institutions in the U.S., in general we have witnessed a dramatic decline in these programs over the last thirty years as a result of a social and political backlash against rehabilitative correctional goals. Organizations such as ArtSafe partner with the justice system in an attempt to intervene in this backlash, and as a researcher I wanted to learn how their programs affect and are affected by the largely retributive goals of the current corrections climate.

I chose to participate directly in art classes offered at a juvenile facility for girls because of the rise in rates of arrest and incarceration for female offenders, particularly female juvenile offenders, despite the steady decrease in overall crime rates in the last decade (OJJDP). The standards and practices for incarcerating youth in our country vary tremendously from state to state and many states, most famously the California Youth Authority system but also the Department of Youth Services here in Ohio, are under pressure to reform sentence lengths, disciplinary practices, and rehabilitative efforts in the juvenile system (Demartini; Ludlow). The problems and criticism concerning
juvenile justice are representative of the broader problems and criticism of the adult prison system in our country – adult prisons are growing faster than our population and faster than our crime rate\(^2\) – and in many ways juvenile justice in America has come to symbolize a final threshold in arguments about whether prisons should rehabilitate or punish; in other words, if we can’t commit to rehabilitating our kids then there is little hope for rehabilitation in the adult system; similarly, if we can make changes in the ways in which we criminalize children, we may be able to impact not only what adult corrections facilities look like but also who enters them.

My observation and analysis of these art classes and artworks allowed me to learn first-hand how the participants in the classes respond through their art and creative writing to the pedagogical goals brought in by the organization – “outsiders” entering the institutions – and how the goals and processes in art-making are shaped by these institutional environments. ArtSafe’s goal is violence prevention and nonviolence education through the arts. They are concerned that youth at risk for violence, and particularly youth already incarcerated, do not have access to the arts or other avenues for expressing themselves, and they see art as an outlet for self-expression and a means for building self-esteem, as well as for transforming traditional punitive models of punishment. ArtSafe facilitators emphasize choices and individual empowerment in art; however, in spite of art’s empowering potential, it is impossible for the participants in a prison art class to make choices outside the boundaries of the institution.

Although all acts of making art may invoke the potential for individual choices, analyzing the works produced in ArtSafe’s various corrections-based art classes reveals the choices the participants perceived to be available to them in creating their artistic
expressions, and enables us to better understand the relationship between rhetorical practices and identity formation within institutional contexts. The art and writing produced in the classes provides us with a glimpse at how identities are negotiated within processes of institutional enculturation as well as larger systems of power. As participants integrate representations of their home and community life with institutional rhetorics as well as the pedagogy of the art class, their art and writing reveals the adaptations, ruptures, and resistances that take place in “contact zones” where, as Mary Louise Pratt argues, “subordinate or marginal groups select and invent from materials transmitted to them by a dominant … culture” (Pratt). I combine rhetorical and discourse analysis to investigate the rhetorical tactics of resistance the participants use in their art and writing to counter the discursive and institutional subjectivities imposed on them. Rather than impose a top-down materialist analysis that privileges the power of national and cultural discourses in structuring the discourses of the institution and the works produced by the young women, I use a rhetorical theory of identification and resistance, informed by theories of institutional and discursive power, in order to account for the circumstances of production of the art and writing, and to account for the relationship between rhetoric and discourse more generally. A rhetorical methodology configured this way allows us to identify the artistic choices made within their discursive and institutional environment, while also acknowledging the limitations of a rhetorical interpretation of prison art: even when accompanied by close observation of the production of the art and writing, and interviews with the prison artists themselves, a rhetorical analysis of prison art enables us to read *expressions* of carceral experiences, not the experiences themselves. However, we can recognize the rhetorical identifications
made by the artists as they created and described their art and writing, and in doing so consider the relationship between identifications in art and writing and processes of identity formation in specific institutional as well as broader discursive contexts.

IDENTIFYING (WITH)IN THE INSTITUTION

Prisons are an example of what Erving Goffman calls a “total institution”: an institution where all parts of life of individuals under the institution are subordinated to and dependent on the authorities of the organization (Goffman xiii); they are physical structures that separate groups of people from the rest of society and also symbolic structures that shape our language practices and beliefs – how we think about who is a “criminal” and who is a “victim.” Goffman’s sociological study of individuals in mental asylums provides an important account of how total institutions produce identities, and is a useful counterpart to Michel Foucault’s discursive analysis of prisons. In his famous work *Discipline and Punish*, Foucault investigates how power circulates discursively through institutions, tracing the historical and discursive formation of the identity of “criminal” through the development of the modern prison and the scientific revolution. Foucault argues that prisons function to identify and produce criminals and criminality; to construct the criminal as simultaneously “monstrous” and outside of society, while at the same time fundamentally “in the law, at the very heart of the law, or at least in the midst of those mechanisms that transfer the individual imperceptibly from discipline to the law, from deviation to offence” (301). Similarly, Goffman argues that one of the key features of a “total institution” is its disruption of an individual’s identification of himself as an autonomous individual, “a person with ‘adult’ self-determination, autonomy, and
freedom of action” (43). Goffman provides a close study of how institutions identify the individuals within them: “expected activity in the organization implies a conception of the actor and … an organization can therefore be viewed as a place for generating assumptions about identity” (186). Individuals’ cooperation with or resistance to an institution’s expectations provides an opportunity for them to “withdraw from the official self and the world officially available to it” (187).

In the context of a prison art class, participants negotiate the disciplinary procedures of the institution itself, as well as the discourses about and pedagogical approaches to criminality and punishment that structure the programs, such as ArtSafe, offered within the institution. The young women I worked with at the juvenile facility have first-hand knowledge of what it is like to live in a correctional institution, and so are at once experts in how to negotiate the institution’s rules and expectations and at the same time are already “institutionalized” – a term used by many of the young women, as well as the staff, to describe someone who has become used to or dependent on the institution. Although ArtSafe emphasizes individual choices and empowerment in their classes, the facilitators are not concerned with an individual’s control over her environment, but rather how an individual identifies herself in relation to her surroundings. They distinguish themselves from art therapy programs, which typically use art to diagnose and treat participants, but ArtSafe’s programs are designed to encourage participants to see the choices available to them in creating art and writing, and through this to develop their perceptions of choices available to them in their lives more generally. This relationship that ArtSafe helps establish between the participants, their artwork, and their institution provides us with an opportunity for a more nuanced
understanding of the relationship between rhetorical theories of identification and discourse. Rhetorical theories of identification, such as Kenneth Burke’s, are based on understanding an individual’s efforts to “form himself in accordance with the communicative norms” of his or her environment (Burke 39). I argue that the identifications and rhetorical practices in the art and writing of the ArtSafe participants reveal how the participants represent themselves and form identities in relation to their institutional and pedagogical environments, and thereby also help us more broadly theorize the relationship between rhetoric and discourse: how subjects use rhetorical practices in their attempts to recognize and align themselves with – as well as distinguish themselves from – the discourses around them.

A primary way in which incarcerated artists negotiate public and institutional discourses with their own self-identifications is by incorporating images of the institution and its mechanisms of control into their art and writing. In Cellblock Visions, Phyllis Kornfeld notes that images of the institution show up frequently in inmate art (12). As I will discuss in more detail shortly, participants in the ArtSafe classes realize and appropriate primary apparatuses of institutional control by incorporating images of things like their cells or their uniforms into their art, thereby reifying their bond to the institution and also foregrounding their resistance to it. As I described in Chapter One, Michel de Certeau’s examination of how people respond to dominant cultural discourses and practices helps us to further understand the relationship between these artistic practices and their institutional context: de Certeau uses the term *strategies* to describe how institutions and structures of power generate control, and the term *tactics* to describe how individuals create space for themselves in environments designed by strategies (De
Certeau 35-37). In many ways strategies are akin to the disciplining procedures described by Foucault, in that they create a controlled environment that “disciplines,” or renders “docile,” the bodies contained within the place, whereas tactics “are procedures that gain validity in relation to the pertinence they lend to time,” and capitalize on carefully timed moments of opportunity to intervene in relations of power (38). In the process of “striving to form [themselves] in accordance with the communicative norms” (Burke) of the institution, the participants of the ArtSafe classes are compelled to enter a “bond” (Goffman) of implicit agreement; however, de Certeau’s theory helps reveal the extent to which the participants are able to identify with and also disavow the dominant discursive strategies of the institution.

In the following sections, I configure a method of rhetorical identification to argue that through their art and writing the participants identify themselves with times and spaces that extend beyond their convicted offense and current institutional location, and focus on experiences and relationships that help them create an alternative to the institutional identity formed within the corrections facility. The participants identify the language and behavior patterns, customs, expectations, and rules of their institutional environment, and appropriate them in ways that disrupt their formations or intended contexts; constitute new audiences for their artwork that undermines or subverts the institutional audience; and construct narratives in their art and writing that subvert the temporal relationships prescribed by the institution.
IDENTIFYING AVAILABLE MEANS OF RESPONSE

**Image A.2**, created by Acacia Hendricks during an ArtSafe class at the Ohio Reformatory for Women and published in their collection, *A Caged Bird*, provides an example of the ways in which the art class participants recreate dominant images of the institution in their artwork: Hendricks provides a humorous depiction of “hot fashion straight from the pen” and points out important features of the institution’s uniform, including the ID badge “to be worn on the left collar” that “completes the prison chic look,” “baggy, saggy” khaki pants that “can be worn to achieve that thugged-out look so popular in prison,” and green button-down shirts, of which she says “stained, ripped, neon button-downs are all the rage with the felon girls!” Hendricks also depicts a contraband hair clip (made from thread and bobby pins), earrings (made from staples; “guarantees cell isolation in prison”), and makeup (made from colored pencils). De Certeau suggests that practices of reading are also practices of invention: we “poach” texts, insinuating into them our own pleasures and memories, thereby making the texts we read “habitable” (xxi). Hendricks makes her institutional environment more “habitable” by depicting, reflecting back at it really, its strategies of control through her drawing.

De Certeau argues that all communication acts must be understood as both *uses of* and *performances on* dominant language systems because all individuals are constantly using and adapting imposed knowledge and symbols to their own needs (33). Such uses of a language system involve a “realization” of the existence of the language system itself, an “appropriation” of it by the speaker to fit his or her needs, the creation of a relational “contract” between the speaker and an imagined or real audience, and the
establishment of a “present,” or the temporal context of the speaker (33). In Hendricks’ drawing, her comment that her staple earrings “guarantees [sic] cell isolation in prison” realizes the rules and constraints of the institution by pointing out the earrings’ contraband status – when allowed at all, real hair accessories, make-up, and other cosmetic products are usually permitted on a restricted basis in adult and juvenile women’s corrections facilities. Women are required to purchase the products through the institution’s commissary system, and typically only inmates who have reached the top behavior status or “level” at the institution are allowed access to such “luxuries”

Hendricks’ “homemade” hair clip, choker, earrings and make-up bypass the commissary system as well as the institution’s rules for accessing it. Her depictions of contraband in her drawing provide her with a way to demonstrate her knowledge of how to break the rules without, perhaps, actually having to break them; in other words, it’s possible that Hendricks is depicting her own staple earrings and make-up in her drawing, but it’s also possible that she’s depicting an imagined self who is wearing this contraband without fear of punishment.

Although she titles her sketch “2002 ‘Lifer’ Collection by O.R.W.,” Hendricks is not actually serving a life sentence. In her poem “Walls of Pink,” Hendricks identifies her prison cell as “my home till 2004” (A Caged Bird 20). Since she is not serving a life term, Hendricks’ representation of “Lifer” fashion could be read, like the contraband, as another “imagined self” – a self who could be serving a much longer sentence – or it could also be read as a disidentification from the ORW inmates who are serving life sentences. The number of U.S. prisoners with life sentences has been rapidly increasing in the last two decades, doubling between 1984 and 1992, and rising 83% from 1992 to
2003 (Mauer 7). Currently one of every 11 offenders in state and federal prisons is serving a life sentence; in Ohio 10.5% of prisoners are serving life sentences (Mauer 7, 10). Women have been particularly affected by increases in sentencing laws and the expansion of incarceration in the U.S. even though they commit a small minority of violent crimes: since 1977 women’s rates of incarceration increased 757%, compared to 388% for men (Institute on Women’s Criminal Justice). There is no current research on the number of women serving life sentences nation wide; however, at the Ohio Reformatory for Women, 11.6% of the population is currently serving a life sentence.

According to Judith Butler, disidentification is the rejection of an identification one has already made; identification “institutes that abjection and sustains it” (112). For Hendricks, then, a disidentification with prisoners serving life-sentences actually reflects her identification with them; or, in de Certeau’s terms, her “realization” of the sentencing climate that structures her institution. Similarly, in the art project pictured in Image A.3, Alicia, an ArtSafe participant at the juvenile corrections facility, imagines herself as simultaneously a physical part of the institution and as leaving it. Her piece was part of a mask project, in which ArtSafe participants decorated pre-formed masks and mounted them on poster boards in order to represent themselves and also to think about how we use or hide behind masks in our interactions with each other, mask our emotions, etc. Because all of the participants used the same cardboard masks for the basis of their projects (as opposed to, for example, papier mâché replicas of their own faces), the emphasis for the project was on how the participants decorated the mask and background, and used the available materials (a variety of colored paints, beads, and gemstones) to represent themselves and the various “masks” they may wear in their everyday lives. In
her project Alicia represents herself as literally coming out of the prison wall, and explained to me that “this is my life: in and out of places like this.” Brick walls are a dominant feature of the juvenile institution, and Alicia’s depiction of it reflects her own feeling of containment as well as the increasing emphasis on control and punishment – as opposed to rehabilitation and release – in juvenile corrections facilities more generally. Her identification with a cycle of incarceration anticipates a future in an adult corrections facility, and also reflects the growing resemblance between juvenile and adult corrections practices; according to Eric Fritsch and Tory Caeti, the “adultification” of the juvenile justice system through increasing rates of arrest and applications of adult sentences reflect its greater emphasis on “punishment, justice, accountability, and public protection” as opposed to rehabilitation (168). Alicia’s identification with the brick wall also demonstrates her awareness that by depicting her relationship to the institution she is also depicting herself as “the kind of person” who is in a corrections institution, and so she specifically addresses this in her piece (Goffman 175). The message written on her wall, “look past the mask,” addresses audiences who she believes discount the art that she and the other participants make because the girls are young and incarcerated: she explained, “a lot of people have hidden messages in their art and they want someone to see it,” like “what they’re feeling inside or a hidden face.”

An emphasis on rhetorical tactics of identification and resistance is designed to reveal these “hidden messages.” Such investigations always run the risk of simply speaking for or about prison writers and artists, or making generalizations about their experiences; however, when contextualized within larger investigations of U.S. carceral practices, the specific practices of the institutions in which the art and writing were
produced, and perspectives of the artists and writers themselves, an investigation of rhetorical tactics of identification and resistance may speak with the composers of the art and writing it investigates. The voices of the artists and writers cannot fully authorize a rhetorical interpretation of the art and writing; as Kenneth Burke reminds us, the range of rhetoric extends beyond the intentions of the rhetorician to include the identifications “which we impose upon ourselves, in varying degrees of deliberativeness and unawareness” (35). Furthermore, the institutional context in which the participants are interviewed has an immeasurable effect on what they say about their art and writing: because of the severe penalties for gang membership and for sexual relationships between the residents at the juvenile corrections facility I did not ask the young women about their potential representations of these things in their art. All I know about gangs comes from scholarship on gangs and from the signals and policies the institution uses to detect gang affiliations; all I know about relationships between the ArtSafe participants and other young women was either offered to me in interviews without my asking, or also is from the signals and policies the institution uses to detect forbidden relationships. Finally, as Foucault suggests, discourses shape us without our knowledge or consent; although for Foucault this made the responses of individuals to discourses irrelevant, rhetorical theory suggests that rhetorical productions in any discursive context are responses to that context. We can’t measure how much the ArtSafe participants resisted or identified with the discursive forces of their surroundings – neither the art nor the artists can give us an exact measure – but a combined study of the rhetorical productions and the discursive context provides an understanding of the available means of response, and therefore an opportunity to investigate how the artists responded within their means.
Beyond their alignment with the dominant institutional symbols and features, the ArtSafe participants test the guidelines for permissible content in their artwork by attempting to include forbidden elements such as gang signs, colors, or other symbols that identify them with locations and systems outside the institution. Within the context of the ArtSafe class the participants are “free,” to some extent, to express forbidden content in their art and writing because their projects are not collected or inspected by the ArtSafe facilitators for rule violations; the participants know that the ArtSafe facilitators are not briefed on all of the institution’s rules for its residents, and that the facilitators are not held responsible, overall, for the content of the participants’ projects. Nonetheless, the participants are under the institution’s surveillance: a corrections officer supervises all classes and intervenes when participants’ behavior breaks institutional rules (such as disobedience, fighting, or inappropriate contact with each other); participants know that the sketch-journals they keep in class may be collected periodically by the institution for inspection (this happened once during the course of a six-month class), and they know that their final projects will be inspected closely by institutional program supervisors before they are allowed to be displayed to other residents of the institution or to the community. Aside from photographs of family and friends and coded references to prohibited relationships with other girls, the most common resistances to institutional rules that appeared in the juvenile participants’ art and writing referenced their home in some way. Like Image 3.2, Image A.4 was created as part of the mask project at the juvenile facility. In Image 3.3 Kaylee identifies herself as “Miss ATL” because she was partly raised in Atlanta, but also identifies herself with Cleveland, the city where she lived most recently. She includes the area codes for both Cleveland (440) and Atlanta.
(770), although the institution forbids the use of area codes or any references to specific cities because these may be used to represent gang affiliations. Her piece also prominently features black and red, which is common in her work as well as the work of several other participants, and may also potentially reflect gang affiliations.

Although Alicia’s mask and depiction of the brick wall also feature red and black prominently, Kaylee’s emphases on Atlanta and Cleveland in her mask, combined with her color choices, are more likely signals of her identification with a gang. Kaylee’s identification of herself in her mask as “Beautiful” and as “Atlanta Most Wanted” challenges reductive assumptions about femininity and criminality that have historically existed in women’s corrections facilities and that continue to affect popular and academic representations of women and crime. Meda Chesney-Lind and Randall Sheldon note that girls’ involvement in delinquent gangs has been vastly understudied, and when they have been represented it has often been through “media stereotypes of bad, evil, or even overly masculine girls, ignoring the social context, especially for young minority women” (64). However, Kaylee’s presentation of herself as beautiful and criminally dangerous, as well as gang-affiliated, complicates carceral techniques that use gender-normative performances as markers of criminal reform, and also media and scholarly representations of female gang members as either “maladjusted tomboys” or inconsequential “sexual chattel” for male gang members (Joe and Chesney-Lind 412).

Early theoretical approaches to women’s crime emphasized a link between criminality and gender behaviors that deviated from women’s presumed biological nature, particularly sexual behaviors: “although most theories about male crime gradually began to consider a variety of causal factors, theories about female crime continued for
many years to focus almost exclusively on women’s anatomy and, particularly, sexuality” (Chesney-Lind and Sheldon 101). As discussed in Chapter Two, female corrections institutions were designed to “reform” women’s gender and sexual identifications by emphasizing normative gender behaviors: domestic skills, childcare, etc. As depicted above in Acacia’s drawing, women and girls in contemporary corrections facilities, although relegated to “masculine” or “gender-neutral” clothing, are given some access to hair accessories and other products that may reinforce normative gender practices. At the juvenile facility the young women are penalized if they do not keep their hair combed or braided, but are forbidden by “sexual misconduct” rules from braiding each other’s hair. These rules against hand-holding, touching, and other kinds of contact between the young women reflect the institution’s concerns about preventing (both consensual and nonconsensual) sexual relationships between the residents; sexual misconduct is one of the most serious offenses a resident can be charged with at the institution, and may add as much as six months to the young woman’s sentence. The confluence of rules about appropriate feminine appearance and inappropriate sexual behavior reflect a tension in the continued concerns about female sexuality and gender normative behaviors at the institution. The institution frequently rewards those who have attained a particular behavior level with “extreme make-overs” – including hair-style, make-up, leg-shaving, facial-waxing, manicure, and pedicure. The make-overs, sponsored and conducted by a faith-based volunteer organization, are the culmination of a week-long Bible-study program, and further emphasize the institution’s link between gender-normative appearance and spiritual and behavioral “reform.”
Kaylee’s mask project also contains “I love you” messages addressed to her “best friend”; as stated above, sexual contact between residents of the juvenile corrections facility is strictly forbidden, although various kinds of close relationships exist between the young women within the spectrum of alliances they form with each other. Relationships with “best friends” – sexual and non-sexual – provide security and protection in the institution, as well as companionship. Kaylee’s note to her “best friend” does not necessarily signal a sexual relationship between the two young women; however, the absence of her friend’s name or even initials asserts Kaylee’s privacy, and also reveals her awareness of the strict institutional surveillance of female friendships. Like her inclusion of her hometown(s) in her artwork and her (potential) gang affiliation, Kaylee’s recognition of her relationship with her best friend in her artwork help her construct an identity beyond that projected onto her by the institution. Even as she claims the title of “Atlanta Most Wanted,” its smaller print and dark purple letters are much less prominent and harder to read than “Beautiful” or “Ms. ATL.” Kaylee’s identification with this marker of dangerous criminality may boost her image among her peers at the institution and provide pre-emptive self-protection, but her piece as a whole seems to represent a disidentification from the “criminal” identity imposed by the institution; “Atlanta Most Wanted” recognizes the criminal identity that she (and the institution) have already made, but the other components of her piece identify her with her family and community beyond the institution, and even with potentially illicit relationships within the institution that challenge its policies and restrictions.
CHOOSING SILENCE, REIMAGINING TIME

As the ArtSafe participants negotiate their institutional identifications through their art and writing, one of the most noticeable silences in their work involves their convicted offenses; although some participants do identify their offenses, most choose instead to focus their projects on other things. Cheryl Glenn’s argument that “silence is rhetorical” helps us explore the ways in which the participants’ silence about their convicted offenses addresses the multiple discursive environments in which they make their art, and also “the politics of speaking, not speaking, and who can speak” (Glenn 12). For the ArtSafe participants, silence is a tactic available for addressing the loss of privacy that they experience upon entering the corrections facility, as well as the discursive expectations the institution prescribes upon them, and it ultimately constitutes new audiences for their artwork that undermine or subvert the institutional audience.

Loss of privacy is a crucial part of understanding this artwork: individuals in a corrections facility have little control over how information about them circulates. In general, the offense with which they are charged is a primary identifier for them both in the institution and in the legal system. Public representations of crime further reinforce our identification of an individual by her or his offense by virtually guaranteeing audiences of fictional and news representations of crimes access to knowing who did it and what they did, and frequently what they did is all we really find out about who did it. Within the institution, the ArtSafe class is one of the only contexts in which participants are not identified by their offense or asked to talk about it; the rhetorics of choice-making and empowerment embraced by the ArtSafe facilitators create a discursive environment that is distinct from the other programs. Although no outside programs are directly
informed of their participants’ offenses, many of the other programs offered at the institution focus on rhetorics of confession and religious redemption that may result in revealing the participants’ offenses. Institutionally-sponsored programs, such as the Victim Awareness class, are facilitated by institutional program administrators and social workers, and participants are clearly identified with their offenses. Victim Awareness, discussed in more detail in Chapter Four, is a result of the efforts of the victims’ rights movements; it is required of the majority of residents of the facility, and involves not only an identification of the participants with their offenses but also the supervised completion of a letter of apology by each participant to her victim. Programs like Victim Awareness emphasize a pedagogy of confession and apology by requiring participants to write letters to their victims and by teaching participants about the impacts of various crimes (not just their convicted offenses) on victims through the testimony of victim-impact speakers and panels. This is a direct contrast to ArtSafe’s pedagogy, which is purposefully designed to focus its participants on positive feelings of empowerment rather than guilt or regret for their crimes.

Although they do not typically address the nature or details of their convicted offense in their projects, the ArtSafe participants do resist dominant institutional rhetorics of confession by reframing their relationship to their conviction through phrases such as “I caught a case” or “when I was picked up” that appear frequently in their speech and writing. Patricia O’Connor has suggested that this language indicates the speaker’s lack of agency, and is the product of “the prison’s compartmentalizing of prisoners into normalizing categories of criminality” (15), but I would argue that these phrases are also performances on institutional discourse in their resistance of the institution’s confessional
expectations. De Certeau argues that all communication acts must be understood as both uses of and performances on dominant language systems because all individuals are constantly using and adapting imposed knowledge and symbols to their own interests and needs (33). Rhetorical identification highlights the performativity of prison art and writing by revealing its “reiteration” of the institutional and discursive “norms” in which it was created (Butler 12), as well as its tactical responses to institutional and discursive strategies of control.

The unique discursive environment provided by the ArtSafe class may partially explain, then, the silence the participants choose concerning their offenses. A rhetorical methodology helps us understand this as a choice made within the available means of a complex discursive environment, as opposed to simply one of many countless hypothetical possibilities that participants could have chosen as subject matter for their art. In the context of an institution in which residents are regularly identified with and expected to identify themselves with their convicted offenses – where demonstrations of confession and remorse are, in fact, a fundamental component of “institutionalizing” processes – the ArtSafe participants’ silence about their offenses in their art and writing represents “an act of invention,” in Glenn’s terms, of alternative rhetorical possibilities within this environment (Glenn 12). As stated earlier, it is impossible for participants in a prison art class to make choices outside the boundaries of the institution; however, the fact that the ArtSafe participants do invent alternative rhetorical possibilities for themselves within the context of the class demonstrates their recognition of ArtSafe’s pedagogical emphasis on empowerment and choice-making. Nonetheless, we might also understand this as a recognition of the limits of their available choices; although the
participants have a unique opportunity to use their art and writing to re-tell the circumstances that led to their incarceration from their perspective, without the pressure to confess, apologize, or seek redemption, the majority of them do not. In doing so they recognize their right to withhold the information about them in one of the only contexts in which they can control its circulation, while at the same time, perhaps, also recognizing the institution’s ultimate control over the terms of their offense and conviction.

Silence as rhetorical invention can be seen in more than just the participants’ refusal to disclose or confess their convicted offenses; secrets, such as Kaylee’s “best friend” discussed in Image 3, are a dominant theme in much of the art and writing produced in the ArtSafe classes. Image A.5 was created as part of an activity called “found poetry,” in which participants in the juvenile class cut-up poems written by women at the Ohio Reformatory for Women to make new poems. For her project Lisa combined lines from two poems published in A Caged Bird to create a hanging art/poetry piece dedicated to her best friend and a secret they share: “I’ve never told a secret/ The day will come I will hold the key to her heart I’m a complex girl.” She created her poem by adopting words and phrases from the poems “I Hold a Secret,” written by Tauheedah Muhammed, and the title poem of the collection, “A Caged Bird,” written by Juanita Kennedy. Muhammed’s poem focuses on what it feels like to keep a secret about herself but does not reveal what the secret is:

Strange of me,/ but I’ve been told that I’m a complex girl./ I hold a secret I’ve never told that burns in my heart and makes me cold./ I hold the key to doors unknown;/ what hides inside goes untold. (A Caged Bird 32)
Kennedy’s poem focuses on feelings of confinement and also of being the object of surveillance: “They put her in a cage to keep her from flying. They bring people into stare or even just to glare. Even though it seems unfair, she knows these people really don’t care” (A Caged Bird 6). In each of the three poems the authors are silent about a secret: although written within the context of an immediate (ever-present) institutional audience, the writers imagine a dialogue with family and friends outside the institution, and even critique the gaze of the institution itself.

The ArtSafe participants also use their art and writing to assert different temporal narratives than that prescribed by the institution: their relationship to the institution is defined by their arrest and the end of their sentence; in other words their identity is defined by their crime. In their artwork and writing the participants reference various other times and places outside of their “institutional time” in order to complicate this institutional narrative and to provide a broader picture of their lives. Pieces such as Kaylee’s mask in Image 3.3 identify the artist with a place and community outside the institution; in Kaylee’s case a home that preceded her stay in the institution (Atlanta) and a home she will return to upon leaving the institution (Cleveland). Other pieces created by ArtSafe participants emphasize time as a way of recontextualizing their relationship to the institution. For example, in her poem “Survival,” Heather Young writes:

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In the beginning I was a rose/ with no thorns/ Left unprotected/ To nature’s horns./ I tried to blossom/ Through it all/ Yet, danger came to call./ I lost my pride/ And tried to hide/ From danger’s preying eyes – / It came with so many lies./ To swoop and steal/ With so much zeal,/ My precious little flowers,/ My tears fell in showers./ Gradually I began to evolve / Having my dilemma solved./
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Thorns I did form / So I could be newly born./ And with confidence / I faced the world.

Young’s narrative of transformation challenges dominant rehabilitation narratives that more typically represent change in prison. These representations often depict inmates who enter the institution angry and without regret for their crimes, and then, often through contact with a ministry or other prison program, take responsibility for the wrongs they have committed and demonstrate remorse. In some representations, such as the film Dead Man Walking, the prisoner’s redemption is concluded by receiving forgiveness before his execution; in others, such as The Autobiography of Malcolm X, the prisoner eventually leaves the facility rehabilitated (and in the case of Malcolm X politically involved) and motivated to inspire others with the story of his transformation. In both cases, the prison (via its programs or other people within the prison) is the agent of transformation for the individual. In Young’s poem, however, she is the transformative agent, and her transformation takes place before her incarceration. Whereas the Victim Awareness classes require the offenders to confess their crimes and focus on the experiences of their victims, Young and others redefine these institutional categories of “victim” by making us aware of the victimization they have experienced. In his introduction to Couldn’t Keep it to Ourselves, a collection of short stories written by women incarcerated at the York Correctional Institution in Connecticut, Wally Lamb writes that “[t]o imprison a woman is to remove her voice from the world, but many female inmates have been silenced by life long before the transport van carries them from the courthouse to the correctional facility” (9). Importantly, although Young’s poem tells a story of how her violent experiences helped her develop “thorns” to protect herself, at
the beginning and end of her poem she is whole and unharmed: whereas traditional representations of prison transformation begin with a damaged individual (just as the institution’s relationship with the individual begins with her conviction), Young tells us that in the beginning she was a rose. At the end of her poem, although she has grown protective thorns after surviving violence, she has been “newly born” and faces the world with confidence.

The optimism in Young’s poem appears in other art and writing by ArtSafe participants, and may reflect the emphasis on self-esteem and empowerment that the ArtSafe facilitators bring to their classes as well as institutional discourses of rehabilitation and reform. However, many participants forego hopeful depictions of the future and turn instead to darker and more critical representations of their pasts. In her piece titled “Nothing in the World,” Corrinne further complicates divisions between “criminal” and “victim” through her depiction of childhood trauma:

She was turning a corner she felt deep in a cloud of deep and dark cloudy days. She’s eight years old she’s in a foster home being molested by her foster dad. She’s only eight years old. She feels real nasty and sad. She hurts inside. Cries all the time. Only time she don’t get hurt is when her foster mom is around. What is this? Nothing but hurt. She thinks all day wishing she can run away. She feels like there’s nothing in the world she don’t understand what she got in the world though because she’s still a young girl eight years old and all alone no one to run to not even at school. She’s so scared but all the pain she don’t realize there’s other people out there that care.
Confessional narratives remain a dominant mode particularly in literary representations of incarceration. H. Bruce Franklin observes this as a consistent feature in the history of writing by prisoners: “[t]he criminal narrator characteristically is confessing his or her crimes, and this confession, especially its moral lesson, is ostensibly the purpose of the whole narrative” (Prison Literature 126). However, Franklin notes that although the intention of the literature may be a moral lesson, the main interest for readers “lies in vicarious participation in their thrilling, sordid adventures” (Prison Literature 126). Corrinne’s ominous piece refuses to identify who “she” is that is being molested, but still pointedly addresses the foster care system, the people at school, and the various other “people out there that care” about the girl and yet have been unable or unwilling to intervene in her abuse. She shares the tactics of many of the ArtSafe participants, who reject the confessional expectations of the institution, recontextualizing the story of their convictions to include the offenses that first happened to them.

In addition to shifting the focus from her present state of incarceration to a past event, Corrinne’s narrative also connects the past and the present through an emphasis on acquired knowledge and experience. The eight year-old subject of Corrinne’s narrative does not yet possess the experience and perspective of the narrator: “she don’t understand what she got in the world … because she’s still a young girl,” and doesn’t yet “realize there’s other people out there that care.” Similar in many ways to Young’s development of “thorns” in her narrative of transformation, Corrinne’s narrative constructs a distance from the abuse – even as it has also distanced her from her present incarceration – that predicts an end to the “dark cloudy days,” and potentially an end to her incarceration as well.
CONCLUSION

In order to understand both the potentials and limitations of empirically-based research requires, among other things, identifying the multiple discursive environments that help to produce, and may also be affected by, our research. In her introduction to the collection of women’s writing *Interrupted Life*, Ruby Tapia negotiates the need to represent the “obscene … materiality” of incarcerated women’s lived experiences with the “risk of creating unproductive, even violent, relations of representation and interpretation” (2). In other words, although bringing incarcerated women’s – or in my case juvenile girls’ – writing and art into public view may bring attention to the problematics of their institutions, it also risks voyeuristic looking at incarcerated subjects, as well as simplistic and essentializing impulses to rely on a few isolated voices to speak for an entire population. Throughout “Incarcerating Rhetorics” I argue for a critical framework for looking at art and writing by prisoners that moves beyond voyeuristic curiosity as well as romantic assumptions of empowerment. In order to look critically and responsibly at art and writing by prisoners we must understand the rhetorical and discursive conditions that shape its production as well as our reception of it.

As researchers we must understand the potential impacts of our research, but we must also understand its limitations, and the conditions under which it may impact our research participants and the populations that support our investigations. My project is solidly located within the field of rhetorical studies, and my colleagues in the field of rhetoric remain my primary audience. Neither ArtSafe nor its participants care much about the issues in rhetorical theory that I have taken up in this chapter. However, to engage in socially progressive research means to determine how one’s research does
impact its participants; to speak with, rather than simply for or about, the participants of my research means listening to and joining their conversations, not just pulling them into mine. For ArtSafe this has meant helping to support and raise awareness about their programs and the positive outcomes they provide even as I dissect in my own work what “choice-making” in prison really means. For my research site, the juvenile corrections facility, it has meant committing my time as a volunteer—tutoring in the school, leading a book group, and participating in other various capacities—and understanding that the institution and the girls whom I came to know would not benefit from my research nearly as much as they would from my time. It has meant maintaining a commitment to them even after my research was completed.

I knew going into my research that I could not analyze the art without the artists. I incorporated observation and interview into my research, rather than simply looking at the finished products, because I understood that an analysis of the interactions between rhetoric and discourses required me to speak with, not just about, these young women. I knew that I could not possibly understand the discourses that shaped their rhetorical practices, the means available to them in their artistic choices, without observing and talking with them about the environment in which they made their art, and how they felt it impacted the art and writing they created. My research design required me to reflect from the beginning on the limits of understanding the rhetoric of texts outside of the context of their creation, and also on the limits of relying on the creators of texts to authorize our interpretation of them.

According to de Certeau, institutional structures are the basis for strategic control, and this is perhaps clearest in the example of a correctional institution, where identities,
relationships, and behaviors are determined by an individual’s location within the institution. Tactical resistances require tactical displacements of dominant discursive strategies through carefully timed appropriations and effacements that subvert institutional identities and assert new ones. These subversive transformations of the physical and discursive spaces that define incarceration in America are, perhaps, exactly the kinds of transformations intended in art-making: Charles H. Lawson, an inmate at the State Correctional Institution at Graterford in Pennsylvania, argues that through art “we can and will start to win back most of our distracted youth and give meaning to our displaced men and women,” and encourages his audience to use art to “meet these ends and start transforming thinking, behavior and, subsequently, lives” (Lawson). In their art and writing the students I observed find ways to create new subjectivities while still staying below the institutional radar, and in doing so encourage us to take a closer look at both the circulation of larger, public discourses about criminality and incarceration and the rhetorical tactics used by individuals in their responses to them.
CHAPTER 4:
WHAT WE WANT THEIR WORDS TO DO FOR US:
REFRAMING PRISON WRITING

In my dissertation thus far I have investigated how physical and discursive contexts – the literal confines and rules of an institution as well as the cultural discourses and assumptions that produce it – shape prisoners’ art and writing. In my previous chapter I analyzed the art and writing produced by incarcerated youthful offenders, and sought to celebrate their talent and creativity while at the same time show what it had to teach us about the institution in which it was produced. In this chapter I focus on the documentary film *What I Want My Words To Do To You*, which depicts a writing group facilitated by Eve Ensler at the Bedford Hills Correctional Facility in New York, in order to consider how Ensler mobilizes prisoner writing in her larger argument for prison reform. I argue that when prisoner writing is mobilized in activist calls for prison reform, prisoner perspectives are taken as a privileged form of knowledge. While prisoners are obvious experts about the experience of being in prison, about the circumstances in their own lives that preceded their incarceration, and about the effects their incarceration has had on their lives and their families’ lives, it is important to remember that they do not stand outside our cultural discourses of criminality and incarceration any more than they do the institutions that incarcerate them. They, as we, are implicated in the language and historical practices that frame our belief systems about criminality and incarceration.
Although this certainly does not invalidate their perspectives, incarcerated writers may, if anything, be more subject to the discourses that frame expectations for prisoners in that, even as they write about the experience of prison, they are typically also invested in finding a way out of it.

Building on the historical analysis I provide in Chapter Two, in this chapter I examine sentimental frameworks of femininity and victimization in the context of Ensler’s film; specifically, how discourses of femininity, motherhood, and victimization have historically shaped women’s criminal subjectivities, and how these subjectivities are asserted in contemporary women’s prison writing as well as in activist arguments for reform. I will argue that Ensler mobilizes these discourses in the Bedford women’s writing in response to dominant constructions of female criminals – particularly murderers – as monstrous. However, I will suggest that even as these discourses offer (both Ensler and the Bedford women) an opportunity to resist dominant images of monstrous criminality, discourses of femininity, motherhood, and victimization also resurrect a long history of oppressing and confining criminalized women through the use of these very same discourses. In other words, I argue that the same discursive moves resist some oppressive constructs of female criminality while reaffirming others. This critique is not designed to discredit the writing produced at Bedford or the individual women themselves, but rather to add to our understanding of how representations of incarcerated women’s writing and experiences interact with dominant constructions of female criminality. If prisoner writing is truly going to be involved in mobilizations for prison reform, it must be taken seriously not only because it enables us to recognize the experiences and perspectives of prisoners, but also for the insights it provides into the
relationship between prisoners and the discourses about them. If we hold prisoners as examples outside of discourse, we fail to recognize the extent to which they – and we – are implicated in discourse.

In *What I Want My Words To Do To You* we travel inside the Bedford Hills Correctional Facility in New York in order to witness a writing workshop conducted by Eve Ensler. A series of intertitles at the beginning of the film provides the audience with a brief context, explaining that Ensler has held a writing group at Bedford since 1998\(^2\), in which she focuses on a series of writing exercises designed to “challenge each inmate to address her crime, reckon with her past, and envision a meaningful future,” and that a group of actors (yet unnamed at this stage of the film) has volunteered to perform the inmates’ writing at a benefit to raise money for the prison. The film follows the writing group over the course of about a year\(^3\) as they write about and discuss their crimes in response to prompts created by Ensler. Ensler’s writing prompts focus primarily on the women’s crimes, and encourage them to analyze the circumstances leading up to their crimes, past and current relationships with family members and victims, and their processes of dealing with their own feelings of remorse and guilt. The writing group’s process of self-exploration is juxtaposed with the actors – Glenn Close, Marisa Tomei, Mary Alice, Hazelle Goodman, and Rosie Perez – who, also under Ensler’s direction, read, discuss, and prepare to perform the women’s writing at a stage performance at Bedford, and eventually to audiences outside the prison. Scenes from this stage performance – held at Bedford Hills before an audience of the writers and about 300 other inmates – provide the opening and close of the film, and the actors’ rehearsal readings of the inmates’ writing are interspersed throughout the film with scenes from the
prison writing group in which the women read and discuss their writing with each other. However, while the actors’ performances bring important recognition to the women’s writing that they otherwise would not receive, and thereby also real financial benefits to other programs at Bedford and in these women’s lives, I will suggest that the film’s juxtaposition of the writers’ workshop and the actors’ performance ultimately imposes a binary between the Bedford women’s “authentic” experiences and the actors’ artistic performances.

As her title suggests, for Ensler these women’s “words” literally provide a call to action. The film parallels projects by others, such as Wally Lamb, that have brought attention to prisoner writing. Ensler’s film, and Lamb’s collections of writing by women at the York Correctional Facility in Connecticut – Couldn’t Keep It To Myself and I’ll Fly Away – are perhaps the most recent and best-known examples of prisoner writing being brought to mainstream audiences, but Ensler and Lamb follow in a long line of writers, academics, and activists who have sought to bring attention to prison writers – including Bell Gale Chevigny, Judith A. Scheffler, and H. Bruce Franklin. Such projects typically focus on creating an outlet for prisoners’ writing or art, thereby honoring the experiences and perspectives of prisoners as experts in their own right on the causes of criminality and the conditions of contemporary prisons. While this is a commendable goal in itself, prison writing projects often stop there, suggesting that the act of bringing the words or art of prisoners into the light of the “outside” is enough. Although neither Ensler nor Lamb explicitly defines goals for change, they both mobilize prisoner writing toward larger goals of changing current incarceration practices, and ask audiences to think critically about the staggering rates of incarceration in this country, who we incarcerate,
and why. Ensler’s focus on women prisoners is particularly apt for such a critique, as it provides an occasion for showing the experiences of abuse and victimization that often precede particularly women’s criminality, to discuss the impact of women’s incarceration on children and families, and to humanize the women in her writing group as more than just monstrous criminals, but also mothers, daughters, and wives, who love and are loved, and who remain connected to the society that surrounds their institution. Ensler showcases the words of these incarcerated women as an opportunity to speak for the experiences of all incarcerated women, and for all incarcerated people in our country.

However, her film also provides an important lesson in how arguments that attempt to reform dominant ways of thinking are often still imbued with the dominant frames they are attempting to resist. When given the opportunity to construct themselves, to let their words dictate our perceptions instead of the other way around, the words of the incarcerated women featured in Ensler’s film fall remarkably in line with many of the constructs that have been imposed on criminalized women for centuries. It should surprise no one that the discursive remnants of previous carceral constructs linger in contemporary incarcerated women’s self-representations; this is how discourse works. Such constructs are part of our language and incarcerated women especially have difficulty speaking outside the language of incarceration. Identifying the presence of such constructs in their writing does not in itself prove anything, but examining how these dominant constructs work in a film that is intended to resist them – that proclaims its intent to provide new, more empowering representations of women prisoners by focusing on their own writing; their own “words” – can help us understand how seemingly radical or liberatory rhetorics can be couched in non-liberatory traditions, the
different ways such rhetorics may serve activists versus the prison writers themselves, and the complex ways such rhetorics may be mobilized by prisoners.

Ensler’s film attempts to bridge two seemingly contradictory trajectories in feminist scholarship: one that sees women as agents in their own lives, including their lawbreaking and victimization, and another that emphasizes the role of discourse – particularly discourses of the state – in shaping women’s lives. In their introduction to their edited collection *Criminology at the Crossroads*, Kathleen Daly and Lisa Maher identify this tension in scholarship focusing on “real women” versus that focusing on “women of discourse”; whereas the first tends to characterize women as subjects of their own lives, the second more often characterizes women as effects of discourse” (4). Although Daly and Maher admit that many researchers express interest in both categories, they insist that “taking a position of *interest in both* is different from taking a position of *interest to connect both* in theory and research” (4). Daly and Maher argue that “neither alone is sufficient, and therefore the problem for contemporary feminist criminologists lies in making connections between “real women” and “the discursive fields by which women are constructed or construct themselves” (4).

In order to provide “real women” with a voice, Ensler’s film provides incarcerated women not only with the opportunity to voice their experiences and stories through writing, but also amplifies the audience available to them by incorporating a troupe of famous actors and a documentary film into their workshop. However, even as her film attempts to speak back to the effects of discourse, it fundamentally rests on the assumption that, for prisoners, speaking and writing are themselves automatically agentive acts. Throughout my dissertation I argue that prison art and writing programs
are contested spaces: not only is their very existence precarious in the current economic and political climate, but they also combine multiple and competing goals of their institution, the state, the program facilitators, and the prisoner-participants themselves. While I believe that these programs do ultimately provide tremendous benefits to the prisoners who are fortunate enough to participate in them, I also suggest that they aren’t automatically liberatory: that the empowering potential of art is filtered through the various interests and discourses that shape prison art classes. Productions of prison writing such as Ensler’s require us to confront how material conditions shape potentials for agency and empowerment and even critical thinking in writing, as well as how assumptions about authorial subjectivity reinforce our faith in the authenticity of prison writing. I argue that presumptions of agency in contexts of extreme oppression risk valorizing and/or romanticizing any act of writing by prisoners, and that we need to negotiate our desire to find and celebrate examples of agency with an understanding of the material contexts for oppression. Such an understanding can help provide us with a more critical framework for looking at art and writing by prisoners that moves beyond questions and assumptions of empowerment and provides instead a means for understanding the rhetorical and discursive conditions that shape its production as well as its reception.

CONTEMPORARY AND HISTORICAL CONTEXTS FOR VIEWING CRIMINALIZED WOMEN

In attempting to reframe representations of criminalized women, Ensler must negotiate a complex and often contradictory history (described in more detail in Chapter
Two): on the one hand, a legacy – particularly in the nineteenth century – of either ignoring criminal women and rendering them invisible, or of envisioning them as “wayward” and dependent victims; on the other hand, more contemporary trends of representing criminalized women as monstrous and as hyper-sexual. Arguments continue today about the comparative conditions between men’s and women’s prisons: after a brief history where women’s prisons were designed to be more progressive than men’s, many argue that conditions for contemporary women prisoners are often worse than their male counterparts. Questions about whether men’s and women’s prisons ought to be separate, whether they ought to be equal, and what prison “equality” means, remain. Despite much increased attention to women’s crime and prison conditions by contemporary criminologists, the legacy of women prisoners’ “invisibility” remains evident in the larger focus on men’s prisons in popular media representations. Men do represent the vast majority (around 90%) of prisoners, and so we might expect media representations of male prisoners and men’s prisons to be more extensive and more varied; however, this has also resulted in a lack of awareness (both in popular media and, some would argue, within the justice system itself) of the differences in the conditions of women’s prisons, the different circumstances under which women commit crime, and the impacts women’s crime and incarceration has on their families, communities, and society more generally. While sensationalized depictions abound of men and women criminals, such depictions of men are arguably supplemented by a wider array of other depictions that create, if not a more accurate popular understanding of criminality and the experience of incarceration, at least a wider picture. In comparison, popular depictions of women prisoners rarely move beyond such sensationalized stories.
Criminal women’s early invisibility did not necessarily render their treatment kinder (in fact it was quite the opposite), and even later constructions of “dependent victims” during the women’s reformatory movement largely applied only to white and middle-class women. Although the domestic models developed during the reformatory movement eventually gave way in the twentieth-century to stricter conditions in men’s and women’s facilities, the protectionist rhetoric that was the basis of this movement left an important legacy that remains relevant today: arguments for improving the conditions of women’s confinement were based on arguments for their dependency, and that the crimes with which they were charged were negated by their own prior experiences of victimization. Although arguments for ameliorated prison conditions for men also cite childhood abuse, poverty, and other socio-economic conditions as explanatory factors in their crimes, such arguments – particularly around experiences of victimization – have proved much more prevalent and more productive in the case of women prisoners. The line between recognizing and adequately responding to prior experiences of victimization among criminalized women, while still holding them responsible for crimes they have committed, remains fraught today.

Representations of female criminals as “monstrous,” or innately deviant, have also had an important impact on how we imagine female criminals as well as the real experiences (sentencing and confinement conditions) of criminalized women. One of the reasons that separate prisons for women did not exist until well into the nineteenth century was because women convicted of crimes deemed worthy of incarceration were not understood as “true” women; in other words, such crimes were understood as evidence of their deviancy from accepted gender-normative behavior (and some scholars
would argue that the gender deviancy was, in fact, the more serious crime committed by such women). As Angela Davis argues, “[t]here has always been a tendency to regard those women who have been publicly punished by the state for their misbehaviors as significantly more aberrant and far more threatening to society than their numerous male counterparts” (Davis 66). Labels of “monstrosity” and “deviance” have typically been reserved for women convicted of violent crimes (as opposed to property crimes, theft, running away, vagrancy, sex crimes, drunkenness, etc. which were considered to be more “typical” crimes for women, and from which they could still be rehabilitated). Monstrosity and deviance have been applied most often to women murderers, particularly those guilty of infanticide, and especially to women who occupy a social status perceived as already “deviant” due to race, class, or sexuality. Probably the most recognizable contemporary example of this label is the case of Aileen Wuornos, a lesbian-prostitute-serial killer whose story was depicted in the 2003 film Monster (played by Charlize Theron). Wuornos was convicted of murdering seven men and, although she initially argued that the murders had been in self-defense, eventually pled guilty. Interestingly, as Wuornos pled guilty and accepted responsibility for the murders – including thanking the judge for sentencing her to death – media coverage and particularly feminist analyses of her case increasingly sought to emphasize the repeated sexual victimizations she had experienced as a prostitute and depict her as increasingly less responsible for the murders (and less mentally competent) (see Atwell; Chesler; Manzano; Holm; Shipley; and Seal). Although the label of “monster” has also been applied to male criminals because they are less likely to be humanized by arguments emphasizing prior experiences of victimization, crime by men has not been seen as a deviation of their gender-normative behavior; on the
contrary, violent crime has been more frequently understood as an extension or exaggeration of normal masculine aggression. As Angela Davis notes, “masculine criminality has always been deemed more ‘normal’ than feminine criminality” (Davis 66). It is only in the case of women’s violent crime that not only the crime, but the criminal herself, is seen as beyond the pale of what society can recognize as a woman.

Finally, the depiction of female criminals as sexualized objects has provided an important accompaniment to the preceding representational trends of invisibility, dependency, and monstrosity. This frame for seeing female criminals is most easily recognized in the slew of prison-themed exploitation films released in the 1970s including *Caged Heat, The Big Doll House,* and *Women in Cages.* In some ways these “prison babes” are a combination of the categories of monster and wayward girls, in that they usually are centered around portrayals of “deviant” sexual behavior (typically lesbian relationships), but are less-threatening than depictions of “monstrous” women because the deviance is contained and largely portrayed for the pleasure of male viewers. Although these images are less threatening for male viewers, the image of female sexual availability and eroticized incarceration that they project is very threatening for incarcerated women, and may be linked to the high rates of sexual assaults against women prisoners. Like male prison rape – which has largely become a dirty joke in popular culture – women’s sexual assaults in prison remain underreported and underprosecuted. Angela Davis adds that “[t]he criminalization of black and Latina women includes persisting images of hypersexuality that serve to justify sexual assaults against them both in and outside of prison” (Davis 79-80).
Contemporary media representations of prisons continue to focus primarily on men’s prisons, often dramatizing the dangerousness of the prisoners inside them by featuring maximum-security institutions or surveillance clips of riots or other assaults within the prisons. As a culture, we’re obsessed with building walls and then looking behind those walls. Contemporary prison dramas such as *Prison Break* and *Oz* focus on maximum-security men’s prisons. A growing number of documentary-style programs such as *Locked Up*, etc. promise an investigative look into (typically men’s) maximum-security prisons, relying heavily on surveillance footage of riots and other control problems in these facilities. These and other similar documentary-style television series provide the next logical step following decades of popular crime dramas and “true crime” law-enforcement shows: shows such as *Law and Order*, *CSI*, *The Closer*, *America’s Most Wanted* and *Cops* highlight the criminal act, its detection and prosecution; recent shows follow this trajectory to document what happens after criminals are “locked up.”

However, while the site of television action has moved into the prisons, television viewpoint remains centered on the corrections officers in charge of controlling the prisoners. Although interviews with offenders and prisoners are typically a substantial portion of prison programs, as in the show *Cops* the subjects’ behavior and testimony is typically outrageous and or/unintelligible, and rendered incredible when juxtaposed with the viewpoints of the law-enforcement personnel. Although investigative documentaries often feature prisoners as dangerous and difficult to control, by the end of the show they ultimately are controlled by the corrections officers and the larger prison apparatus. Such alarmist depictions reassure us of the necessity of prisons to protect society from dangerous criminals, while also inspiring concern over the ability of our current prison
system to sufficiently contain today’s criminals, and thereby support for an ever-growing prison-industrial complex.

While the majority of media focuses on men’s prisons, women’s prisons and stories of female criminals have also begun to be featured more frequently in an effort to meet a seemingly insatiable appetite for “true crime” stories and depictions of prisons. Television series such as *Snapped*, which airs on the cable network “Oxygen,” provides biographies of women murderers, typically convicted of “crimes of passion” involving lovers or related family members. The “E” channel documentary series *THS Investigates* also includes an episode “Fatal Beauty: 15 Most Notorious Women,” which features high-profile stories of women convicted of murder. Although Ensler’s film also includes several high-profile women (Pamela Smart, Kathy Boudin, Judith Clark), her film departs from this investigative framework from the start by shifting the focus of the audience’s gaze to Ensler, and thereby implicitly their own positions as spectators. It also subverts the structure of the typical “true crime” drama by allowing the women to reveal their crimes in their own words throughout the film. The women appear as part of a community – first the larger prison audience that assembles for the actors’ performance at the beginning of the film, and then in their writing group discussions. Arranged in a circle of desks in a small prison classroom, the women appear studious, thoughtful, articulate, and connected to each other. Whereas in popular representations of crime and prison the most outrageous and violent criminals are highlighted, in this documentary we see prisoners at their best instead of their worst.
THEMIS THE WOMAN’

The film’s action begins as Ensler takes the stage to introduce the actors’ performance at Bedford of the inmates’ writing. Ensler reads a poem she has prepared about what she has learned from her work with the writing group, admitting that “before I came here to Bedford, I imagined you the women here – mistakes lying on mistake cots behind steel mistake bars.” Ensler explains that through the course of her four year involvement with Bedford she learned “there is the mistake. It is one moment. It is in the past. It is ruined. It cannot be changed. Then – there is the woman.”

Because our first encounter in the film is with Ensler, she is able to reframe the film audience’s accustomed ways of viewing criminalized women. Voyeuristic looking at “bad girls” may be inevitable, but Ensler attempts to circumvent this stance by foregrounding her own process of learning to see the women as more than just “mistakes.” The model that Ensler provides for how we should view the women – as women, as opposed to simply criminals or “mistakes” – is fundamental to the film’s overall attempt to normalize the prisoners appearing in the documentary by focusing on their femininity. As Ensler performs her poem the film cuts to the reactions of the audience-members – some of whom we will see later in the writing group, some we will not, but all of whom nod in agreement with Ensler. One wipes a tear from her eyes. The opening scene confirms for the film audience Ensler’s status as a prison insider: someone who not only is shown speaking before a prison audience, but who has been authorized by that audience to speak for them. She has been trusted by the writers in her group to represent them in her film and to guide the actors in embodying and performing their words. Her opening monologue builds strong identifications with both the film and
prison audiences. She builds strong identification with the film audience by foregrounding the view we may already hold of prisoners. As she acknowledges our view of prisoners for us, she also simultaneously situates it in the past – even in the beginning of the film, before we have seen the writing group or encountered the women involved, this is a view we had of criminals, but one that we no longer hold, or will no longer hold, after viewing the film. She speaks to the prison audience on behalf of the film audience, literally confessing the sins we have committed against them: Ensler tells the prison audience, “we have frozen you in your mistake. Marked you forever. Held captive. Discarded. Hated for your mistake.”

Even with Ensler’s effort to address the perspectives we may bring to the film, our first view of the prison – a distance shot of Bedford from outside its barbed-wire fence, juxtaposed with sounds from inside the prison of gates opening and closing, and corrections officers directing prisoner movement – reminds us that through the documentary we are entering a space that is, by definition, typically inaccessible to us. Ensler thus works to reframe the women in light of women prisoners’ legacies of invisibility as well as their overrepresentation as dependents, monsters, and sexualized objects by foregrounding their femininity. In the longer version of her opening monologue, published in her book, Ensler describes the women at Bedford as having soft, delicate voices, strong hands, beautiful faces, feisty spirits, outrageous laughs. These mistakes were mothers, daughters, sisters, aunts, Christians, Muslims, Buddhists, Jews – they had fantasies and toothaches and bad moods and funky t-shirts.
Characteristics such as “soft, delicate voices,” “beautiful faces,” and “funky t-shirts” disarm the women and make them appear less dangerous and violent to us, even though they are serving time in a maximum-security prison, many of them for murder. Rather than thinking about the women in terms of their often violent and sometimes very public crimes and convictions, thinking about them as having “bad moods” and “toothaches” makes it easier for us to identify with them. Even in the context of the film, which interestingly leaves this portion of the monologue out, Ensler juxtaposes the women’s legal and social status as “criminal mistakes” with a more authentic identity of “woman” that prevails “behind steel mistake bars.”

Ensler’s effort to normalize the Bedford women is in line with similar attempts in feminist criminological scholarship over the last several decades: as Hilary Allen notes, such discussions “participate in the ‘normalisation’ of the female criminal – refusing any notion of the female criminal as in any way more irresponsible or antisocial than other women” (“Rendering” 65). Allen argues that feminist analyses are often quick to deny the responsibility, culpability and even the agency of female offenders, […] invok[ing] the notion that the individual female offender is not herself the true agent of the offence, or at least is not to blame for it. […] feminist discussions are often ready to explain female offending by reference to social or economic forces, or to attribute it to the oppressive domestic and familial situations in which these women involuntarily ‘find themselves.’” (“Rendering” 65).

Part of this normalization comes in the important form of unpacking the reasons behind the dramatic increases in women’s rates of arrest and incarceration over the last several decades: for example, Chesney-Lind and Pasko argue that the “war on drugs” in the
1980s and 1990s “translated into a war on women,” in which drug arrests for adult women increased 42% between 1992 and 2001 compared to 31% for men (100). However, they also explain that the causes and motivations for women’s drug use are at the very least different, if not more understandable, than men’s, stating that, “although men use drugs for ‘thrills or pleasure’ or in response to peer pressure, women are more likely to drink or use illegal drugs for ‘self-medication’” (129). Additionally, “[w]omen who use drugs, like most women who find their way into the criminal justice system, have histories of extensive physical and sexual victimization, and drug use begins as a way to flee from this pain” (Chesney-Lind and Pasko 129). The question of how emphases on women’s experiences of victimization serve to “normalize” them, and the extent to which they provide for and/or diminish women’s agency in feminist explanations of women’s crime, will be discussed in more detail later. However, it is useful to see how the contemporary trends in feminist criminological scholarship for identifying the gendered conditions for women’s crime provide an important context for Ensler’s emphasis on the Bedford women’s femininity in her film.

One of the primary frameworks that the film uses to epitomize the women’s femininity is motherhood, and loss of the ability to mother – whether through separation from actual children or the lost opportunity to have children – is figured as a fundamental loss, both to the individual women and to society at large. Seeing the women as mothers, daughters, sisters and aunts certainly helps us familiarize and familialize them, reminding us of the 65% of women in state prisons and 84% of women in federal prisons who leave behind households with dependent children. Incarcerated mothers are also more likely than incarcerated fathers to have been sole caregivers to their children prior to their arrest.
It is clear, then, that the increasing rates of imprisonment for women – an astounding growth rate of 757 percent for women between 1977 and 2004, nearly twice the 388 percent increase in incarceration rates for men during that same time period – have had a deeper impact on the children and wider communities they leave behind (Frost et al. 9). Just since 1990 the number of minor children with mothers in prison has nearly doubled (98%) when compared to a 58% increase in the number with fathers in prison (Mumola 2).

Scholars such as John Sloop have argued that women prisoners are far more likely to be characterized as mothers than male prisoners are as fathers. In his study of popular print media coverage of prisoners from 1950 to 1993, Sloop finds that in popular media “female inmate[s are] moralized by motherhood,” and “simply having a family constitutes women as moral exemplars, providing them with a need and route for redemption” (171). However, such findings of sympathetic representations of female inmates run counter to the steady increase during this time period in women’s rates of incarceration and sentence lengths, and also fail to account for disparities in representations of incarcerated white women when compared to women of color. In general, criminalized white women and/or middle class women are far more likely to be depicted through more sympathetic frames of domesticity and motherhood than are poor women and/or women of color. As Jeanne Flavin argues, “The yardstick by which all mothers are measured is that of a white, heterosexual, married, middle-class female” (141). Flavin argues that academic as well as more popular media coverage of incarcerated mothers typically focuses on the impact of their incarceration on their children, as opposed to the impact of incarceration and separation from their children on
the women themselves, and when incarcerated mothers are the focus, “too often a
criminal record or a history of drug abuse or mental disability is treated as de facto
evidence of a women’s unsuitability to be a mother” (Flavin 140). Increasing suspicion
over not only incarcerated mothers but poor mothers as well – particularly those who are
women of color – is reflected by the numerous legal actions that have not only sought to
limit the parenting rights of incarcerated mothers, but have also increasingly criminalized
mothers who are poor, who are dealing with substance addictions, and even victims of
domestic violence and abuse.  

Motherhood comes up in many of the discussions and writings that appear in
*What I Want My Words To Do To You*, including a piece by Michelle McWilliams
written from the imagined perspective of her daughter. In her letter, McWilliams recalls
a bicycle she promised her daughter when she was five, shortly before she was
incarcerated. Her daughter writes in the letter, “guess what mom: I’m still waiting for
that bicycle.” She resents her mother’s absence at school plays and events, and fantasizes
“that when I’m sixteen I could commit a crime like you did so I could be in Bedford Hills
with you.” In this way McWilliams’ letter directly references the struggle many women
face in trying to parent their children from prison. Flavin argues that “[p]rison
administrators’ emphasis on security, order, and discipline, combined with a widely held
tendency to view ‘incarcerated mothers’ as an oxymoron, has led to the opportunity to
mother one’s children while incarcerated essentially being reduced to a privilege or a
reward for good behavior, rather than a fundamental right” (141).

Although McWilliams has had to relinquish much of her ability to parent her
daughter, if not her legal custody of her, her letter reclaims her identity as mother.
Interestingly, though, this is a sort of indirect reclamation: we don’t hear from McWilliams directly, but rather see her words performed by Hazelle Goodman during her performance at Bedford. We know the letter has been written by McWilliams because the camera cuts back and forth between Goodman’s reading and McWilliams’ tearful reaction in the audience. Interestingly, by writing in her daughter’s voice McWilliams’ letter follows the pattern identified above, where the issue of parental incarceration is largely figured through its effect on the children left behind. However, the literal focus of McWilliams’ letter on her child’s pain is supplemented by her own voice that remains as writer, and is further emphasized by the camera’s lingering gaze on her as Goodman reads her words. Although Goodman provides the ultimate voice to McWilliams’ words, the two work in partnership to form a strong emotional appeal regarding the status of incarcerated women and mothers: as Sarah Ahmed argues, emotions often work to “mediate the relationship ... between the individual and collective” (27). Here, the emotional appeal of McWilliams’ letter mediates not only her relationship to Goodman, but to the other women in the audience. Goodman’s tearful words, read in the small, hurt voice of a child, are accompanied by McWilliams’ tears as she watches Goodman from the audience. Friends sitting nearby provide comfort to McWilliams, perhaps also supplementing their lost opportunities to mother their own children. As an audience, we are also aligned through emotion, and through our collective response to a mother’s forced separation from her child. In addition to portraying the effect McWilliams’ incarceration has had on both her and her daughter, her letter extends its scope beyond the realm of the family and serves as a larger warning to her audience as well. Her concern that her daughter will commit a crime to join her at Bedford alludes to the high
rates at which children of incarcerated parents, particularly of incarcerated mothers, also are convicted of crimes. For now we have only a guilty mother’s projected fears of what her daughter might be feeling, and what effect her mother’s incarceration could have on her own future. However, we are also left to wonder: what future does lie in store for McWilliams’ daughter? Will she follow in her mother’s footsteps?

While McWilliams provides an example of a woman barred from fulfilling her maternal responsibilities, other moments in the film focus on women who are prevented from becoming mothers at all. In the first segment in which a prison-writer directly addresses the film audience, one of a series of segments in which the women tell us directly “what I want my words to do to you,” Betsy Ramos says:

I want my words to touch you in ways you never knew existed, for one moment to put yourself in my shoes. To see me as a human being who truly made an error in judgment. Who thought with her heart instead of her head and is now paying with her life. See me as the daughter who yearns to be with her mother, the woman who dreams of having a child grow in her womb. I wish with my words to give you glimpses of the life I’ve lived, of the life I am living, so that you will know me and therefore be able to judge me on the merit of who I truly am.

Ramos clearly wants us to empathize with her, and to put ourselves “in her shoes,” and so appeals to us not simply as a “human being who truly made an error in judgment,” but as a woman and would-be-mother. Ramos vacillates between characterizing her crime as an “error in judgment” and as a case of choosing her “heart” over her “head,” invoking a contradictory binary between reason and emotion. However, it is clear that – at least in the context of the film – seeing Ramos for who she “truly” is involves a sentimental
imagining of who she is not, but could be: a mother. Of course my goal here is not to suggest that Ramos does not mean what she says; however, I do want to suggest that Ensler’s choice to include this piece in the film, and perhaps even Ramos’ choice to write her piece this way, occur in a context in which representations of women prisoners emphasize femininity in general and motherhood in particular, and have for some time.

Although Ramos’ writing may be original, the representation of a female prisoner who “thought with her heart instead of her head” is not; in fact, Ramos’ construction of herself as driven by emotion over reason is directly at odds with feminist legal critiques of the rational male subject that has occupied the center of Western legal thought. Genevieve Lloyd argues that the traditional male legal subject has been characterized by independence, rationality, autonomy, separateness from others, freedom, action, responsibility, and the capacity to make choices (qtd. in Morrissey 32). According to Belinda Morrissey, women have not been accorded full subjectivity under the law because they have historically been seen as deficient in reason (33). In contrast to men, whose violence has been understood as a natural extension of normal masculinity, and whose crimes, although an affront to the law, are committed within a context of freedom and autonomy guaranteed by the law, female criminals have been judged either sick or wicked, but in either case ultimately helpless victims of their own criminality. Morrissey argues that such attributions of madness “rely on the discourse of irrationality, while ‘bad’ labels depend on the language of the mythic and the inhuman to achieve non-agentic representations of murderously active women” (34). Of course, the law’s unwillingness to see women as responsible agents does not mean that women have not been punished for their criminality; on the contrary, the Western history of legal
subjectivity attributed to men is accompanied by a parallel history of women’s pathology and confinement that long-preceded women’s reformatories and prisons, and in fact provided the blueprint after which early penal institutions were modeled (Cohen). In comparison to men sentenced to prisons for similar charges, women’s reformatories (as well as juvenile institutions) held inmates for longer sentences from the start because their confinement was deemed “for their own good,” as opposed to simply being for the protection of society.

Although motherhood provides a dominant framework for Ensler’s film, the Bedford women are represented within a spectrum of familial relationships. (Ensler characterizes them in her book as “mothers, daughters, sisters, aunts”). Ramos identifies herself as a daughter as well as a potential mother. Three of the selections from the writing group that appear in the film are written directly to mothers (by Monica Szlekovics, Pamela Smart, and Cynthia Berry – in Berry’s case written to her mother-in-law), and several other writing selections and discussions within the writing group bring up mothers. Of course these women may have very important and complicated relationships with their mothers (don’t we all?). Nonetheless, figuring the women as daughters in relationship to parents or parental figures (whether fathers or mothers) also disarms them, and infantilizes them to some extent. Despite the crimes they have committed and their current location in an adult prison, each of these women is still someone’s child. This is of course true for male prisoners, but representations of male prisoners are far less likely to construct them as vulnerable or childlike. When representations of male prisoners do include parents it is most often their mothers, but often this is to tell the story of the mother’s pain, the mother’s suffering because of her
criminalized son. In Ensler’s film these relationships indicate the women’s suffering at the loss of their relationships with their mothers.

Stories and images that figure women prisoners in terms of motherhood, or in other domestic capacities that locate them in traditionally feminine frameworks, create a limited subjectivity for the women involved. While they do help us to humanize the women, achieving Enler’s goal of helping us to get past our initial rejection of the women as criminal “mistakes,” such representations also reinforce a narrow conceptualization of femininity that is based on heteronormative reproduction. Redeeming women prisoners on the basis of their motherhood or potential motherhood – in other words for their reproductive capacity – eerily resembles earlier approaches to female incarceration that were designed to retrain women for domestic success and proper gender performance.

RHETORICS OF VICTIMIZATION

Rhetorics of victimization provide another important frame through which Ensler mobilizes the Bedford women’s writing; as with the domestic frames of femininity and motherhood discussed in the previous section, the women’s experiences of victimization help Ensler counter easy binaries of victim/criminal, and serve her larger project of helping to normalize and humanize the women. As with the frameworks of motherhood and femininity, victimization also resuscitates similar nineteenth-century frameworks of dependence and vulnerability, even as it works to complicate simplistic conceptualizations of criminality. Several of the women in Ensler’s group focus their writing on their experiences of abuse and sexual violence: we learn that Keila Pulinario was convicted of murdering a close family friend who had raped her three days earlier;
Cynthia Berry was sexually abused as a child by an uncle, leading her into a life of prostitution and to eventually kill one of her clients (perhaps reminding the film audience of Aileen Wuornos); Betty Harris was abused by her mother; Monica Szlekovics was abused by her husband. More than sixty percent of incarcerated women have been physically or sexually assaulted at some time in their lives, and women in prison are three times more likely to have a history of abuse than men in prison (Chesney-Lind and Pasko 5; Bloom et al. 17), so in many ways it makes sense that Ensler’s attempt to represent the experiences of incarcerated women would focus on their past experiences of abuse\textsuperscript{10}.

The women’s experiences of abuse introduce issues of victimization and social justice that are fundamental to the film’s complication of the victim/criminal binary. In the first clip of the writing workshop, in which Keila Pulinaro reads her essay describing the circumstances of her crime, Pulinaro’s own attack and victimization are provided as a context for her crime, and the access to criminal justice that she did not have as a victim is contrasted with the punishment she is serving as a convicted criminal. Pulinaro’s story also sparks a discussion in the group about her initial decision not to report her rape or attempt to prosecute the rapist. Pulinaro explains that it “never occurred to [her] to go to the police.” Migdalia Martinez describes her similar distrust of the police, stating

Where I come from, even if they see you going to the cops, people might not think that that’s where you’re going and therefore they might think that you’re going in there for something else. They might consider you a snitch. And, in her [Pulinaro’s] case, she might have put her life in danger just by going to the cops and accusing him.
Jan Warren shares that when she was married she was raped (by a stranger) and was able to successfully prosecute him. She comments that in her case going to the police worked, and “I hope it wasn’t because of my race” (Warren is white). But, as Patricia Williams has argued, not all victims are recognized as victims. The recognizability of injury depends on its ability to fit into prescribed narratives about what constitutes injury (152).

Pulinario, a young, unmarried, African-American woman who was raped by a family friend with whom she had an existing sexual relationship, stands in sharp contrast to Warren. Roslyn Smith also adds to the critique of the relationship between race and social justice by commenting “in our society, a lot of the powers that be don’t realize that our world [African Americans and Hispanic people] is different from their world. Just like Keila said, she didn’t call the police because the police aren’t our allies.”

The women’s testimonies of the abuse they suffered prior to their incarceration help Ensler complicate their status as “criminals”: they, too, have been victims of crimes, and, unlike the crimes for which they have been convicted, the crimes against them have often gone unpunished (or at least unprosecuted). Ensler’s focus on the women’s experiences of victimization is also characteristic of much of her public work, especially in the partnership between her co-sponsored anti-violence organization V-Day and her play *The Vagina Monologues*. In her play, Ensler establishes a common female identity through a focus on women’s sexuality and cultural taboos around the female body, as well as by drawing strong parallels between U.S. women’s experiences of sexual violence and victimization and a spectrum of violence against women outside the U.S. However, just as her representation of female criminality in *What I Want My Words To Do To You* is often based on a reductive vision of heteronormative femininity, in *The Vagina*
Monologues her focus on sexuality also “lend[s] itself to a reductive view of female identity – one that, for instance, would arguably exclude transgendered individuals who might identify as female regardless of anatomical sex” (Hammers 235). Similarly, although the theme of sexual violence in The Vagina Monologues helps to align it with local and global activist organizations resisting violence against women, “the assumption that all violence is the same … or that state controlled rape and domestic abuse are equal, does not provide women or men with a way to consider the sources of these very different kinds of violence and can give them a false sense of connection” (Bell and Reverby 441).

Ensler’s sentimental frameworks – both in The Vagina Monologues and in What I Want My Words To Do To You – help her mobilize recognition for feminized subjects and their experiences of victimization, but they do so by reinforcing collective identifications with familiar and idealized subject positions, rather than by challenging existing constructs. Similarly, Susan Bell and Susan Reverby characterize this as a “false sense of connection” among audience members in The Vagina Monologues, based on generalized assumptions about shared experiences of violence against women across vastly different national and political circumstances. In What I Want My Words To Do To You this imagined connection is recasted in Ensler’s own relationship with the Bedford women. Although Ensler’s focus on the women’s experiences of victimization helps to create a shared vision among the women and Ensler at some points in the film, the sentimental vision Ensler attempts to impose eventually conflicts with the ways in which the women view themselves. This happens most clearly in one workshop discussion of the women’s relationships with their mothers. The conversation is sparked
by Judith Clark’s reading of a personal narrative she has written about seeking her mother’s attention as a child: in her essay, Clark retells a childhood memory of seeking her mother’s attention when she was home sick with the chicken pox, and then uses this memory as a frame to help her understand the later periods in her life where she continued to perform increasingly extreme acts in order to get the attention of others. In response to Clark’s story, Ensler suggests to the group that none of them really had a “core” – in other words, love and support from their mothers. Ensler continues, “I don’t want to say that this is the only factor. I can only share for me that I think you get your mother’s love or you don’t. This is my own theory.” However, several of the women, including Clark and Roslyn Smith, object to Ensler’s theory. Smith flatly responds to Ensler’s statement: “I can’t agree with that, Eve.” She insists that even though she was abandoned by her mother and raised by her grandmother she never missed her mother’s love, and rejects Ensler’s framework for understanding her crime. Clark also resists the simplified explanation that Ensler attempts to apply; she argues that many people don’t receive enough love from their parents and they don’t all end up in prison, pointing out (rightfully) that the same conditions produce different results in different people.

The explanation that Ensler is offering not only collides with institutional and public expectations that the women take responsibility for their crimes, it also flattens the experiences of all of the women, equating them all as simply reactions to the behavior (whether abuse or simply insufficient attention) of others, and forecloses the agency of the individual women in the group. Clark is serving three consecutive life sentences for her participation in an attempted robbery of a Brinks truck in 1981, during which a guard and two police officers were killed. At the time when she committed her crime, Clark
was a member of radical leftist organizations including the Weather Underground – later the May 19 Communist Organization – and she committed this and other extreme acts of violence with intentionality and forethought\textsuperscript{11}. Although she now expresses remorse for these actions, and her perspective has changed during her time in prison, she intentionally committed these actions at the time in order to make a dramatic statement in protest of American imperialism. To suggest that her involvement in the Weather Underground, M-19CO, and the subsequent Brinks robbery was because she didn’t receive enough attention as a child dismisses Clark’s political convictions and intentionality, and effectively infantilizes her\textsuperscript{12}.

It is to Ensler’s credit and our benefit that she includes the scene of the group’s disagreement with her “core” frame in the film, because it reminds us of the tensions that remain in her relationship with the women despite her status of “insider” that she establishes in the beginning of the documentary. Disputes such as this one remind us of the dissonance that often exists between the frames we may want to apply to prisoner art or writing, and the explanations that they choose for themselves. In other words, the explanations that best serve us theoretically (as well as politically) may often oppose the lived experiences of individual prisoners, or the understandings of their experiences that best serve them. Ensler’s “core” explanation seems to her to be a productive, critical frame that helps to contextualize the women’s actions within larger social problems, but the women in the group overtly resist it. Ensler, along with the growing number of academics in the humanities who are attempting to bring attention to writing and art produced by prisoners, is looking for a way to account for the circumstances of these women’s crimes that can help empower them, shift some of the blame away from the
individual, and encourage us to see the wider socio-economic circumstances that help to produce these crimes. However, for the women themselves this can be very disempowering – if you take away their agency or responsibility for their crimes, then what on earth do they have agency or responsibility for?

Although Ensler’s group does provide a space for the Bedford women to have their own experiences of victimization recognized, they maintain a focus in their writing on the crimes that they committed, rather than those committed against them. Writing activities and discussions that focus on their experiences of victimization not only conflict with the women’s own ways of seeing themselves, but also with institutional and societal ways of seeing incarcerated women. Focusing on their experiences of victimization in lieu of taking responsibility for the choices they made in committing their crimes would be detrimental to their own rehabilitation, and could also literally impede their ability to be released. Judith Katz, co-producer with Ensler on the film, states in an interview that the filmmakers struggled “to show that [the Bedford women] were sympathetic; on the other hand, we didn’t want to make them blameless victims because they’re not that.”13 Although I am in no way suggesting that the writing the women share in the film is part of a strategic argument they are mobilizing for their own release, or inauthentic posturing of remorse for their crime, it seems reasonable to assume that focusing on their victimization could be very risky: any perception of the women as embracing a frame of “blameless victim” in their writing, or in any other way denying responsibility for their crime, could certainly be detrimental to considerations for their release. As Katz makes clear, such a representation could also be detrimental to the
portrayal the film makers want to create of incarcerated women, and their desire to complicate victim/criminal binaries.

AUTHORITY, AUTHENTICITY, AND RECOGNIZABILITY IN PRISON PEDAGOGY

As stated earlier, much of what we learn in Ensler’s film about women prisoners and their writing is learned through sentimental frames of femininity/motherhood and victimization. However, Ensler’s substantial focus on the women’s crimes also institutes a pedagogy of remorse, accountability, and self-responsibility in the film. This pedagogy continues to employ sentimental frameworks of femininity and victimization, and in many ways also resembles the structure of Victim Awareness programs (also sometimes referred to as “Victim Empathy”) used in juvenile and adult prisons across the country. As discussed in Chapter Two, Victim Awareness programs were designed through a partnership between the Department of Justice and advocates in the victims’ rights movement, particularly Mothers Against Drunk Driving. Often a mandated condition of prisoners’ release, the programs instruct inmate participants in appropriate empathy for victims through a series of testimonial-based units that focus on victims’ experiences of various crimes (property crimes, drug offenses, drunk driving, assault, and homicide, among others). Because Victim Awareness programs focus solely on the experiences of outside victims to instruct the prisoner-participants in empathy – never, for example, asking the prisoners to reflect on their own experiences and “awareness” of being victims of crime – we might see Ensler’s pedagogy as revising that of the Victim Awareness program, in that she gives the women the opportunity to integrate their own experiences
of victimization into their writing. However, Ensler still focuses primarily on the 
women’s crimes and, like the Victim Awareness program, also attempts to mobilize 
identification through testimonies facilitated by outsiders and the consumption of 
sentimental texts, thus limiting the transformative potential of her project.

In light of the predominance of Victim Awareness programs in prisons, Ensler’s 
choice to also ask her writing group to “Describe the facts of your crime,” and “Write a 
letter to someone you love. Tell them why you are in prison” seems potentially perilous. 
Although Ensler’s prompt importantly asks the writers to address their letters to someone 
they love, rather than a victim to whom they are expected to apologize, Victim 
Awareness classes often emphasize the impact of offenders’ incarceration on their family 
members, and refer to their family members as additional victims of their crimes. 
Although I don’t think this framework prevents the writers in Ensler’s group from 
crafting the kind of letter they want to their loved ones – and in fact, I believe the film is 
persuasive in demonstrating the value that many of the women find in this exercise – I 
also suggest that it would be extremely difficult for the women to escape the rhetorical 
features of the Victim Awareness letters, or the larger discursive effects of these 
programs more generally. Victim Impact Statements and Victim Awareness programs 
have become a main feature of the contemporary justice system, and it seems reasonable 
to assume the women in Ensler’s group are familiar with them.

Cynthia Berry’s letter, written to her mother-in-law, demonstrates the ways in 
which such victim impact rhetorics, and the rhetorics of the victims rights movement 
more generally, frame her explanation of her crime. Serving a 25 year to life sentence for 
second-degree murder, Berry was convicted in 1995 of murdering a client while working
as a prostitute. Cynthia’s letter to her mother-in-law (who, she explains to the writing group, is the only “real mother” she has known) situates her crime within a lifetime of rape and childhood sexual abuse, but also wrestles with the heavy guilt she feels about the murder she committed. She recounts both the violence she committed and the violence that was committed against her in graphic detail. She explains to her mother-in-law (and to us) that when she murdered her victim “I didn’t see him – I saw every one who ever harmed me.” It was only at her trial, Berry says, that she was able to see her victim – as “a father, a grandfather, and some woman in a wheelchair’s son.” Berry’s focus on her trial, and the experience of seeing her victim’s family members in person, calls to mind the circumstances of a Victim impact Statement. This rhetorical context is further evoked as Berry describes watching the man’s daughter cry, learning that although her victim was 71 years old his mother was still alive, and discovering that the man had been widowed of his wife of forty years just three months before his death – indicating to her that he had sought a prostitute more for comfort than for exploitation. In her discussion with the writing group following her reading of her letter, Berry emphasizes her desire to die, stating that “I live for my victim, and I feel the only justice for his death is when God takes from me what I took from him, which is life.” Roslyn Smith observes in response to Berry’s desperation that her ability to see her victim as a father and son is a sign of her healing – also evoking the language of Victim Awareness. But Berry is emphatic that “until I breathe my last breathe, I will not have peace with my victim’s death.”

Although Smith’s language of “healing” through empathizing with the victim of her crime is reminiscent of Victim Awareness rhetoric, it is important to emphasize that
Victim Awareness programs are based firmly on a model of defining victimization through the crimes that the offenders have committed, not through experiences of victimization that the offenders may also share. As stated earlier, Ensler’s program attempts to trouble the victim/criminal binary from the start. Although still heavily focused on the women’s crimes, Ensler begins (through Keila Pulinar’s narrative described above) with frames of femininity and victimization. The women are still asked to account and take responsibility for their crimes, but are given a much wider discursive space: at one point in the film, Monica Szlekovics wrestles with trying to explain her crime in a letter to her mother. She tells Ensler,

I don’t know what my truth is. I go from one thing of blaming my husband for everything and then I go to the other of blaming myself. I have no in between; I can’t find no middle. I say it was the drugs, I say it was the abuse and I blame it all on him, and then I’ll go to “it’s my fault; you weren’t good enough; you didn’t stop it. … I don’t know what the truth is anymore.

Ensler then says, “well that’s your truth, that you don’t know.” In accepting that these dual explanations for Szlekovics’ crime can co-exist, Ensler thereby also provides for the co-existence of social and legal designations of criminality and victimization.

The performance of the women’s writing that Ensler ultimately directs at Bedford and in public performances outside of the prison also revises Victim Awareness approaches through its use of testimony. Whereas the victim impact panels in Victim Awareness classes rely on outside speakers to give testimony of their experiences of victimization, Ensler’s show assembles testimonies of the Bedford women’s offenses and victimizations. In doing so it disrupts cultural expectations for sentimental testimony that
establishes strictly innocent subject positions. However, although the performance disrupts these discursive patterns, it brings in other familiar elements of Victim Awareness pedagogy, and pedagogies of emotion more generally. The performance’s continued reliance on sentimental testimony – particularly as it is facilitated by actors from the outside – creates a division between the Bedford women and their writing, and premises audience identification (both the prison and film audience) on consumption of sentimental texts that is similar, in many ways, to the pedagogy of the Victim Awareness class.

There is no question that the involvement of well-known actors, as well as Ensler herself, brings recognition to the women’s writing that they otherwise would not receive, and that this recognition results in real benefits to the other programs at Bedford and in these women’s lives: as the film states at the beginning, the actors have performed outside the prison at benefits raising money for Bedford’s college program. Also, there is an understandable pleasure that the women at Bedford seem to take in attending a performance by famous actors on their grounds, and in having famous actors read their work. But there is also a distinct separation between the actors’ performances and the writing group. As far as we can see the actors have no contact with the inmates, let alone an opportunity to hear them read or interpret their own writing: rehearsals take place in New York City, and in one rehearsal clip Mary Alice describes what she has learned from “reading the inmates’ writing,” as opposed to hearing them in person. Because the actors do not visit the prison themselves to prepare for their performance, it is up to Ensler to provide a context for the women’s writing, and in some ways Ensler amplifies the drama and mystique of the prison in her direction of the actors’ rehearsals. During the first clip
of the actors’ rehearsal that appears in the documentary (all the clips are taken from one rehearsal session), Ensler tells the actors that in the writing workshop “people put terrible things out there, horrible things, shameful things,” but that the members of the group support each other without judgment. Even though the context of this discussion is that Ensler is trying to explain the relationships of trust that exist in the group and make its existence possible, her allusion to the “terrible,” “horrible,” “shameful things” that the actors are preparing to read (and we are preparing to hear) also seems titillating, and helps build anticipation for the stories that follow.

The actors’ performances usher the women’s writing to a wider audience, and serve to make it recognizable to that audience. They do this not only by the increased visibility their participation brings to the project, but also because they reformulate the writing itself in the process of creating a public performance. Their separation from the inmates removes the responsibility of authenticity from their performance, transporting the women’s words from the realm of testimony to art, and their performances further amplify the emotional spectacle of the pieces. The actors interpret and perform the writing as roles, or stories – not grounded in the authority of the writers themselves over their own experiences, but in the actors’ (and Ensler’s) interpretations of these roles. Although the actors are accountable to their prison audience – the authors themselves are in the front row – they offer creative interpretations that are often very different from the writers’ original readings. For example, Judith Clark’s reading of her “scars” essay in the workshop is slightly humorous and ironic, introspective. In contrast, Mary Alice’s stage interpretation is bombastic, dramatic, challenging, even angry. Pulinario’s reading of her essay is reserved, reticent, halting. Her eyes remain focused on the page and her tone
remains largely flat except when she stumbles briefly over the sentence about her rape. Pulinario’s reading is then juxtaposed with Rosie Perez’s performance of the piece, in which she is much more expressive, revealing, and emotional. In contrast to Pulinario, Perez chokes back tears, grimacing through the first line “my best friend, or the person who I thought was my best friend.”

Interestingly, Pulinario’s flat tone and reserved demeanor reportedly proved detrimental to her in her initial murder trial, in which the prosecution argued that her “seemingly calm demeanor . . . [was] evidence that she had not been raped” (Goodman).

In some ways, then, Perez provides a reinterpretation of Pulinario’s experience, a demonstration of the impact of her sexual assault that may be more recognizable to audience expectations of the testimony of a rape victim.

Despite Ensler’s apparent desire in the film to provide the incarcerated women with a voice and audience for their writing, the film creates a binary between the “real” writing created by the women and the performances by the actors. Just as the actors’ performances are not held accountable to the reality of the prisoners’ experiences, the prisoners’ readings of their own work are thereby constructed as all the more authentic and un-performative in comparison. Although we might see the juxtaposition of the Bedford women and actors’ readings as highlighting the extent to which all writing is performative, I suggest that the spatial separation the film maintains between the two groups – the extent to which Ensler appears to keep the actors’ “final product” separate from the writers’ workshop – in fact undermines such a reading. The film locates the women’s writing firmly in “authentic” experience, and the actors’ readings firmly in artistic performance, effectively disregarding the extent to which prison writing (all
writing) is always performative – always structured by the women’s own interpretations of their experiences as well as the influence of their surrounding cultural and institutional discourses. Because the writing group is figured as therapeutic and primarily for the purpose of healing the women themselves, the women’s writing is authorized by their personal experiences, and from this privileged position there can be no response. The women are experts about their own experiences of course, but as their experiences are reinterpreted by the actors and mobilized into a larger political argument by Ensler, the opportunity for interrogating the effects of the discursive conditions under which the women created their writing, or on the actors’ ultimate interpretations of their writing, is somehow lost.

CONCLUSION

The film provides little background about the workshop itself – the process of building it, the pedagogical choices Ensler makes in facilitating it, and the problems or conflicts she may have encountered during its four-plus years are largely absent from the documentary. Admittedly, conversations about pedagogy meet the desires of a very limited audience, and a larger meta-discussion would just take more time away from the inmate-writers and focus the film more on Ensler’s perspective. Revealing problems or conflicts that occurred in the workshop could also paint the women in a bad light. Nonetheless, this idyllic picture provides little guidance for viewers who are inspired to start their own writing groups in prisons. Although providing more discussion about the pedagogy of the group might deflect attention away from the incarcerated writers, leaving it out also potentially deflects some of the credit for the success of the group.
away from them as well. It suggests that Ensler’s simple rule “no one is ever allowed to judge anyone” is enough for everyone: no challenges to it, or conflicts over what constitutes “judgment” ever arise. Everything looks copasetic to us. We do not get any information about how the group was established, how Ensler was granted access, how the cameras were granted access, whether the women had a say in the actors that were chosen to perform their writing, etc. We’re missing the apparatus. Again, this may make for a better story, but it leaves out important information about how this group works within the dynamics of the institution and within the dynamics of these women’s lives, and in many ways removes the group from the materiality of its circumstances.

According to Maud Kersnowski’s article for The Independent, the footage for the documentary was compiled from approximately forty classroom sessions, a single day of planned shooting, the performance in the prison, and a rehearsal session with Ensler and the actors. The passage of time is apparent in the footage of the writing group through the changing hairstyles of some of the writing group participants, as well as in changes in the roster of the group itself. However, Ensler fails to provide us with any concrete information about how inmates’ participation in the group may have changed. In my own experience showing the film to a book group I lead at the juvenile corrections facility for girls where I conducted my research on ArtSafe, the girls in my group were left with a lot of questions about the circumstances of the writing group and about the women themselves. They immediately noticed the presence of jewelry and make-up on some of the women (allowed on a restricted basis at their juvenile facility), evidence of manicured fingernails (available to girls at the juvenile facility only as part of a special-occasion program), and variations in the women’s attire between traditional prison
uniforms and their own shirts, sweaters, and even shoes. Although we are given the name and convicted offense of each of the inmates, these details might tell us a lot more about their lived experiences and quality of life in their institution. The fact that the girls in the juvenile facility where I volunteer noticed these details immediately points to the importance of access to clothing, hairstyles, and other accessories that help maintain individuality among incarcerated populations.

As I have argued throughout this dissertation, art and writing by prisoners is easily romanticized when mobilized by outsiders into arguments for prison reform. The starting point for mobilizing prison art and writing is that their “words” inspire action. The assumption is that prisoners’ first-hand perspectives of incarceration and the events in their lives leading up to it provide audiences with direct access to those experiences, and that our access to prisoners’ experiences can and will translate into action. However, while prison writing may inspire action, such assumptions overlook the complexity of testimonial writing and rhetorics of suffering more generally. As Elizabeth Spelman argues, expressions of suffering to others “open up the possibility that they will understand what it means to us, but also the possibility that others will mangle our account, especially if they stretch, tuck, or hem our experience in an attempt to tailor it to make sense of their own” (4). This failed translation of the experience of suffering may be clearest in Ensler’s collapse of the Bedford women’s varied experiences with and relationships to motherhood into a flat and formulaic image of heteronormative femininity.

But the women’s writing is not only romanticized through assumptions of direct access to their experiences through their writing, but also through our larger failure to
understand the extent to which prison writing is also mediated through its physical and discursive contexts. Because such writing is largely testimonial and focuses on experiences of suffering, we assume not only our own ability to directly access experience through testimony, but also the ability of testimonial authors to authentically transmit their experiences. Such assumptions are always unfounded, but prison writing is perhaps the clearest example of the extent to which testimonial writing is fundamentally shaped by the conditions under which it is written. I argue that prison writing such as that produced by the women in Ensler’s film provides us not only with testimony of their experiences, but also implicit interpretations of the circumstances under which they created it. To the extent that we underestimate the complexity of these circumstances, or fail to perceive the multiple discursive contexts that help to create them, we risk simplistic, romantic, and even patronizing readings of such work. In an interview included on the DVD of the film, Ensler states that all of the women in the group are “at a point now where they want to get free. That’s the primary thing – they want to be free. And I’m not talking about out of prison; I’m talking about they want their souls to be free.” I believe that the women are dedicated to their own processes of healing, and that taking responsibility for their crimes as well as claiming recognition for the crimes against them has much to do with this process; however, I think it’s impossible for Ensler, or for anyone who views the film, to assess the Bedford women’s comparative concern for their emotional freedom and their literal release from prison. Such assumptions overestimate the reach of a prison art or writing program, and drastically underestimate the experience of incarceration.
Despite the film’s apparent goal of critiquing the prison system, in this way it also affirms penal confinement by representing the positive outcomes produced by Ensler’s program. In the course of one workshop session Ensler asks the group to describe how they have changed in prison, and each of the transformations that the women describe are positive: Judith Clark has become less radical and polemical, Keila Pulinario has higher goals for herself and is more interested in education, and Pamela Smart says that she has more patience. The film demonstrates that, although we are instructed by the Bedford women’s words, the women have learned their own lessons as well. Although the film tells us that U.S. prisons currently hold over 2 million people – more than any other industrialized country in the world – it shows us that this prison has also transformed criminals into good women who appropriately demonstrate remorse, accountability, and self-responsibility. Ensler is in a predicament because she needs good women to counteract derogatory, sexualized, sensationalized, or otherwise exploitive depictions of women prisoners – and prisoners in general – that abound in contemporary media culture, and to argue that prisoners are redeemable, but redeemed women make prison look good.

The source of this predicament is Ensler’s mobilization of audience identification through the consumption of sentimental texts. She seeks to supplant derogatory depictions of women prisoners with idealized ones, a vision of monstrous criminality with a feminized one. Although sentimental frameworks are effective for attracting attention and sympathy, particularly to women’s prison writing, the looking relationships that they inscribe do not necessarily translate to radical action. As Rebecca Wanzo argues, “[s]entimental texts present themselves frequently as progressive about social justice issues while they eventually preserve the status quo. Indeed, that is an overlying
tendency of most sentimental texts” (9). However, she suggests that “[r]ather than characterizing U.S. sentimentality as ‘good’ or ‘bad’ politics, a more precise characterization … is to call it a politically effective but insufficient means of political change” (9).

Ensler’s film asks audiences to think critically about the staggering rates of incarceration in this country, and to problematize who we incarcerate and why. Her focus on women prisoners is particularly apt for such a critique, as it provides an occasion for showing the experiences of abuse and victimization that often precede particularly women’s criminality, to discuss the impact of women’s incarceration on children and families, and to humanize the women in her writing group as more than just monstrous criminals, but also mothers, daughters, and wives, who love and are loved, and who remain connected to and implicated by the society that surrounds their institution. However, I suggest that sentimental frameworks of femininity/motherhood and victimization ultimately create a limited subjectivity for the women involved. They do not effectively challenge conventional beliefs about the causes and solutions for criminality, and frame identification through the consumption of traumatic testimony that spectacularizes and disassociates audiences from the realities of carceral experiences.
CHAPTER 5: MOVING PAST AMAZEMENT

During the middle of my research in the ArtSafe class (see Chapter Three) I attended a national conference on arts in criminal justice – the first of its kind on record – in Philadelphia in October 2007. The conference brought together representatives from prisons and prison arts programs (among them the director of ArtSafe and the deputy superintendent of the juvenile facility where I was conducting my research) from around the world to share experiences and best practices. However, like many conferences, the majority of the voices and perspectives represented were people in leadership positions – both in the art organizations and in the prisons. Often we heard more from organization presidents and prison superintendents than from artists currently leading prison workshops (although ArtSafe wanted to bring their current facilitators with them, in the end they could only afford to send their director; I attended on my own dime). And, of course, we heard very little from prison participants.

In an effort to correct this, one day of conference sessions was held at the State Correctional Institution at Graterford, Pennsylvania’s largest maximum-security prison. The day at Graterford provided those who had not worked in prisons an opportunity to see a maximum-security men’s prison from the inside, and it provided the conference with an opportunity to hear from representatives of the population their programs serve – an otherwise striking, if understandable, absence from conference events and discussions.
Inmate participants of the Philadelphia Mural Arts Program were able to chat with fellow conference attendees and share their experiences as participants of a long-standing prison arts program. Not surprisingly perhaps, the prison artists described the positive impact art had had on their experiences in prison and in their lives as a whole. Attending the conference that day did give the Grateford men a chance to talk about their program and what it meant to them, but it also gave them a several-hour break from their cells, a chance to eat a catered lunch, and the opportunity to mingle among themselves and with outsiders/visitors. The men presented on their experiences in the prison arts program in several panels, and also talked informally with conference attendees over lunch. For conference attendees, it brought a more complete representation of perspectives to our conference and provided the credibility of prisoner voices talking about their own experiences with art.

Even in the context of a prison arts conference, where many of the conference participants worked directly with and inside prisons and all were “stakeholders” of some kind in prison arts programs, we were still very much tourists at Grateford. After all, this was not our prison. Some participants did not work directly in prisons, and many (including myself) had never experienced the security requirements of a maximum-security men’s prison – including the restricted dress code, full-body scan and pat-down upon entry into the prison. Peering down the long cell blocks as we passed through the prison was my first contact with actual prison bars. We were ushered quickly away from the cell blocks and into the prison chapel, where the benches, podium, and stained glass offered a much more welcoming and familiar environment. The second half of our day, including lunch, was spent in the nearby gym, which had been transformed into a
cafeteria to host our event. Although there were staff restrooms available for our use, the number of women in our group required the institution to make special accommodations for us (apparently there aren’t many female guards at Grateford), and we were given use of the prison chaplain’s personal restroom. As we lined up through his office and into the hallway to wait our turn, I noticed the institutional menu posted on his wall, and noted the difference between our catered meal and the one being served to Grateford inmates that day.

Our day-trip offered us the highlights of Grateford – we had a brief view of the institution from the inside, limited primarily to its most comfortable spaces, and brief contact with a handful of Grateford’s most successful inmates. I boarded the bus back to my hotel with the conflicted sense that our visit had been an important contribution to the content and ethics of the conference, and at the same time felt unfulfilled with my understanding of how art operated in this space, and how it functioned in the routines and lives of the inmates. I wrestled with how to interpret the inmate art we were shown as well as the praise of the art program offered by the inmates: what did it mean for inmates living in Grateford to commend their art program to a group of their own program facilitators and others like them? How could I appreciate the importance and potential for art in this context – the potential for “acting as if” – while also recognizing the material consequences of the conference and the prison itself?

The following morning, as I waited for a conference session to begin, I overheard a woman who had gone to Graterford the day before describe the experience as “amazing.” And she was right: all who attended had certainly been amazed – by the talent of the artists we met and the beauty of the murals we admired, as well as the stark
reality of the institution that housed them. We were tourists at Graterford, and upon leaving it we were relieved to breathe free air, but could also feel good about the impact of the arts in even this oppressive environment. Later that evening another woman who had attended the sessions at Graterford, and who had identified herself as a former inmate of the York Correctional Institution in Connecticut, spoke to the conference; she described how difficult it had been for her to enter Graterford, remembering so clearly her own experience of incarceration, and how much harder still it had been to leave Graterford at the end of our afternoon there, knowing the experience of being left behind in such an environment. She told us that she had heard several conference participants describe their visit the day before as “amazing,” and instructed us: “it’s not amazing, it’s fucking prison.” Despite our “amazement” at the art at Grateford, the men we met the previous afternoon remained there the next day, and probably do still.

The concern this woman was expressing to us was that our “amazement” at the art program at Grateford was leading us to romanticize the experience of being a prisoner: our idealization of art, and the demonstrations we had witnessed of art’s ability to literally exceed the boundaries of a prison (at Grateford the inmates create murals that are then transposed onto buildings throughout Philadelphia) were leading us to underestimate the reality of prison life in favor of our beliefs in art’s ability to transform it. Although during the sessions at Grateford the day before the woman had described the impact Wally Lamb’s creative writing program at York had had on her own experience of incarceration, she also wanted to emphasize that the empowering potential of art did not take away from the reality of incarceration, and that all of the “amazing” art we had
witnessed during our conference had been created by ever-growing populations of prisoners.

At Grateford, the prisoners also described their program in terms like “amazing,” but what else could they say? In the context of a visiting conference full of prison and art program administrators, and given their privilege to attend this conference and break from their normal routines at Grateford, it’s hard to imagine the men doing anything but praising their art program and attesting to its impact on their lives. Similarly, what else could we (the scholars and activists) say in response to the art program at Grateford and upon witnessing the inmates’ art? This was not an audience of art critics; it was not a context for assessing the comparative talent and worth of the inmates’ art, nor for assessing the relative value and impact of the art program at Grateford: as a conference, we took for granted that all prison art programs create an impact, and any impact is better than nothing.

Regardless of the actual impact of the art program on these prisoners’ lives, and the actual quality of the work they displayed to us during their presentations, we were all compelled to call prison art “amazing.” This is precisely the problem that my dissertation seeks to identify: when we believe that any impact is better than nothing – that even a little bit helps – we elide scrutiny of the discursive and material conditions that make such impacts possible. If we accept that art is inherently empowering just by virtue of being art, then there is no potential for critically analyzing the differing limitations – or possibilities – for art’s empowerment in differing contexts.
COMPELLED TO BE AMAZED

Scholars, activists, and prisoners are all compelled to marvel at the impact of prison art programs for many different reasons; foremost is their fundamental precarioussness. Prison art and writing programs are unstable: when funded at all, their funding can be yanked at any moment; many are run by volunteers and are thus at the mercy of unpaid and untenured sponsors. Artists and prisoners alike are in a position of needing to constantly justify and defend the existence of their programs, and so the first reason that prisoners and artists are compelled to say “amazing” is because they are defending the existence of art programs, as well as the humanity of prisoners themselves – why prisoners are worthy of such programs. But scholars and activists are also compelled to say “amazing” because we want to see prisoners empowered by their artwork. Especially those who are directly involved in prison art and writing programs – such as the organization ArtSafe, the attendees of the arts in criminal justice conference, and Eve Ensler, among others – believe in the mythic power of literacy and art to transform individuals and help individuals to transform their circumstances. Activists and scholars alike believe that art is inherently empowering, and that bringing art into prisons makes a difference; makes prisons better.

In my dissertation I have argued that “empowerment” is a term used loosely and too easily in connection to prison art and writing; like “amazement,” empowerment is imprecise, and masks the conflicting assumptions that produce and support prison art and writing programs, as well as the complex looking relations produced in prison art and writing. Just as assumptions about art and writing in prison as empowering fail to acknowledge how radical and conservative ideals interact to construct and maintain
prison art and writing programs, “amazement” masks the rhetorical contexts we bring to all prison art and writing – the desire to be amazed, and to see evidence of agency expressed from disempowered positions. Our desire to look to writing by prisoners, as we have to postcolonial subjects, for examples of agency and resistance is understandable: it has been both our scholarly and political imperative. However, uncritical championing of agency and choice-making in art and writing by oppressed “others” leaves us with few tools for recognizing the conditions under which prisoners write and produce art, or for theorizing broader positions of subjectivity.

When art and literacy programs are as sparse and disparate as they are today, any program – any impact – seems to be “better than nothing;” any prisoner’s success looks impressive, and seems a testament to a prisoner’s exercise of agency and individual choice in spite of incredible odds. However, such romantic and idealized representations typically champion an extraordinary individual or small group of individuals who were able to rise above their circumstances, use the resources available to them particularly effectively, and pull themselves up by their “boot-straps,” and as a result they may set up unrealistic expectations for all prisoners. As discussed earlier in Chapter Three, traditional prison redemption narratives such as the films *Malcolm X* and *Dead Man Walking* often depict prisoners who are changed through the programs or ministries offered by the prison, and so in many ways present prison “success stories” suggesting that the opportunity for transformative change is there for any inmate willing to take advantage of it. Similarly, in Eve Ensler’s documentary, the women attest to the positive transformations that have taken place in their lives during prison and Ensler’s workshop. While these individuals are to be commended for their successes, their individualized
representations distract from the larger social and economic issues involved in crime and punishment, such as the changing approaches and economies for rehabilitation programs that I describe in Chapter Two.

Although our celebrations of agency and choice in prison art and writing is often part of an attempt to counteract the dehumanizing effects of contemporary carceral practices, this rhetoric in fact eerily echoes the language of contemporary “just desserts” prison policies that also champion prisoner choice. The cultural shift away from rehabilitation models since the 1980s has resulted in a combined effect of stricter sentencing practices and a steady withdrawal of education resources from prisons. In the context of drastically scaled-back rehabilitation efforts, programs that were once mandatory have become elective, thereby presumably emphasizing prisoners’ “choice” in their rehabilitation. As John Sloop has argued, “[i]n effect, because a policy of just desserts forces the inmate to choose rehabilitation rather than to undergo it as a condition of release, those prisoners who are rehabilitated are represented as more self-made than they had been in the past” (Sloop 161). In other words, what was once available to and expected of all prisoners is now a means of selecting out particularly promising or exceptional inmates. Stories of successful rehabilitation become testaments to the perseverance and exceptionality of individual inmates who manage to succeed in spite of the system, rather than through it.

In the context of decreased funding, the increased reliance on volunteer and largely faith-based programming has further narrowed the kinds of program resources available to prisoners, as well as contributed to the wide disparity of prisoner access to any kind of programming at all. Stories of successful rehabilitation are not only tied to
exceptional inmates, but also to special, selective programs, often reliant on volunteers and volunteer organizations. Both Eve Ensler and Wally Lamb serve as examples of celebrities coming into a prison and offering programs that the prison didn’t have before and needed, and services that the prison/state would be unable to pay for. This is rehabilitation that relies on the intervention of community organizations and volunteers, especially faith-based volunteers. The funding and distribution of such programs is profoundly uneven, typically favoring women’s institutions over men’s, and juvenile institutions over adult. As discussed in Chapter Two, the Bedford Hills prison where Ensler facilitates her workshop has benefitted from the financial and time commitments of numerous celebrities and other affluent volunteers, and it is to their credit that one in five of the inmates is pursuing a college or postgraduate degree. However, when we compare this rate of attrition to that fact that state-wide in New York currently only 1,500 out of 60,000 inmates receive college courses, we can see the wide disparity in such program access for prisoners (Rayman).

MOVING PAST AMAZEMENT

Although we may look to prison writers for critiques of the prison system, just as we look to postcolonial subjects to critique colonial systems of power, we must remember that prison writers are always already implicated in the institutions they depict. This crux of expertise parallels in many ways Lauren Berlant’s analysis of the post-traumatic subject, which she argues “is deemed both to have the most and least expertise over its significance – least because trauma definitionally dissolves the rules of continuity that stabilize self-knowledge over time and most because ultimately no one else can
witness one’s own story” (43). In order to develop a critical response to prison writers (and to post-traumatic subjects) we must theorize a framework for self-knowledge that moves beyond a hierarchy of “most and least” and instead engages the knowledges of self and institution relationally.

The methodological problem for me as a researcher has been to move past this hierarchy, as well as rhetorics of “amazement,” without affirming or denying the value or skill of the artists or the art, and analyze what compels our “amazement,” and how that rhetorical situation affects us. I argue that when we are compelled to say “amazing” we are actually silenced from other forms of critique and engagement. bell hooks theorizes this conflict in trying to critically approach work that we are also personally and politically invested in as a “conflict between pleasure and analysis,” and the assumption that “if you are critiquing a subject it must mean that you do not like it” (7). This is important for scholarship on prison art and writing because we need to be able to offer critiques of and critical engagement with work that we are bringing scholarly attention to in a large part because of personal and political commitments to supporting prisoner voices and changes in U.S. prisons. hooks, who is concerned with the reluctance to critically engage with black authors, argues that “[c]ritiques that offer critical insight without serving as a barrier to appreciation are necessary if black folks are to develop cultural products that will not be simply received, accepted, and applauded because of tokenism, a gesture which simply reinforces paternalistic notions of white supremacy” (7). For hooks, such critical engagement is “more a gesture of respect than it is passive acceptance” (7). This provides an important lesson to scholars studying art and writing by prisoners as well: when we bring attention to prison writing simply to admire it, or to
rescue it, or to show it as exemplar, we are not critically engaging it, and such looking
relations reinforce dominant constructions of the carceral subject. They do not restore
subjectivity to prison authors but instead continue to limit their subjectivity. This is the
crux of rhetorics of amazement – to move past personal investments in and appreciations
for the authors in order to theorize how their work contributes to our larger conversations
about incarceration in this country, and to a changed vision of carceral subjects.

Rhetorical studies has not sufficiently engaged the complex material and
rhetorical dynamics of imprisonment or addressed the need to revise rhetorical
conceptions of the interaction between authorship and material circumstances – the
interaction between rhetoric and discourse. This interaction is perhaps most visible in art
and writing by prisoners, and a methodology combining rhetoric and discourse is crucial
for critically engaging this work, but I argue that such questions of how social and
institutional forces shape rhetorical practices are important for our broader discipline as
well.

Part of the problem is moving beyond sympathy. In this challenge we are again
aligned with much of the current work in postcolonial and feminist transnational theory
concerned with rhetorical configurations of “the suffering ‘other’”; as Wendy Hesford
argues, “cosmopolitan identifications and structures of sentiment alone can not set the
standard of aspiration for global justice” (58). Rhetorics of amazement are configured
around consuming sentimental texts by a suffering other: whether they are positive stories
of art and writing’s transformative effect, or heart-wrenching stories of suffering before
or even during incarceration, such sentimental frameworks limit our response to
incarcerated authors, and perhaps action on behalf of the incarcerated, as they work
within the looking relationships imposed by carceral institutions and our larger cultural discourses of criminality. As Lauren Berlant argues, sentimentality has been “deployed mainly by the culturally privileged to humanize those very subjects who are also, and at the same time, reduced to cliché within the reigning regimes of entitlement or value” (Berlant “Poor Eliza” 636). The only way to help establish the subjectivity of the prison artist and writer is to critically engage it – to move past amazement and admiration, and thereby also implied binaries of suffering/not suffering and inhuman/human.

CONCLUSION

Although rhetorics of empowerment and agency abound in mobilizations of prison art and writing, this writing must be viewed outside of simplistic binaries of suffering and agency in order to realize any significant change in the status and treatment of prisoners. In order to do so, we need to pay attention to the ways in which material and discursive contexts shape not only the production of prison writing but also our reception of it. As I argue in Chapter Four, often the explanations for women’s crime that best serve us theoretically (as well as politically) may oppose the lived experiences of individual prisoners, or the understandings of their experiences that best serve them. Similarly, when we view prison art and writing through such sentimental and romantic frameworks, out of a desire to access and mobilize evidence of suffering through testimony, we define our looking relationships around constructions of our own generosity, or what Sara Ahmed calls “feeling fetishism,” where “feelings of compassion are fetishized by being cut off from histories of production” (36). In the case of prison writing, our interest in prison writing becomes driven by our own desire for “amazement,” and our own needs
for evidence of “empowerment,” rather than in an investigation of the material and discursive circumstances that shape the productions of such texts.

As I have argued throughout my dissertation, writing and art often serve multiple purposes for prisoners. It provides an important artistic or therapeutic outlet, and an opportunity for self-exploration for many inmates. It can also be an important part of inmates’ communications, both with family and friends and also with other inmates: they may communicate through coded messages in their art and writing, and may also rely on group meetings to see and communicate with fellow inmates. Participation in these and other recreational programs, particularly when they are able to produce a final product that they can show, can help inmates demonstrate their good behavior and may assist them in making a case for their release; additionally, the programs themselves are often only available as a reward for inmates who have already demonstrated good behavior. Although inmates in most adult facilities have the opportunity for prison employment, art and writing programs provide an opportunity for a break in otherwise monotonous schedules, and often bring with them the added draw of treats and gifts brought by program volunteers (books, journals, paper, as well as food and refreshments are a significant draw for many volunteer programs). In the case of Eve Ensler’s group, there was the obvious additional draw of working with Ensler, as well as potentially the draw of the final performance (although it seems that Ensler’s group did not begin with the final performance in mind).

Scholars and activists and the public in general seem to be taking an increasing interest in art and writing by prisoners. After years of repressive prison policies, it seems that we are finally regaining an interest in prisoners as human beings, and wanting to find
out what they have to say about their experiences before and during their incarceration. After decades of retributive justice policies that have not only scaled back prisoners’ access to education and other rehabilitation programs but also their ability to create and share art and writing from the “inside,” volunteer and grant-funded programs are making prison writing and art public again. It may be that we are finally ready to listen to prisoners. However, if we are ready to listen to prisoner voices through their art and writing, we need methods of approaching that art and writing critically – not to be skeptical of the writers themselves, but to better understand how their voices are informed by their institutional and discursive contexts. What I’ve sought to examine throughout this dissertation is the interaction between physical and discursive contexts in prison writing. I argue that by combining rhetorical and discursive methodologies we are better able to recognize the rhetorical choices available to prisoners in their art and writing while also acknowledging the ways in which institutional and public discourses shape their available rhetorical means.
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APPENDIX B: ENDOOTES

Chapter 1: Introduction

1. Not her real name
2. Interview, August 2007

Chapter 2: Agents in Reform

1. The Boston house of refuge, called the Boston House of Reformation for the Employment and Reformation of Juvenile Delinquents, opened in 1826; unlike the houses of refuge in New York and Philadelphia, the Boston House of Reformation was solely for youth convicted of criminal behavior (Brenzel 35). However, in 1841 the Boston House of Reformation merged with the Boylston School, a home for orphaned and neglected children, and thus merged the care of impoverished and delinquent children (Brenzel 36).
2. Earlier asylums, such as the Boston Female Asylum (1800), the New York Orphan Asylum (1806), and the Boston Asylum and Farm School for Indigent Boys (1814) were explicitly founded to care for deserted, orphaned, or abused children (Mennel 13).
3. The Norfolk Prison Colony in Massachusetts, established in 1927, came the closest to resembling the cottage style of earlier women’s reformatories: men housed in small groups and managed by “house-officers.” However, the philosophy behind this institution was far different, based on psychological and sociological models of individualized treatment, characteristic of early-twentieth century emphasis on medical and psychological solutions for criminality. (See Rotman 181).
4. The grants – which included the GI Bill among several others – became known as the “Pell Grants” after the role U.S. Senator Claiborne Pell played in protecting the grants from elimination by conservative lawmakers; they were renamed in his honor in 1977 (Ubah 75, 76).

Chapter 3: Identifying Choices

1. IRB approval 2007B0052
2. According to the U.S. Department of Justice Bureau of Statistics the number of prisoners under federal and state correctional authority increased by 2.8% in 2006 to 1,570,861; the current rate of population growth, as reported by the U.S. Census Bureau, is 0.9 percent. (see Sabol “Prisoners in 2006”; U.S. Census Bureau)
3. Hendrick’s drawings were collected with other works produced in the ArtSafe class for use in the publication A Caged Bird. ArtSafe owns the publication rights to all of the pictures collected for potential use in, as well as those appearing in, A Caged Bird. All images shown here produced by inmates at the Ohio Reformatory for Women are used by permission of ArtSafe. Images produced by residents at the juvenile corrections facility
were collected during my fieldwork and are used by permission of the artists and, when applicable, their parent or legal guardian.

4. For example, in the juvenile facility there are four behavior levels; each increased behavior level brings increased commissary privileges – a higher limit of money individuals are allowed to spend on commissary items such as food, and a wider range of products they are permitted to purchase. Those at the first level are only permitted to purchase hygiene items; only those at the third and fourth levels are permitted to purchase and wear hair accessories. No make-up is allowed. At the Ohio Reformatory for Women any products purchased by inmates or sent to them by family members must be ordered through the company Access Securepak, which is contracted with the Ohio Department of Corrections as a whole. Similar contracts are used in many states to insure that all items coming into the prison have been securely inspected (and also provide big revenues without competition for the contracted companies).

5. According to public records Hendricks was released from prison in 2007
6. Not her real name – the names of all ArtSafe participants from the juvenile corrections facility have been changed.

Chapter 4: What We Want Their Words To Do To Us

1. Although the film is also produced by Judith Katz, Gary Sunshine, and Madeleine Gavin, in the following discussion I will focus on Ensler and credit her with the film’s production. I am aware of the substantial role that all four individuals played in the production of this film – particularly Judith Katz, who initiated the film’s production and who began a theater workshop at Bedford after completing the film that she continues today. However, Ensler is listed as an Executive Producer of the film; it is Ensler who conceived of and led the writing workshop, and it was certainly Ensler who brought initial notoriety to the project. The film first aired on PBS on December 16, 2003.

2. In her book Insecure at Last, Ensler explains that she first started going to Bedford Hills in 1994, invited to write a movie about women in prison. After completing her work for the film, Ensler began a writing group on her own.

3. Maud Kersnowski states in her review of the film that footage of the writing group consisted of about forty classroom sessions, a single day of planned shooting, the performance in the prison, and a rehearsal session with Ensler and the actors.

4. There is also a fifth legacy that I’m skipping here of the “mad woman”/female lunatic tied to the history of convicting women to insane asylums. This is where most women were sent before there were women’s prisons. Women have always been diagnosed with and treated/confined for mental illness in rates far outnumbering those of men. In fact, according to the Bureau of Justice Statistics, nearly three-quarters (73.1%) of women in state prison in 2005 had a mental health problem, compared to 55% of men in prison (James 6). The legacy of the “mad woman” is a variation on and perhaps combination of discourses of dependence and deviance; however, although this frame does inform some constructions of women’s victimization – as in contemporary defenses for post-partum depression in cases of infanticide, and Battered Women’s Syndrome and pre-menstrual syndrome in murder cases – madness is not a dominant frame in Ensler’s film or in popular representations of criminal women today. (See Allen “At the Mercy of her Hormones”)
5. Pamela Smart, one of the participants in the writing group, is featured in an episode of *Snapped*.

6. Although Ensler does not discuss this film project in her book *Insecure at Last*, this poem is also published in the book. The book includes a longer version; in the film she reads an abbreviated version.

7. For example, the Adoption and Safe Families Act, signed by President Clinton in 1997, has shortened the time frame within which the state can permanently sever parental ties without taking incarceration into account (Solinger 66).

8. According to Travis and Waul, children of incarcerated parents are anywhere from one-half to three times as likely to be arrested their peers.

9. Betsy Ramos was convicted of second-degree manslaughter on March 22, 1999 for helping her boyfriend get hold of a gun that he used to kill a police officer (Fried).

10. According to the U.S. Department of Justice, 44% of all women in correctional populations report experiencing past physical or sexual abuse, compared to 12% of men (Bureau of Justice Statistics, “Prior Abuse” 1). Although it’s important to remember that men’s rates of reporting abuse are often much lower than women’s, in the general population it is also true that women’s rates of abuse, particularly sexual abuse, remain much higher than men’s.

11. The Weathermen, or Weather Underground Organization, drew public attention in the 1970s for a series of bombings primarily enacted in protest of the Vietnam War and of western capitalist expansion more generally. The bombing attacks mostly targeted banks and government buildings. Education theorist and anti-war activist Bill Ayers was also a leading member of the Weather Underground. The Weather Underground largely disintegrated after the decline of the Vietnam War in 1973, and Judith Clark and Kathy Boudin, along with others, formed the May 19 Communist Organization (M-19CO), an organization that partnered with the Black Liberation Army (BLA). Clark and Boudin are both in prison for their participation in 1981 in an attempted robbery of a Brinks truck and the shooting deaths of a Brinks guard and two police officers. Clark was convicted of three counts of murder and sentenced to three consecutive 25-year-to-life sentences. Boudin pled guilty to one count of felony murder and robbery and was sentenced to twenty years to life. Boudin was granted parole on September 17, 2003. Her son, one at the time of her robbery, was raised by Ayers and his wife while Boudin was in prison. (see Jacobs)

12. The issue of agency is particularly interesting in Clark’s case because her appeals in recent years have been based on the argument that she should not have been allowed to represent herself during her 1983 trial. During her original trial Clark, then 32, demanded the right to represent herself, despite the judge’s repeated urging that she accept legal help. She then boycotted the proceedings and refused to come to court. In 2002 Clark reversed this stance, and initiated appeals on the grounds that the judge should never have let her represent herself. Although a Manhattan Federal Court ruled in Clark’s favor in 2006 and ordered a new trial, the 2nd US Circuit Court of Appeals overturned this ruling in January 2008, ruling that Clark “knowingly and intelligently exercised her constitutional right” to dismiss her lawyer and to stay away from the court (Fodaro; “Justice”). The 2006 article announcing the initial ruling in favor of a new trial is interesting because, although the ruling was on the grounds that Clark “effectively had
no legal counsel at her trial in 1983, when she chose to represent herself and then boycotted some of the proceedings,” friends and supporters of Clark interviewed for the article cite her rehabilitation as reasons for her release. Although the grounds for the new trial effectively paint Clark as a victim of herself, Leon Friedman, one of her lawyers, states in an interview that “She’s a changed woman. …. She is very sorry for what happened. She realizes what a terrible mess she made. She has taken all kinds of constructive steps in her life, and she’s a different human being than the one who took part in those terrible events” (Fodaro).

13. Interview included as an additional feature on the DVD.
14. Although Glenn Close had been involved with Ensler in a prior film project at Bedford Hills, and (along with some of the other actors) remains involved in their Puppies Behind Bars program and other programs, in the context of the documentary it appears the actors visit the prison for the first time when they come for their performance.
15. Pulino pled not guilty on the basis of self-defense and the rape trauma syndrome and Post Traumatic Stress Disorder that she was suffering from at the time. Although her defense had provided a clinical psychologist prepared to testify that Pulino’s shooting was a reaction to extreme trauma, the trial judge refused to allow this testimony as a way of penalizing Pulino for not disclosing that she had had a sexual relationship with her victim prior to her rape (although she had disclosed this to officials earlier) (Goodman).
16. In an interview with Ensler, included on the DVD as a bonus feature, Ensler states that in forming her writing group she chose a “cross-section of women who I thought would a) benefit from a group, but who I thought would really want to be in this kind of group.”
17. There is a Discussion Guide for the film available through PBS. The guide provides helpful discussion questions and guidance for showing the film and using it to teach, but still no background about Ensler’s group or direct guidance for forming your own writing group.
18. An article about the film published in Independent magazine reports the following: “Because of Ensler’s relationship to the Bedford Hills’ Superintendent, Elaine Lord, [film producer Judith] Katz was able to get approval from Albany to bring a camera into both the writing group and the prison performance. As in all prisons, access was very limited due to security.” According to the article, Elaine Lord is “one of the most progressive [prison superintendents] in the country,” and Ensler states that Lord “worked very hard to make programs that they don’t have at other prisons.” (Kersnowski)