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In the Belly of the Beast: Letters from Prison

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IN THE BELLY OF THE BEAST: LETTERS FROM PRISON. By *Jack Henry Abbott*. New York: Random House. 1981. Pp. xvi, 166. Cloth \$11.95; paper \$2.95.

A society with a better understanding of prisons probably would never have incarcerated Jack Abbott, and certainly would never have released him. In retrospect, Abbott's return to homicide¹ and thus to prison followed his confinement and release with the inevitability, if not the proportions, of Greek tragedy.² That the inexorable pressures of total institutions could render this outcome inevitable for an individual of Abbott's intelligence and resolution is a stark confirmation of two hard facts: first, that prisons twist and corrupt those they confine; and second, that prisons can and should protect society by incapacitating violent criminals.

These truths are widely perceived, but rarely by the same observers.³ Abbott's book brings them together, by making fear the consequence of empathy. A literate and sensitive description of an institutional hell appeals to our sense of justice and excites our sympathy. The perverse and violent psychological consequences of confinement, revealed unmistakably in the rhetoric of such an account, are then understood as the natural human response to an unnatural environment. But the deeper our understanding becomes, the more fearful we are of what so destabilized an individual might do if unconfined. Viewed as an artifact of institutionalization, then, *In the Belly of the Beast* demonstrates — if only by a single example — a bitter but essential lesson for penal policymakers: Do not confine whom you would not destroy.

I

Of Abbott's talent there can be no doubt. A prison psychologist mea-

1. Abbott, with the benefit of Norman Mailer's influence, was released on June 5, 1981. On July 19, 1981 he fatally stabbed an aspiring actor, Richard Adan, outside an East Village all-night diner, evidently in a dispute about the use of the employees' toilet. See generally Farber, *Freedom for Convict-Author: Complex and Conflicting Tale*, N.Y. Times, Aug. 17, 1981, § A, at 1, col. 3.

2. See, e.g., McGivern, *Honor Among Thieves*, 28 CRIME & DELINQ. 559, 559-60 (1982) ("Abbott's book might have become just another account of prison life, albeit the recipient of more attention than is given to most prison writing. But on July 18, 1981, Abbott fatally stabbed Richard Adan, an actor and aspiring playwright. Abbott was on the run a day before the Sunday New York Times published its review of his book. It was a shocking twist to the story, but, in retrospect, predictable."). Some, of course, did not need the benefit of the fact to predict the consequences of Abbott's release. According to Thomas Bona, director of the maximum-security unit at the Utah penitentiary, "Mr. Abbott was a dangerous individual who should be given a rehearing in two years. I had known him when he was in Utah before, and I didn't see a changed man. His attitude, his demeanor indicated psychosis." N.Y. Times, Aug. 17, 1981, § B, at 4, col. 5. The more important point is that such psychosis is predictable among those emerging from penitentiaries.

3. Compare, e.g., R. CLARK, CRIME IN AMERICA 212-38 (1970) (discussing prisons as "factories of crime" with little suggestion that while confined the imprisoned do not harm society) with J. WILSON, THINKING ABOUT CRIME 200 (1975) (discussing the incapacitative benefits of imprisonment, but not its cost in recidivism).

sured his I.Q. at 135;⁴ the character of his unsolicited correspondence caught the admiration of Norman Mailer. The excerpts from his letters to Mailer collected in the book make compelling, if exhausting, reading. Consider Abbott's concluding comment on solitary confinement:

A man is taken away from his experience of society, taken away from the experience of a living planet of living things, when he is sent to prison.

A man is taken away from other prisoners, from his experience of other people, when he is locked away in solitary confinement in the hole.

Every step of the way removes him from experience and narrows it down to only the experience of himself.

There is a *thing* called death and we have all seen it. It brings to an end a life, an individual thing. When life ends, the living thing ceases to experience.

The *concept* of death is simple: it is when a living thing no longer entertains experience.

So when a man is taken farther and farther away from experience, he is being taken to his death. [Pp. 52-53 (emphasis in original throughout this Notice).]

Mailer describes Abbott's style as "intense, direct, unadorned, and detached" (p. x); it is not difficult to see why.

It is difficult, however, to read the book on its own terms. The selection and organization of the letters were made, not by Abbott, but by his editor at Random House, Erroll McDonald. While McDonald's editorial judgments have distilled a superbly readable book from a chaotic mass of correspondence, the result is an artifact and not a statement. Abbott himself is on display, not in presence.

The poverty of Abbott's normative claims — emphasized by the intense precision of his descriptions — confirms the principally artifactual importance of the book. Abbott's discussion of communism, for example, contains statements which are so empirically false, or morally suspect, that the reader is likely to dismiss them as absurd. Examples include: "Lenin, Stalin, and Mao teach the highest principles of human society" (p. 100); "*This* is the most unjust and oppressive country in the whole world, and I'm not going to go into lawyerlike details and comparisons" (p. 108); "America is *worse* than the Soviet Union—" (p. 108). One understands where such opinions come from; for Abbott, America is the most unjust country in the world, because all he has seen of it is prison. But precisely for that reason the reader will find no political discourse of the slightest merit in the book.

The fact that prison can inspire such political convictions, so foreign to received Liberal values, however, is evidence of the institution's profound power to affect the individuals there confined. As an artifact, as tangible evidence of what prisons do to those imprisoned, *In the Belly of the Beast* is of the highest value. What does Abbott's book reveal about American penal policy?

II

Abbott is a master of terse, descriptive prose. His account of life in

4. N.Y. Times, Aug. 17, 1981, § B, at 4, col. 1.

prison teaches much about the realities of the penitentiary. We learn first (pp. 3-22) that Abbott entered institutions as an unwanted and (this is less clear) delinquent boy. The juvenile institutions Abbott grew up in were very much like prisons; the Utah "training school" was nicknamed the "gladiator school." Like many more-or-less permanent prisoners, Abbott suffers from "arrested adolescence"; never having matured in society at large, he cannot deal maturely with his environment (pp. 11-13). Here, then, is one lesson: Institutionalizing a person tends to become a perpetual solution. And while the juvenile institutions of a generation ago were surely worse, those we operate today are still very much brutal and dangerous places.⁵

Abbott's second chapter discusses "varieties of punishment" (pp. 23-42); he devotes the third to solitary confinement (pp. 43-53). One may seriously discount Abbott's claims of prison oppression⁶ and still conclude that a sentence to the penitentiary is brutal punishment indeed. Beatings, gassings, and starvation diets may now be rare; but solitary confinement, psychotropic drugs, and simple callousness are contemporary realities. And Abbott's description of what he was subjected to does not seem beyond the capacity of prison guards to inflict or prison administrators to tolerate. He had little to gain by exaggerating prison brutality (indeed, that would have made his release less likely), and mainstream observers confirm that exaggeration is scarcely required to depict the prison experience as brutal beyond the limits of ordinary understanding.⁷

More interesting is Abbott's account of the relationships among inmates (pp. 65-86). The pervasiveness of prison paranoia is striking: "There is no 'camaraderie' among prisoners as a whole any more; there is a system, a network of ties between all the tips (prison cliques) in the prisons, and it's this that resembles 'comradeship' in general. Most prisoners fear almost everyone around them" (p. 72). Paranoia, in turn, fuels preemptive violence:

In prison we are all polite to each other: formal in our respect. We are serving years. If I have a verbal disagreement with someone, and I'm in the wrong, my apologies are given sincerely. But if I'm in the right and some asshole is wrong and he knows it, I have to see his face every day. If he threatened to kill me, I have to see him day in, day out for years. This is what leads to killing over a seemingly trivial matter. *All the violence in prison is geared for murder*, nothing else. You can't have someone with ill feelings for you walking around. He could drop a knife in you any day. [P. 75.]

And since killing with the knife requires proximity, and therefore deception, the absence of any evident hostility cannot dispel the paranoia.

Two other factors contribute to the seething violence among prisoners.

5. See, e.g., K. WOODEN, *WEeping IN THE PLAYTIME OF OTHERS: AMERICA'S INCARCERATED CHILDREN* (1976).

6. Some have done so. See Irwin, *Introduction*, 28 *CRIME & DELINQ.* 510, 512-13 (1982) (expressing doubt about the veracity of Abbott's claims to have ingested insects while on starvation diets and to have sodomized his first homosexual assailant).

7. See R. CLARK, *supra* note 3, at 213; A. VON HIRSCH, *DOING JUSTICE* 115 (1976) ("Brutality, physical and psychological, is always difficult enough to control in a closed setting . . .").

One is race; as Abbott describes, prison alters the balance of power among racial groups, so that those oppressed on the outside become dominant groups within. "Society, which has never in reality accepted blacks as equals, gives them 'equality' *only* in prison, where they immediately exploit that equality to get back in prison what society outside prison deprives them of: power" (p. 151). The organization of the prison population into armed camps along racial lines contains an obvious potential for lethal violence.

The other element is homosexuality; Abbott describes prison sexual deviance as an expression of the desire for power. The aggressive prisoner aggrandizes himself by expressing contempt for his sexual victim (pp. 80-81). This psychology is more than enough to lead to murder. Abbott, for example, proudly claims to have turned the tables, at knife-point, on his first homosexual assailants (p. 79).

Violence and the fear of violence, then, pervade the penitentiary. How does this environment affect the mind of the prisoner?

III

Abbott's rhetoric reveals what has happened to his mind. The chief element in that rhetoric is the celebration of violence as a political and erotic act. Politically, the prison denies the inmate autonomy; only the expression of effective power can reclaim that loss.⁸ The only sexual expression permitted by the prison is homosexual exploitation, which ultimately merges with the expression of power through violence.⁹ These connections repeatedly reveal themselves in Abbott's glorification of homicide by the knife:

This thing I related above about emotions is the hidden, dark side of state-raised convicts. The foul underbelly everyone hides from everyone else. There is something else. It is the other half — which concerns *judgment, reason* (moral, ethical, cultural). It is the mantle of pride, integrity, honor. It is the high esteem we naturally have for violence, force. It is what makes us *effective*, men whose judgment impinges on others, on the world: Dangerous killers who act alone and *without* emotion, who act with calculation and principles, to avenge themselves, establish and defend their principles with acts of murder that usually evade prosecution by law; this is the state-raised convicts' conception of manhood, in the highest sense. [P. 13.]

8. See Gerson, *On Powerlessness*, 28 CRIME & DELINQ. 533, 536 (1982):

Admittedly, impotence will almost always produce some form of fear, frustration, or anger; yet the sheer magnitude of powerlessness experienced in prison cannot but severely debilitate all but the very strongest and most determined. (Recall when you were an adolescent, how frequently annoying it was to be told what to do by your parents; imagine, then, the sensation of constantly being told what to do as an adult.) The aggravated seriousness of successive recidivist offenses cannot be attributed wholly to a heightened awareness of or an enhanced proficiency in criminal methods — prison isn't a crime school — but to a subtle cumulative anger, which can only be satisfied by increasingly excessive antisocial behavior. This is not to say that such anger can never be quelled or extinguished, but, if left unresolved, this type of inner turmoil — which is perhaps the ultimate product of powerlessness — has the potential to explode.

See also pp. 120-21 (prisons instill the psychological capability or will to commit crimes, rather than teaching criminal techniques: "If you can kill like that, you can do anything.").

9. See, e.g., p. 80 ("In prison, if I take a punk, *she is mine*. He is like a slave, a chattel slave. . . . [But] [a]nother prisoner can take her from me if he can dominate me.").

So, like the bull fight, prison violence rises to the level of an art (pp. 72-75).¹⁰ The negation of the prison becomes the highest good, and it is by killing that the prisoner's "judgment impinges on the world."¹¹ In short, the prison environment renders sexual identity and personal dignity dependent on the willingness to kill.

If Abbott were only a brilliant psychopath, his case would not really say much about how prisons affect the majority of their inmates. But the subversion of Abbott's values to the worship of violence is perfectly consistent with more general explorations of the prison environment. One such investigation is the notorious study of Professor Phillip Zimbardo.¹² Zimbardo established a mock prison for the purpose of testing the psychological consequences of incarceration. The guards and prisoners were recruited from "mature, emotionally stable, normal, intelligent college students from middle class homes."¹³ Zimbardo had intended to run the experiment for two weeks; instead, he shut it down after only six days. The "guards" had become authoritarian and sadistic; the "prisoners" servile and vicious.

Both Abbott¹⁴ and Zimbardo¹⁵ trace such perverse behavior changes to the possession by the guards of arbitrary power over the prisoners. As we have seen, the denial of the prisoner's autonomy spurs the expression of power in acts of violence. If this effect operates on Stanford undergraduates, it surely must operate on the representatives of the underclass who

10. Abbott's view of homicide as an art form does not seem insincere:

You see his eyes: green-blue, liquid. He thinks you're his fool; he trusts you. You see the spot. It's a target between the second and third button on his shirt. As you calmly talk and smile, you move your left foot to the side to step across his right-side body length. A light pivot toward him with your right shoulder and the world turns upside down: you have sunk the knife to its hilt into the middle of his chest. Slowly he begins to struggle for his life. As he sinks, you will have to kill him fast or get caught. He will say "Why?" or "NO—" Nothing else. You can feel his life trembling through the knife in your hand. It almost overcomes you, the gentleness of the feeling at the center of a coarse act of murder. You've pumped the knife in several times without even being aware of it. You go to the floor with him to finish him. It is like cutting hot butter, no resistance at all. They always whisper one thing at the end: "Please." You get the odd impression he is not imploring you not to harm him, but to do it right.

[P. 74].

11. For yet another sample of Abbott's identification of murder, manhood, and strength, see p. 122:

To discover that there was no basis for your anxieties about murder is a feeling similar to that of a young man who has doubts about being capable of consummating his first sexual encounter with a woman — and when the time comes, if he did not perform magnificently, at least he got the job done. You feel stronger.

12. Zimbardo's description of his study is published in R. SINGER & W. STATSKY, *THE RIGHTS OF PRISONERS* 551 (1974).

13. *Id.* at 551.

14. It would seem to be an irony but it is not: *prisoners do not make guards to be what they are*. Neither does society in general. The *state* does. It gives them *arbitrary* power over prisoners. They embrace it *as a way of life*. That is the source of their evil.

P. 61. Reconciling this view of the source of prison brutality (the experience of which forms the basis for Abbott's political theorizing) with totalitarian ideology is not undertaken in Abbott's book. Many of his ideas, however, developed in isolation from each other; the opportunity for political dialogue in maximum security is, obviously, limited.

15. See R. SINGER & W. STATSKY, *supra* note 12, at 554 ("No man wants to be enslaved. To be powerless, to be subject to the arbitrary exercise of power, to not be recognized as a human being is to be a slave." (quoting Zimbardo)).

compose the bulk of the inmate population. And if it can operate on Abbott, intelligent and resolute as he is, this psychological pressure must be powerful indeed.

IV

Abbott's book makes personal and articulate the convict's rage. What we might dismiss as perversity in a typical recidivist we see in Abbott as the predictable consequence of the psychological dynamics inherent in the total institution. But it is not enough, for the purpose of thinking about penal policy, to draw from Abbott's story the simple, and familiar, lesson that prisons harden those they confine. For if prison turned Abbott into a killer, at least it also limited his reach. What, after all, of Richard Adan?

We know that committing offenders to the penitentiary is very likely to make permanent, potentially homicidal, criminals of them. This insight has two very different implications. The first is that we should not imprison anyone for whom a workable alternative sanction might exist. The second is that, as the recidivism figures reveal, prisoners exposed to the influence of the penitentiary should be released only with the greatest caution.

Such a penal strategy depends on the development of genuine punishments¹⁶ other than prison. Never seriously considered in this country, these possibilities include intermittent confinement, compulsory labor without confinement, and corporal punishment.¹⁷ These may offend our sensibilities, but only because we need not reconcile those sensibilities with the hid-

16. See M. SHERMAN & G. HAWKINS, *IMPRISONMENT IN AMERICA: CHOOSING THE FUTURE* (1981). Sherman and Hawkins argue that incapacitation is the only justification for imprisonment, and that the identification of prison with punishment has gravely distorted our penal policy. They offer the further argument that nonprison penal strategies depend on the invention of middle-range punishments, suggesting something like a more intensive probation system for offenders who are not to be imprisoned, including significant police surveillance. Aside from practical administrative problems, this approach may not really punish, in which case society will turn away from it, or, alternatively, by relying upon such "punishment" sacrifice the interest in specific and general deterrence.

17. For a discussion of intermittent confinement, see A. VON HIRSCH, *supra* note 7, at 120. A number of autonomic objections to corporal punishment have been offered. Von Hirsch, for example, raises the problem of measuring the infliction of pain: "Given the numerous possibilities that modern technology affords for inflicting pain and the difficulty of measuring degrees of subjective distress, effectively controlling the use of corporal punishment is virtually an impossible task." *Id.* at 111. This, of course, is true of any penalty; some offenders will find it a more onerous experience than others. See, e.g., Palaez, *Of Crime—And Punishment: Sentencing the White-Collar Criminal*, 18 DUQ. L. REV. 823, 842-43 (1980):

Much is made of the fact that punishments must be equal — that it is somehow unfair to sentence one person who commits a crime to a term of imprisonment and another to an alternative nonimprisonment sanction. However, punishment can never be equal. To some, a year in jail is no big deal. To others, it is a horrendous punishment that may drive the recipient to or over the suicidal brink. To say that sentencing each of those very different felons to one year in prison is to punish them equally ignores reality. Equal sentences have nothing to do with equal punishment and everything to do with providing only the outward appearance of equal punishment. Punishment is a subjective thing, and the extent of the punishment differs with regard to the sensitivity to a particular punishment of the person we seek to punish.

Moreover, any punishment ultimately rests on the capability of compelling the offender to undergo it. Thus, actual corporal punishment — privileged assaults — go on in all prisons on a routine basis. To object that this violates the fundamental integrity of the person, see A. VON HIRSCH, *supra* note 7, at 111, necessarily condemns the current penal system. Unjustified

den realities of imprisonment. Such alternatives would serve the deterrent and moral functions of criminal law enforcement, without the expense, in wasted lives as well as dollars, of imprisonment. Prison should be reserved for the one function it effectively performs, the incapacitation of offenders so far gone that prison will make them little worse while it contains their criminality.

Such a strategy, here suggested only in the most general and tentative terms, is fully consistent with contemporary justifications for punishing criminals.¹⁸ Only the suggestion of curtailing imprisonment without curtailing punishment is really shocking. But until the identity of punishment and prison is finally abandoned, we will continue to manufacture murderers because we cannot permit the failure to punish lesser crimes.

guard brutality, not to mention coerced sodomy by inmates, increases the prison's violations of bodily integrity.

Another possible explanation for the repudiation of corporal punishment is offered by Van Den Haag, who suggests that, as a sociological matter, the demise of corporal punishment may be traced to its sexualization in the eighteenth century. The rational, ego-oriented motivation to punish fairly and efficiently became fused with the libidinal drive, leading to the psychological inhibition of the practice. This may be accurate psychohistory, but of course has no weight in policy determinations. To accord it any would be to recognize with approval that the sexual tastes of the Marquis de Sade exert a significant influence on American criminal law. See E. VAN DEN HAAG, *PUNISHING CRIMINALS* 203-06 (1975).

A related objection concerns reservations about adopting any system of punishment likely to give pleasure to those who inflict the penalty. Again, this objection must be reconciled with the prison system. Moreover, it might be countervailed by scrupulous provisions for administering corporal punishment, such as random selection of those who would administer the penalty.

Eighth amendment difficulties must also be weighed against the present system of criminal punishment, and might be overcome by providing for corporal punishment as an alternative to prison at the option of the offender. This discussion, finally, is not intended as a call for a return to the most barbaric forms of punishment, but only as a recommendation that the alternative to prison be fully considered before accepting the penitentiary as the only real sanction for every sort of crime.

18. For literature on the various possible purposes of punishment, see generally H.L.A. HART, *PUNISHMENT AND RESPONSIBILITY* (1968); S. KADISH & M. PAULSEN, *CRIMINAL LAW AND ITS PROCESSES* 1-39 (3d ed. 1975); THE PHILOSOPHY OF PUNISHMENT (H. Acton ed. 1969). For an introduction to deterrence, see J. ANDENAES, *PUNISHMENT AND DETERRENCE* (1974); F. ZIMRING & G. HAWKINS, *DETERRENCE* (1973). For a discussion of incapacitation, see J. WILSON, *supra* note 3, at 200. *But cf.* Van Dine, Dinitz & Conrad, *The Incapacitation of the Dangerous Offender: A Statistical Experiment*, 14 J. RESEARCH CRIME & DELINQ. 22 (1977). For research on both deterrence and incapacitation, see *DETERRENCE AND INCAPACITATION* (A. Blumstein, J. Cohen & D. Nagin eds. 1978).

Relying on long-term imprisonment for incapacitative purposes is consistent with a recent turning toward incapacitation as the central consideration in criminal sentencing. See, e.g., M. SHERMAN & D. HAWKINS, *supra* note 16, at 106-13. Sherman and Hawkins adopt incapacitation as the justification for imprisonment, but would only imprison for relatively short periods of time except in notorious cases—typically, they would impose sentences no longer than five years. This may be just long enough to inculcate the offender in the penitentiary's environment of violence. If such is the case, the better course would be to rely on alternative punishments to mete out just deserts and to deter ordinary offenses. Once an offender demonstrates the persistent violence suggestive of fruitful incapacitation, prison—for longer rather than shorter periods—would become appropriate.

In light of the discussion in the text concerning the prison environment, rehabilitation need scarcely be discussed as a justification for imprisonment. Doubters are referred to Martinson's literature review. See Martinson, *What Works?—Questions and Answers About Prison Reform*, 35 PUB. INTEREST 22 (1974).

In the Foreword to this issue, Professor White observes that most of the books reviewed herein will have but little influence on the realities of policy. *In the Belly of the Beast* suffers none of the liabilities of academic writing. Widely read, if quickly forgotten, it speaks from below rather than from above; from the bowels of the system, not the pinnacle of theory. Its implications make clear the perversity of our prison policies. And yet, one suspects, it too will have no impact on the administration of justice in America. Does the responsibility for the irrelevance of books then lie with those who, to borrow Wildavski's phrase, have assumed the burden of speaking truth to power? Or does it rather lie with those in seats of power, who refuse to read the writing on the wall?