

PREFACE

In the fall of 1970, after studying history at Oxford for two years, I returned to the United States and entered the Starr King School for the Ministry, a Unitarian-Universalist seminary in Berkeley, California. One of the programs in the school is called an "in-field assignment," the idea of which is to give students the opportunity to experience a wide variety of settings for ministerial work. I wanted to pick an activity that would be as removed from my past experience as possible, that would put me in contact with new kinds of people and new kinds of human problems. After exploring a number of possibilities, I decided to be a student chaplain at San Quentin.

It would be wrong to say that I had no particular expectations when I first began working at San Quentin. I was prepared for it to be a gruesome place. I expected prison conditions to be harsh and oppressive, the prisoners to be tough and resentful, and prison officials to be conservative and authoritarian. In the course of the next nine months, some of these expectations were confirmed; others were shown to be naïve and simplistic.

In November, 1970, I wrote a paper on my experiences at San Quentin. The paper was based largely on my observations of prison life, along with a few formal interviews with prison officials. Two months later I was invited to attend a weekend con-

ference on prisons. One of the issues discussed at the conference was the problem of educating the general public about conditions in prison. A general feeling prevailed that one of the biggest obstacles to changing the prison system was widespread ignorance about prisons and prisoners. In particular, many people felt that there was a serious need for a systematic critical analysis of the prison system as a whole. Several of the lawyers at the conference looked through the paper which I had written on San Quentin and suggested that I expand it into a book on prisons. *The Politics of Punishment* is the result of that suggestion.

Following the conference, I began taking thorough notes on my experiences at San Quentin. As a student chaplain, I was in a position to observe many activities, such as disciplinary hearings and parole board sessions, which outsiders are not normally allowed to attend. I could not take notes during such activities, but I retained as much as possible by memory and recorded my observations immediately after I left the prison each day. In addition, I interviewed more than 150 prisoners and had both formal and informal conversations with most of the top officials of the prison. These observations and interviews form the basis of Part II of the book: "San Quentin Prison: A Portrait of Contradictions."

In the course of working on the book I met a number of people who agreed to make various contributions. They include two prisoners, a number of lawyers, and a former prison psychiatrist, among others. No effort was made to create a completely homogeneous perspective in all the chapters, although each contributor shares a commitment to fundamentally changing the prison system.

The book revolves around two broad issues: the internal operation of prisons in the United States, and the political reality of prisons with respect to society at large. Certain chapters discuss these issues in theoretical terms; others are descriptive and concrete. I have attempted to construct a book which will be

useful both to students who are interested in the conceptual issues of punishment and to general readers who are more interested in learning about what goes on inside American prisons.

Three interrelated themes are explored in the discussion of the internal operations of prisons:

Rehabilitation as manipulation. Most American prisons have adopted, or are in the process of adopting, a "rehabilitation" ideology. Officially, prison administrators proclaim that the prison is trying to transform prisoners into useful, responsible, law-abiding citizens. This is the theory; the practice is quite different. In many ways the rehabilitation ideology simply serves as a façade for the traditional punitive custodial practices of the prison. Frequently, in fact, rehabilitation is used to manipulate and control the prison population (see Chapters 3, 4-7, and 15).

The lawlessness and totalitarianism of prison. To a significant extent, prisons operate outside the law. Prison officials have enormous discretionary power, and the prisoner is almost totally helpless to protect himself against arbitrary and unjust treatment. Prisons are totalitarian institutions which, in the name of upholding the law, violate the very precepts of legality (see Chapters 5-7, 8, 10, 11, and 15).

The prisoners' response to prison conditions. The experience of prison is dehumanizing and frustrating. Prisoners react in many ways: some try to adapt to prison and conform to every demand by prison officials; others are broken by the prison experience; and some resist. In the late 1960s and early 1970s prisoners increasingly moved toward open resistance to prison authorities (see Chapters 6, 9, 11, and 12).

The book's analysis of the political reality of punishment centers on two basic issues:

The political meaning of crime and punishment. I have adopted an explicitly political notion of both crime and punishment. I do this not because I feel these phenomena are solely

political, but because the political implications of crime and punishment are crucial to an understanding of how to change the prison system, and because those implications have received too little attention in the literature on prisons. Crime in the United States is discussed as a consequence of certain implicitly political choices in American society concerning the distribution of wealth and power, the pattern of opportunities open to various social groups, and the kinds of problems which people confront in their lives. Punishment is viewed as a political response to certain actions which threaten the stability of the existing social order (see Chapters 1, 2, and 15).

The politics of changing the system. It is not enough merely to attack the prison system, to analyze its oppressiveness and its political meaning. It is also necessary to explore how the system can be changed. The book examines three general approaches to challenging the system: direct action by prisoners, legislative reform, and court action. It concludes that although some changes are possible by working "through the system," ultimately it is necessary to restructure fundamental aspects of the society itself before prisons can be significantly humanized (see Chapters 12–15).

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June, 1972.

PART I

Crime and Its Punishment

by Erik Olin Wright