

Book Review

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THE STRUGGLE FOR DOMINANCE: PRISONS, POWER AND
SEXUAL VIOLENCE

Reviewing:

Don Sabo, Terry Kupers & Willie London, eds., *Prison Masculinities*, Philadelphia: Temple University Press, 2001, 279 pp.

The modern prison emerged as a radical alternative to the infliction of bodily pain that had been the common mode of punishment before the middle of the nineteenth century. The gruesome nature of this penal tradition was captured famously in Michel Foucault's description of the execution of Robert-Francois Damiens in 1757:

... the flesh will be torn from his breasts, arms, thighs and calves with red-hot pincers ... and, on those places where the flesh will be torn away, poured molten lead, boiling oil, burning resin, wax and sulphur melted together and then his body drawn and quartered by four horses and his limbs and body consumed by fire.¹

Between 1770 and 1840 there was a shift from the physical to the spiritual, from breaking the body to reforming the mind. Whipping, branding, the stocks and public hangings were replaced by surveillance, silence, routine and strict obedience. The intended result of these new systems of control was reform through compliance and docility.² This tendency reached its apotheosis in Jeremy Bentham's idea of the Panopticon, a prison designed

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¹ MICHEL FOUCAULT, DISCIPLINE AND PUNISH 3 (1977). The execution of Damiens was unusually savage. He had attempted to kill King Louis XV and, unsure of the appropriate punishment to inflict for such a heinous crime, the judges imposed the same sentence as had been awarded to the previous regicide in 1610. The French authorities had not quartered anyone in the intervening years and they would never do so again. See Pieter Spierenburg, *The Body and the State: Early Modern Europe*, in THE OXFORD HISTORY OF THE PRISON (Norval Morris & David Rothman, eds., 1995).

² See for example the account of life in London's Pentonville prison in MICHAEL IGNATIUS, A JUST MEASURE OF PAIN (1978).



so that its occupants could never be sure whether they were under observation. This massive shift from *corporal* to *carceral* punishment has been the subject of much penological discussion.³

Recent technological advances have enabled levels of supervision and isolation far beyond Bentham's wildest imaginings. Today's prisons are festooned with cameras, movement detectors and alarms. There is nowhere to hide from the supervisory gaze. Constant monitoring has become an end in itself, divorced from its original rationale. It is a cruel irony that the mortification of flesh (through rape, beating and murder) continues, now as an unintended consequence of punishment.⁴ There is sometimes a gruesome merging of the corporal and the carceral, evidence that the latter has not entirely displaced the former. Compare the following account of the Santa Fe prison riot in 1980 with the execution recounted above:

Four or five inmates hold a man down as another burns his head and face with a blowtorch. When his eyes explode out of the back of his head, the inmates burn his groin, then mutilate the body with shanks and torch him again. When they are through, one seared corpse, a man who weighed over 200 pounds, will weigh less than 50 pounds.⁵

That a prisoner in the late twentieth century can be butchered by his peers in a fashion similar to a mid-eighteenth century execution is graphic evidence that prisons are not places of discipline, safety and personal

³ An analysis of the relationship between penalty and social structure is given in DAVID GARRAND, *PUNISHMENT AND WELFARE: A HISTORY OF PENAL STRATEGIES* (1985). Peter Young has argued that for a fuller understanding of the history and sociology of punishment we must also consider the position of resource-based sanctions such as the fine, where a different set of relationships exists between power, liberty and the body (*The Fine as Auto-Punishment: Power, Money and Discipline*, in *CRIMINAL JUSTICE IN SCOTLAND* (Peter Duff & Neil Hutton, eds., 1999)).

⁴ State violence has not been completely replaced by private violence, however. In some jurisdictions prisons coexist with capital punishment, although of a more sanitised (if no less barbarous) variety: the hypodermic needle has replaced the pincers. This is another example of the failure of the prison to leave the body intact while punishing the soul. See ROGER HOOD, *THE DEATH PENALTY: A WORLD WIDE PERSPECTIVE* (1996); William Schabas, *International Norms of Execution of the Insane and the Mentally Retarded*, 4 *CRIM. L. FORUM* 95 (1994).

⁵ ROGER MORRIS, *THE DEVIL'S BUTCHER SHOP: THE NEW MEXICO PRISON UPRISING 100* (1983). The riot at Santa Fe, which cost the lives of thirty three inmates, was staggering in its violence, but not unique. In September 1971, a total of forty-three citizens of New York died at Attica Correctional Facility, thirty-nine of them during the fifteen minutes it took police to regain control of the prison. This was one of the bloodiest encounters between Americans since the Civil War. See REID MONTGOMERY & GORDON CREWS, *A HISTORY OF CORRECTIONAL VIOLENCE: AN EXAMINATION OF REPORTED CAUSES OF RIOTS AND DISTURBANCES* 68 (1998).

development. Victimization is routine and fear is pervasive.⁶ There is an extensive literature on suicide,⁷ homicide,⁸ riots,⁹ assaults,¹⁰ and the problem of order maintenance.¹¹ Little is known however about the extent to which these difficulties may be exacerbated by questions of gender. *Prison Masculinities* considers the extent to which being a man adds to the pains of confinement.

Three distinct social structures – labour, power and sexuality – underpin gender relations in the wider community.¹² In an environment without women, some men must adopt the feminine role if these structures are to be perpetuated. This adoption is often coerced. *Prison Masculinities* presents a vivid account of the subculture of violence that permeates prison life in the United States of America. Penal institutions are depicted as crucibles of masculinity: places where distorted – and destructive – forms of male identity are forged. In the bleak view of prison life given in this book, those who do not fit the mould are destroyed. Only “real men” can survive the unrelenting struggle for domination that marks the passage of time behind bars.

A heavy emphasis is placed throughout *Prison Masculinities* on the rigid nature of the prison hierarchy – prisoners are ranked according to their fighting ability and manliness. Those who show any sign of weakness or effeminacy (the two are equated) are seen as legitimate targets. “If a man tries to take his own life and fails, and there are visible scars on his wrist or neck, he is labelled a weaking and is likely to be victimized and

⁶ Ian O'Donnell & Kimmitt Edgar, *Reasons for Victimization in Prisons*, 37, *HOWARD JOURNAL OF CRIME JUSTICE* 266 (1998); Ian O'Donnell & Kimmitt Edgar, *Fear in Prisons*, 79, *THE PRISON JOURNAL* 90 (1999).

⁷ ALISON LIEBLING, *SELDOMES IN PRISON* (1992).

⁸ Frank Porporino, Phyllis Doherty & Jerome Szwabsky, *Characteristics of Offenders, Victims and Victimization in Prisons: A Canadian Historical Perspective*, 89, *US JOURNAL OF GENDER THERAPY & COMP. CRIMINOLOGY* 128 (1987).

⁹ ROBERT ADAMS, *PRISON RIOTS IN BRITAIN AND THE USA* (1994).

¹⁰ Anthony Bottoms, *Interpersonal Violence and Social Order in Prisons*, 40, *CRIME AND JUSTICE: A REVIEW OF RESEARCH* (Michael Tonry & Joan Petersilia, eds., 1999); Kimmitt Edgar and Ian O'Donnell, *Assault in Prisons: The Victim's Perspective*, 38, *BRIT. J. CRIMINOLOGY* 635 (1998).

¹¹ RICHARD SPARKS, ANTHONY BOTTOMS & WILF HAY, *PRISONS AND THE PROBLEM OF ORDER* (1996).

¹² ROBERT CONNELL, *GENDER AND POWER* (1987). See also JAMES MESSLER-SCHMIDT, *MASCULINITIES AND CRIME* (1991); SANDRA WALKER, *GENDER AND CRIME: AN INTRODUCTION* (1995); Tony Ehrenreich & Pat Carlen, eds., *MASCULINITY, SOCIAL RELATIONS AND CRIME* (1996), special issue of *BRIT. J. CRIMINOLOGY*.

possibly raped".¹³ One of the contributors to the volume, a man who spent twenty-five years behind bars, describes prison as a place "where mercy is on extended vacation".¹⁴ These are desolate places where real affection is given furtively.

Daily activities are governed by the prison "code", a universally understood set of beliefs about appropriate standards of conduct. The code includes the following tenets: suffer in silence; never admit you are afraid; do not snitch; do not trust anyone; always be ready to fight, especially when your manhood is challenged. Guards subscribe to this code too. In Corcoran State Prison, California, guards set up fights between rival gang members by releasing them into the yard at the same time in order to bet on the outcome. As soon as a winner became apparent the guards would order the prisoners to desist and would open fire if they disobeyed. Between 1988 and 1996, fifty prisoners were shot in this manner, seven fatally.¹⁵ The guards were cynically taking advantage of the fact that the prisoners would feel honour bound to fight if given the opportunity, as to display weakness is unmanly. Thus they became reluctant gladiators, their will to live overwhelmed by their need to be a man.

Stephen Donaldson's contribution to the book under review appears posthumously, the author having died, aged 49, of AIDS. His infection resulted from multiple gang rapes in a Washington DC jail where he had been incarcerated for trespass at the White House during a Quaker protest against the bombing of Cambodia. Donaldson describes how the sexual penetration of a prisoner is seen as a validation of the penetrator's masculinity. Victims are considered to have "lost their manhood". They have been "converted" from men into "punks". A "real man" would never allow himself to be "turned out". The only way to avoid repeated trauma is to pair off with a stronger prisoner who will offer protection in return for sexual passivity and the performance of "... 'wifely' chores, such as doing laundry, making the bunk, keeping the cell clean, and making and serving coffee".¹⁶ This sexual slavery can be seen as an extension of the "normal" heterosexual division of labour.

Prison Masculinities reproduces some of the letters received by Donaldson when he was director of the organisation Stop Prisoner Rape.¹⁷ This correspondence is harrowing. One ex-prisoner describes how

¹³ PRISON MASCULINITIES (Don Sabo, Tony Kupers & Willie London, eds., 2004) p. 117.

¹⁴ *Ibid.*, p. 138.

¹⁵ *Ibid.*, p. 12.

¹⁶ *Ibid.*, p. 120.

¹⁷ *Ibid.*, p. 127.

"[o]ccasionally my man would use my mouth to relieve himself instead of making the effort to go to the toilet"¹⁸ and "... he would masturbate me while his friends would take turns raping my mouth".¹⁹ It is sickening to imagine that those in the custody of the State can be so viciously degraded. The politicians who enthusiastically prosecute wars on crime should read these letters. If they had a genuine understanding of the damaging potential of incarceration a more parsimonious approach to custody might apply.

Rampant homophobia coexists with high levels of male rape. Again, heterosexual relations are seen through the distorting lens of the prison. Sexual violence is only partly related to sexual gratification and is never about mutual fulfilment. It is a stark demonstration of power: "A key locus through which domination and subordination are constructed is sexuality ... The act of prison rape is clearly tied to the constitution of intermale dominance hierarchies."²⁰ In this way there are parallels with heterosexual rape outside prisons. Indeed there are further similarities in that despite its prevalence, prison officials and civilians often deny or fail to recognise the problem, and victims who take official action risk disbelief, ridicule or reprisals.

Those who raped and sexually abused outside prison (especially if the victims were children) are reviled by those who rape and sexually abuse within prison. As they had violated the normative – heterosexual – order outside prison they are considered unworthy of anything but contempt inside. In the twisted sexual politics of the prison men who rape other men still think of themselves as "straight", and their victims as "fags" or "bitches".

Due to the strong prohibition against informing staff of victimisation it is difficult to estimate with any degree of accuracy the level of prisoner rape. Messerschmidt suggests that one in five male inmates in the United States has been raped.²¹ Elsewhere, Gilligan has written of the "near-universality" of prison rape.²² He sees the sexual abuse of prisoners by their peers as a savage extension of the sentence of the court, and opines

¹⁸ *Ibid.*, p. 131.

¹⁹ *Ibid.*, p. 129.

²⁰ *Ibid.*, p. 11.

²¹ *Ibid.*, p. 67.

²² JAMES GILLIGAN, VIOLENCE: REFLECTIONS ON OUR DEADLIEST EPIDEMIC 165 (2000); DANIEL LOCKWOOD, PRISON SEXUAL VIOLENCE 18 (1980) found that 28 per cent of a random sample of prisoners had "been targets of sexual aggressors at some time in their institutional custody". Alan Davis reported that "sexual assaults in the Philadelphia prison system are epidemic". *Sexual Assaults in the Philadelphia Prison System and Sheriff's Van's*, in *SEXUAL DEVIANCY IN SOCIAL CONTEXT* 269 (Clifton Bryant, ed., 1977). However, more recent work suggests lower levels. For example, see Helen Egean-

that it would be difficult to design an environment more suited to the production of angry, brutalised, vengeful and dangerous men.

The most recent figures show that the rate of incarceration stands at 680 prisoners per 100,000 population in the United States of America compared with 400 in South Africa, 125 in England and Wales, 110 in Canada, and 80 in Ireland. Only the Russian Federation is known to have a higher rate (730).²³ Marc Maurer describes some of the consequences of this punitive obsession, in particular its impact on African-American males who now constitute nearly half of all prison inmates despite making up only six per cent of the national population.²⁴ Among black males aged between twenty and twenty-nine years, nearly one in three is in prison, on probation or on parole, and a black male born in 1991 has a 29 per cent chance of going to prison.²⁵

The disproportionate incarceration of minorities has wider implications for civil society. For example, all but four states prohibit prison inmates from voting and 31 states extend this prohibition to periods on parole or probation. Thirteen states disenfranchise convicted felons for life.²⁶ The proportion of disqualified voters is highest in Florida where 700,000 adults (including one in three African-American men) were denied the opportunity to take part in the 2000 presidential election.²⁷ Republican candidate George W. Bush won Florida by 537 votes and this gave him the presidency. One wonders what the outcome might have been if the franchise had been truly universal.

What happens in prisons has consequences for the wider community. By concentrating large numbers of those who are already infected with diseases such as hepatitis, HIV and TB, or engage in practices that make infection likely (such as intravenous drug use or unprotected sex), the prison system "acts as a whirlpool of risk."²⁸ This is in direct contravention of a prisoner's right to safe custody: they are sentenced to serve time, not to die by lethal infection. There is the additional risk to communities when prisoners are released.²⁹ If prisoners are the designated captives of the so-

²³ See, for example, *Prisoners of Punishment: A Report of the Media Commission*, 28 (London: Media Commission, 2006).

²⁴ Robert Williams, *The World Prisoner* (London: Ebury, 2nd ed., 2006).

²⁵ See Maurer, *Prisoners of Punishment*, 43. See also, MAURER, *Prisoners of Punishment*; RICHARD CRIDDLE, *Unsettled: Prisoners in an Age of Turmoil* (Berkeley, CA: University of California Press, 2006); and *THE NEW YORK TIMES*, "African-American Male Imprisoned at Rate of 1 in 3," 15 FEBRUARY 2006.

²⁶ See note 13, p. 87.

²⁷ *Ibid.*

²⁸ Jeffrey Borger, *How to Create a Prison* (London: The Guardian, 28 October 2006).

²⁹ See note 13, p. 77.

called drugs war, then the family members and residents who are infected by the movement of ill prisoners in and out of predominantly low-income communities might well be regarded as civilian casualties".²⁹ They are the collateral damage.

As far as mental health issues are concerned, "male posturing"³⁰ is a factor. Men's general reluctance to admit weakness and seek help is compounded by the risks associated with exposing vulnerabilities in custody. A history of psychiatric treatment may also have implications for parole. According to Kupers, it is not uncommon for mentally ill prisoners to break the rules and be sent to "psychosis-inducing solitary confinement, where the harsh atmosphere worsens their condition".³¹ This is a good example of how men's problems are intensified by their imprisonment.

Work is central to men's gender identity and an absence of satisfying job opportunities is part of what leads them to drugs, violence and crime. This is as true inside prisons as in the community. However, work and training are low priorities for prison administrators. Where prison industry does exist it can be poorly paid and exploitative. Sometimes it is deliberately demeaning. It may also have the unfortunate consequence of leading to job losses in the wider community, thus denying crime prone young men the opportunity to acquire legitimate sources of income. "Will the pressure to be a 'breadwinner' drive some of them into the sub-rosa economy of drugs?" asks Christian Parenti. "Chances are yes. But, hey, there is job training inside".³²

Prison Masculinities contains a number of suggestions for improving prisoner safety. These involve addressing "questions of masculine development, accountability, and responsibility".³³ For example at the Shawangunk Correctional Facility, a maximum-security prison in New York, a small group meets regularly to discuss men's issues in a supportive and mutually respectful environment.³⁴ Although this appears to have been a positive force in men's lives, it is difficult to see it having anything other than a peripheral impact in the absence of major cultural change.

A more radical approach is exemplified by the activity of Men Against Sexism (MAS) in Walla Walla, Washington's most notorious maximum-security prison, in the late 1970s. This extraordinary story is told by

²⁹ *Ibid.*, p. 30.

³⁰ *Ibid.*, p. 32.

³¹ *Ibid.*, p. 35.

³² *Ibid.*, p. 33.

³³ *Ibid.*, p. 39.

³⁴ *Ibid.*, p. 38.

journalist Daniel Burton-Rose.³⁵ MAS was a revolutionary prisoners' group that melded gay liberation and radical feminism with militant direct action. In an attempt to subvert the damaging effects of the prison social structure, it provided "safe cells" for prisoners vulnerable to rape and offered protection to child abusers. Its activities were backed up by an arsenal of firearms and home made grenades that had been smuggled into the institution. In the face of growing hostility from other prisoners the group planned a major escape attempt in July 1978. This was foiled and the ringleaders were shipped out. Afterwards, "MAS quickly slipped into the role of social sewing club for effeminate prisoners".³⁶ This was a unique attempt to change the pattern of inter-male relationships through force. It is unlikely however that the threat (or use) of violence can ever be a catalyst for lasting peace.

The editors of *Prison Masculinities* are to be congratulated for drawing together such an impressive collection of writings. They provide us with a forceful reminder of the negative consequences of an increasing reliance on prison coupled with a decreasing faith in the potential of the individual to change. They highlight the inevitable limitations of imprisonment as a tool of social control.³⁷ The book is packed with interesting insights, and never loses the capacity to shock. It is to be hoped that it will act as a stimulus to further critical enquiry and policy review. It is a welcome addition to the literature on crime, punishment and masculinity.³⁸

However, there are a number of limitations. The book's focus is exclusively on the situation in the United States of America. This introduces an unfortunate bias. While the challenges of masculinity are probably universal, the levels of violence and distress described in *Prison Masculinities* may be uniquely American. There is no evidence that sexual predation and lethal violence are as common in, for example, Britain or Ireland. Neither does prison research in these jurisdictions suggest that the prisoner subculture is as vicious or hierarchical. It is interesting to consider why this might be the case. Perhaps it is due to cultural differences in the operation

³⁵ *Ibid.*, p. 224

³⁶ *Ibid.*, p. 229

³⁷ For reviews of the impact of imprisonment on crime see: William Spelman, *What Recent Studies Do (and Don't) Tell us about Imprisonment and Crime*, in CRIME AND JUSTICE: A REVIEW OF RESEARCH (Michael Lohm, ed., 2000); THE CRIME DROP IN AMERICA (Alfred Blumstein, ed., 2000); FRANKLIN ZIMRING & GORDON HAWKINS, INCAPACITATION, PENAL CONFINEMENT AND THE RESTRAINT OF CRIME (1995).

³⁸ It provides a counterbalance to the bulk of research to date which, according to Joe Sim, has tended to concentrate on "men as prisoners rather than prisoners as men", *Tougher than the Rest? Men in Prison*, in JUST BOYS DOING BUSINESS? MEN, MASCULINITIES AND CRIME 101 (Tim Newburn & Elizabeth Stanko, eds., 1994).

of prison regimes or a different prisoner mix, with a greater proportion of American inmates serving long sentences.³⁹ Maybe it reflects the higher levels of everyday violence in American society.⁴⁰ Alternatively it may be a result of the street culture "imported" by prisoners in the United States,⁴¹ especially the emphasis on gang membership.⁴²

In a recent article, Michael Tonry has described America's uniquely harsh approach to punishment as an example of its "exceptionalism".⁴³ It is difficult to estimate the extent to which the issues highlighted in this book are just another example of this tendency. Comparative research is needed to test the limits of the arguments put forward.

One important omission is any discussion of the racial dimension of prison violence. In a recent review it was claimed that "... racial hatred of whites by blacks appears to be the main force driving prison rape".⁴⁴ The preponderance of white victims may require explanation in terms other than crises of masculinity. It is clearly the case that the masculine imperative shapes prison behaviour, but this may be "trumped" in some circumstances by other factors, including race. If prison violence is to be fully understood it is crucial to broaden the discussion of masculinity to include a racial element.

A final observation. The book is unrelentingly grim. While prison is by its nature brutalising there are occasions when it may act as a catalyst for positive change in an individual's life. Some custodial staff are kind and caring, and meaningful and enduring relationships may develop between prisoners. Most prisoners want to do their time as quietly as possible and most survive prison physically intact. Notwithstanding these shortcomings the editors of *Prison Masculinities* have succeeded in their objective of making gender relevant to understanding the lives of men in prison.⁴⁵ By exposing a deeply flawed system they have thrown down the gauntlet to

³⁹ See for example Andre Kuhn, *Incarceration Rates Across the World*, 30/2 OVERCROWDED TIMES 18 (1999).

⁴⁰ The homicide rate per 100,000 population in 1998 was 6.3 in the United States compared with 1.4 in England and Wales and Ireland, 1.2 in Germany and 1.8 in Australia (Gordon Barelay & Cynthia Tavares, *INTERNATIONAL COMPARISONS OF CRIMINAL JUSTICE STATISTICS 1998* 10 (2000)).

⁴¹ See ELIJAH ANDERSON, *CODE OF THE STREET: DECENCY, VIOLENCE AND THE MORAL LIFE OF THE INNER CITY* (1999).

⁴² Robert Fong, *The Organization and Structure of Prison Gangs: A Texas Case Study*, (March 1990) FEDERAL PROBATION 86.

⁴³ *Why Are US Incarceration Rates So High?*, 10/3 OVERCROWDED TIMES 8 (1999).

⁴⁴ Gordon Knowles, *Male Prison Rape: A Search for Causation and Prevention*, 38 HOWARD J. CRIM. JUSTICE 275 (1994).

⁴⁵ *Supra* note 13, p. 4.

politicians, prison administrators and prisoners themselves. It is in all our interests to do what we can to prevent the routine destruction of human lives.