An Arendtian Reading of Prison Resistance

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Thesis

Submitted to the Faculty of the

Graduate School of Vanderbilt University

in partial fulfillment of the requirements

for the degree of

MASTER OF ARTS

in

Philosophy

December, 2014

Nashville, Tennessee

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Introduction

In recent years, the federal prison population has soared—according to the U.S. Government Accountability Office (GAO), the Bureau of Prison's (BOP) rates of incarceration increased by *400 percent* from 1980 to 2012, and by about 50 percent alone since the year 2000 (GAO, 2012; 1). These numbers are even more disturbing when one considers that men and women of color systematically receive harsher and longer sentences for crimes than do their white counterparts and are three times more likely to be profiled by police; although blacks and Hispanics constitute only 30 percent of the American population, they account for 60% of the American prison population (Kerby, 2013). For Angela Y. Davis (2003), these gross disparities should be understood as a form of racialized exile—a place to lock away " 'criminals' and 'evildoers'…fantasized as people of color" (Davis 16). By way of the prison, an "ideologicial" mechanism of control, the privileged are rid of social "undesirables"—"relieving us of the responsibility of thinking about the real issues afflicting those communities from which prisoners are drawn in such disproportionate numbers" (Davis Ibid.) Ideological public attitudes, in addition to other factors such as harsh and unrealistic sentencing (especially drug sentencing) and private entities that profit from prisons, contribute to recidivism rates and keep prison populations high.

Unprecedented incarceration rates have in turn led to an unprecedented number of prisons exceeding their "rated capacity;" meaning, more and more prisons house far more incarcerated persons than what the Department of Justice deems "safe" or "secure" (GAO, 2). Attempts taken to "mitigate the effects" of overcrowding include triple-bunking, limiting educational and drug programs, "staggering" mealtimes, and using "disciplinary infractions" as an excuse to "segregate" insiders from one another (Ibid.). Although such steps are intended to promote order,

they often have the opposite effect, propagating an even tenser atmosphere due to the added psychological pressures that insiders and prison guards face. Nonetheless, BOP officials insist that "[ensuring] the safety, security, and orderly operation of correctional facilities, as well as the protection of the public," will require vigilance on the part of (overworked) staff to "impose sanctions on inmates who commit prohibited acts" (Ibid., 81-82). In short, in the face of tenuous prison conditions, it is argued, discipline and order become the top priorities.

As Lorna A. Rhodes (2007) explains, the idea of the supermax prison is often construed as a solution to overcrowding and unsafe prison conditions. Incarcerated individuals are sent to supermax facilities for long-term or indefinite periods of time, and are placed in austere isolated cells with little external stimuli and with severe restrictions on activities and work opportunities (Leena and Morris, 2001). The supermax, as it was originally conceived, was to be a "specialized" form of "absolute exclusion" designed to separate the "worst of the worst" from the general prison population (Rhodes, 550-551). In practice, however, supermax placement is determined far less often by the crime for which a person is incarcerated or the severity of infractions committed on the inside, and far more often by a general "need" to establish order and discipline in the face of more commonplace problems such as "mental illness, need for protection, the accumulation of multiple minor infractions, or membership in 'threat' groups" (what groups are considered a "threat" is often coded in terms of race) (Ibid., 551). For example, in 2012, the New York Civil Liberties Union (NYCLU) reported that 1 in 4 New York prisoners had been placed in extreme isolation for some period of time during that year. Only 16% of those instances involved either weapons or assault (NYCLU, 2012). In one instance, a New York inmate was given 30 days of solitary confinement for "continuing a conversation with another prisoner after a corrections officer ordered him to stop" (Kim 2012, 17). As Rhodes explains, the

supermax prison, which "imposes a deep personal isolation on prisoners," has become increasingly lauded as a practical, efficient, scientific and "common sense" means of organizing prison life, rather than a measure reserved for extreme cases (Ibid., 552).

With this background in mind, this paper explores and attempts to unite these two (not-quite-so) disparate issues regarding the American prison industrial complex[1]; that is, incarcerated persons often endure conditions of social (and sensory) deprivation, alienation and isolation on the one hand, and, on the other hand, they also are subject to a lack of privacy, constant surveillance, and overcrowding. From a narrow perspective, one might be tempted to frame the problem thus: When critiquing prison conditions, which issues—isolation and solitary confinement or lack of privacy and overcrowding—should take precedence? I call this question "narrow" because it posits a false dichotomy, suggesting that there might be a contradiction between advocating for an insider's right to privacy or her right to human interaction. From a reform-based perspective (one which aims to make prisons more humane while keeping the overall structure intact), advocating for one or the other *could* seem like a "conflict of interest," at least at the policy level (e.g., what about insiders who *prefer* solitary confinement as a means of avoiding conflict with other insiders?). I pose the question, however, for a different purpose: to analyze both forms of deprivation (private and social) in tandem, in order to better understand, and contribute to a broader critique of, the very existence of the modern prison industrial complex.

I argue that the work of Hannah Arendt can serve as an important resource for thinking about the psychic spaces within prison walls and, more broadly, public attitudes that perpetuate

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[1] Angela Davis first used the phrase "Prison Industrial Complex" in 1997. The label refers to a complex set of institutions that profit from prisons including, but not limited to, the prison industry itself (Davis, 1998).

prison conditions. Many insiders testify that cultivating a robust intellectual life *and* a connectedness to a political community are necessary both for resistance and, indeed, for survival itself. In order to think further about strategies for community formation within prison, I revisit Arendt's idea that private spaces for thought are constitutive with the political world that makes speech, action, narrative, and meaning-making possible. Arendt's public/private distinction is in one sense, quite literally about places in the material world. However, it is equally about the psychic life of any given space—about how spaces can give rise to another kind of world, one which connects us to ourselves and to our communities.

Moreover, I will explore some of Arendt's concerns about the breakdown of private and public spaces regarding the formation of the nation-state in an attempt to draw an (albeit imperfect) analogy between Arendt's concept of "statelessness" and the status of the modern incarcerated person as one who is simultaneously removed from public life but who are yet confined within the state. The breakdown of public and private spaces (in the Arendtian sense) within prison walls today should be understood as a symptom of broader cultural attitudes about what constitutes a democratic society. The prisoner represents the undesirable, the traitor of the polis, and it is her absence that ensures tenuous political stability. Exiled, she is condemned to be neither properly seen nor properly heard, even to herself; she is the property of the state and yet belongs nowhere. It is worth noting that although Arendt can prove useful in the aforementioned ways, and Arendt's thought contains particular limitations and problems. Arendt is not a helpful source for envisioning a plurality of publics and communities, nor is, I argue, her thought capable of effectively countenancing complex and ongoing histories of racial, sexual and gender oppression operative within those publics. My concern lies, ultimately, with thinking about the possibility of political communities both within the prison and between insiders and outsiders

that will take us "beyond" Arendt, so to speak. As such, I will conclude with a further exploration of the ways in which prisoners speak and resist in spite of the ways in which they have been rendered invisible in law and in public discourse.

Prison Spaces

Survival in Solitary (2008), a guide written by prisoners for prisoners, provides first-hand accounts of the psychic effects of solitary confinement. Solitary confinement is a form of profound sensory and social deprivation in which incarcerated persons are confined to a small windowless cell for 23 hours each day (Ibid., 4). Inmate Ronald Epps describes the "Sensory Deprivation Experience" as one in which "all five basic human senses—sight, sound, smell, touch and taste—are severely suppressed" (Ibid., 6). This suppression, compounded with persistent deprivation of "direct human contact" results in a severe form of "social dislocation" or alienation, and can deeply augment the prisoner's ability to connect with others (Ibid., 7). Epps recounts the difficulty he had readjusting to contact with other prisoners after a year in solitary:

> Upon seeing me for the first time in over a year, a fellow prisoner shook my hand and then proceeded to put both arms around me to embrace me and I became visibly shaken and cringed up as if I had been physically violated. I had not had any physical contact with another human being in so long that I wasn't used to being touched. I had become super-sensitive to one of the basic human senses – the sense of human touch. (Ibid., 6)

In order for one to buy into the aforementioned idea, common among the supporters of supermax facilities, that to isolate and segregate inmates, to "highlight the separateness, uniformity, and 'otherness' of supermax prisoners" (Rhodes, 560) is a matter of mere common sense (for reasons of efficiency, etc..), one would have to ignore the obvious physiological trauma that can result

6

from prolonged physical separation from other human beings. Lisa Guenther's (2013) conception of "hinged subjectivity," understood as the "constitutive intertwining of the embodied self with the bodies of others" may be helpful for understanding the depths of such trauma (1). When one becomes "unhinged," her "interrelational subjectivity" has broken apart; we are all "hinged subjects who can become unhinged when the concrete experience of other embodied subjects is foreclosed" (Ibid., 1). As a result of the violent conditions of solitary confinement, Epps became hypersensitive to the touch of other human beings because he was denied this fundamental, corporeal aspect of intersubjectivity. Unable to endure the general prison setting, and "more anti-social than ever before," Epps explains that he was eventually placed in punitive segregation for refusing to be celled with another inmate. Epps remains concerned that his experiences in solitary have "ruined" his ability to fit into any social setting, that he is now unfit for society (Ibid., 8). Inmate Abdul O. Shakur echoes these concerns, arguing that ex-convicts who have been in solitary confinement need therapy in order to re-adjust to life outside the prison (Ibid., 9).

Unfortunately, solitary confinement is not the only form of social deprivation that can be observed in prison. In "Live From the Panopticon" (1993) inmates at Maryland State Penitentiary, a maximum security prison, attest to the fact that lack of privacy, through surveillance or lack of space, can also serve to alienate prisoners from one-another. Prisoner H.B. Johnson Jr. speaks of the ways in which guards have been able to sow dissent among inmates by using them as informants against one-another:

> I…thought about what Foucault said about the docile subordinate creature that they try to turn a human being into, and I began to think that it's no longer just by way of an

architectural structure. Human beings serve the same purpose…The human being

becomes a machine, serving the same purpose as that guard tower serves. (Ibid., 213)

Under these conditions, prison relationships are often characterized by a lack of trust or even the

sense that other prisoners are dangerous. In these circumstances, insiders experience a form of

isolation that is not at all private, but in fact extremely "public" in the sense that there is

excessive exposure to and a wariness of other human beings. It is not at all hard to see that any

attempts at a formation of solidarity could be risky, for, predictably, this ethos of watchfulness

might render minimally "un-policed" exchanges between insiders unlikely.

Overcrowding is also a problem. Inmate John Woodland explains that "the cell is not

really big enough for one person, but they put two in there…it seems like they tried to make as

efficient a use of space as possible. It's just enough to live in. No more." (Ibid., 208). He later

explains that the prison space, or lack thereof, impedes healthy interaction or a healthy sense of

self in relation to others: "You've got to holler because it seems like you've always gotta talk

over somebody at a distance or that there's something separating you from that person. It kind of

makes you feel different than normal, I mean from everyday people" (Ibid., 210). In a space

where one must always shout, how can one's voice ever truly be "heard" (literally and

metaphorically)? In a space where others are always shouting, can one "fully hear" another's

voice? Again we see a case in which certain spaces might be ostensibly "public" or "social" in

the sense that they involve the presence of many human sharing a common space, but wherein

these crowded spaces actually evoke a personal feelings of isolation and separation from others.

It might be tempting to think that conditions for prisoners can be improved simply by

cultivating "better" public spaces. After all, if the problem is simply having a forum from which

to speak and to hear another, why not work on that? Or perhaps strategies could be developed by

inmates to support one another so as to not cave into the pressure to police one another? Surely, such moves might be necessary. But Donald Thompson, corroborating the testimony of the others, notes that there are certain limitations to a valuation of solidarity and community formation if it is not also coupled with an appreciation for the need to cultivate private spaces: "I agree the community should be structured as to bring people together. By bringing them together you create a sort of political power. All right. But at the same time, there's a kind of trick hidden there" (Ibid. 209). Thompson compares the visibility of the prison with that of the projects, where houses face one another and there is little privacy: "instead of giving people a common power, it actually takes power away from them" (Ibid., 209). These housing projects, which are ostensibly structured to support a meaningful sense of community, ultimately fail to do so if this sense of community comes at the expense of one's privacy. Woodland agrees, noting that "there's a degree of privacy, I think, that everybody needs and must have," without which, human interaction quickly becomes strained (Ibid., 209).

But what is this "privacy" that everyone needs? Why do we need it? And what does privacy have to do with relationships? In the next section, I analyze the themes discussed in this section through an Arendtian lens. For Arendt, the world of politics is logically impossible without private introspection, and vice versa.

Arendt and the Public/Private Distinction

Hannah Arendt's work attests to the necessity of cultivating both public and private spaces. For Arendt, privacy is necessary for thought, and thinking requires a temporary departure from the world (*Life of the Mind* 1978, 23). By "world," Arendt refers to the "public" space of appearances that is "common to all of us and distinguished from our privately owned place in it;" this world, "like every in-between, relates and separates men at the same time" (*The Human*

Condition, 52). Arendt somewhat poetically asserts, by contrast, that in thinking one experiences a metaphorical death "in anticipation of our final departure" (*Life of the Mind*., 83): when an individual thinks, "temporal as well as spatial distances" are annihilated, as one becomes surrounded "not by sense objects but by images that are invisible to everyone else" (Ibid.). This private space, assured through the maintenance of private property becomes the "reliable hiding place from the common public world, not only from everything that goes on in it but also from its very publicity, from being seen or heard" (*The Human Condition*, *71*). Privacy, as such, offers a safe-haven away from the public eye.

Why does one need a private space of reflection to "hide," or to retreat to? Because a life lived only in the presence of others becomes, at best, a "shallow" life (Ibid.). At worst, one may become like Adolf Eichmann, who seemed to typify the "mendacity that had constituted the general, and generally accepted, atmosphere of the Third Reich" (*Eichmann in Jerusalem*, 52)). A self-proclaimed speaker of "Officialese [Amtssprache]" Eichmann seemed incapable, according to Arendt, of an original thought or even the ability "to think," in terms separate from Nazi ideology (Ibid.). His cliché answers, his inability to view himself as culpable of any wrongdoing, his dull preoccupation with procedures and promotions, seem to indicate for Arendt an evacuation of the self, the complete absence of the two-in-one (which I will get to in a moment). According to Arendt, totalitarianism, or any form of "mass society" seeks to collapse the private and public realms into that of "social" convention (*The Human Condition*, 52). In contemporary, modernized society, Arendt thinks that "while we have become excellent in the laboring we perform in public, our capacity for action and speech has lost much of its former quality since the rise of the social realm banished these into the sphere of the intimate and the private." (Ibid., 49). This idea, explains, in part, how under the influence of the totalitarian, and

technocratic, Nazi regime, Eichmann could mistakenly believe he has agency when in fact he is a mere tool of the state.

On the other hand, while it is necessary to cultivate these solitary spaces of reflection, Arendt is equally adamant that "no human life, not even the life of the hermit in nature's wilderness, is possible without a world which directly or indirectly testifies to the presence of other human beings" (*The Human Condition* 1958, 22). Arendt is quite critical of Martin Heidegger, who's work she thinks unduly privileges solitude. Although for Heidegger Dasein is always also Mitsein, "it is this kind of being, the mode of everyday being, whose explication makes visible what we might call the "subject" of everydayness, the *they*" (*Being and Time*, 114). According to Seyla Benhabib, Arendt's fundamental issue with Heidegger was that he understood being-with-others ultimately as a hindrance to authentic being (Benhabib, 53). For Heidegger, it is being-towards-death, the moment where Mitsein drops away, that discloses Dasein's potentiality: "With death, Dasein stands before itself in its ownmost potentiality-for-being…Thus immanent to itself, all relations to other Dasein are dissolved in it. This nonrelational ownmost possibility is at the same time the most extreme one" (*Being and Time*., 250-251).

In her account of thinking, Arendt resuscitates Heideggerian being-toward-death in the context of the political world of appearances, such that Dasein's being-toward-death must also be matched by a reemergence into the world. For Arendt, when one is aware of his existence in relation to a plurality of beings, thinking functions to negate the Heideggerian problem of "the they" by producing a "duality of myself with myself" (the "two-in-one," which Eichmann lacked) that makes thinking a true activity (*The Human Condition*, 185). As such, one can engage in both dialectical conversation with others as well as with oneself (Ibid). For Arendt, the

private affair of thinking is the prerequisite for judgment (*Life of the Mind*, 92); and it functions to disrupt the "ordinary processes of life," the mundane facets of our existence.

For Arendt, otherness establishes both uniqueness/difference and yet, paradoxically, in is precisely the quality of uniqueness that "man shares" with other men (*The Human Condition*, 176). For Arendt, in order to seriously pursue Heidegger's question of the meaning of being, one must begin by studying this "paradoxical plurality of unique beings" (Ibid., 176). Self-understanding can only take place following self-disclosure; that is, it is by disclosing oneself in the public space, in relation with others, both in terms of "equality and distinction", where one can endeavor to understand existence (Ibid., 175). Disclosure is situated in the distinctly political realm of appearance--in the "subjective in-between" space, the "web of human relationships which exists wherever men live together" that speaks to "some worldly objective reality" (Ibid, 182-184)." This is why Arendt asserts that "the originally intangible manifestation of a uniquely distinct 'who' can become tangible ex post facto through action and speech" (Ibid., 186).

It is the absence of the two-in-one that produces "loneliness." For Arendt, an individual may be physically alone but if she ceases to hold a dialogue with herself, losing her capacity to think, *then* she is alone. As Benhabib (2003) explains, loneliness emerges for Arendt as identity markers are destroyed, creating a group of "lonely masses" (Benhabib, 66). The real problem with "mass society," Arendt asserts, becomes realized when the "world between" individuals has "lost its power to gather them together, to relate and to separate them" (*The Human Condition*, 52-53). Arguably, overcrowding and solitary confinement produce loneliness in prison in much the same way. Both the prisoner's sense of self and simultaneously her sense of community can be disrupted by *either* extreme forms of isolation *or* a lack of private space for reflection. On the one hand, "to live an entirely private life means above all to be deprived of things essential to

human life…to be seen and heard by others" (*The Human Condition*, 58). On the other hand, "the privation of privacy lies in the absence of others; as far as they are concerned, private man does not appear, and therefore it is as though he did not exist." In other words, to lack privacy means lacking space or distance for constituting oneself in relation to others. This disposition produces the "mass phenomenon of loneliness," whereby one becomes lonely in the overwhelming presence of others (Ibid., 58-59). In either case, Arendt asserts, one has become "deprived" of their ability to see or hear others, and of "being heard by them" (Ibid., 58). In an interesting choice of words, she continues by saying "They are all imprisoned in the subjectivity of their own singular experience, which does not cease to be singular" even if that same experience is replicated countless times (Ibid.)

This idea of repetitive singularity might be able to shed light on Lorna Rhodes observation that prison "problems" in the supermax have become "increasingly framed in terms of absolute culpability; the criminal is divorced from any form of social connection and entered into a world of numbers and calculation…the machinery of isolation promises to strip from these prisoners the elements that sustain personhood and citizenship" (Rhodes, 551-552). Perhaps, then, the breakdown of private and public spaces in prison is not coincidental, but instead, can be traced to the treatment of the prisoner's "personhood and citizenship" in law and public discourse.

Statelessness and Civil Death

In the introduction to *Survival in Solitary* it is stated that the torturous treatment of solitary confinement in maximum security prisons reflects general social attitudes, and should be

viewed as "representations of the angry and cruel repression that grips our country today" (4). I argue that Arendt's account of "statelessness" read in conjunction with Colin Dayan's work on civil death can be informative for thinking about how the hermeneutics of this "repression." works. Arendt argues that the phenomenon of statelessness gained its full effect after the Declaration of the Rights of Man in Europe.; for, ironically, the assertion of man's "supposedly inalienable" rights "proves" their unenforceability (*Origins of Totalitarianism*, 293). The newly evoked human rights, understood as arising out of "individuals [who] needed protection against the new sovereignty of the state and the new arbitrariness of society" (as opposed to earlier eras, where the force of law was derived from religious doctrine), were supposedly "inalienable," meaning, according to Arendt, the Rights of Man transcended other forms of legal authority (Ibid., 291). As such, paradoxically, the Jews and other "pariahs" gained their human status, albeit in the most "abstract" of terms, to the detriment of the possibility of protection by any particular state. Arendt argues; "only the emancipated sovereignty of the people, of one's own people, seemed to be able to ensure" the Rights of Man (Ibid.).

Writing on Arendt's condemnation of the Declaration of the Rights of Man, Colin Dayan adds, that "when such persons take the designation of "enemy" or "unlawful combatant," they are in effect without a country, without a cause, and hence unprotected by the Geneva framework" ("Legal Terrors," 70). Unlike Arendt, however, who considers the status of the "the deprived—the refugee, the stateless, the Jew made rightless before being exterminated, and the Negro 'in a white community'"—to be "distinct from that of the criminal," Dayan argues that all of these "entities," the criminal included, "exist outside the legal definition of persons" (Ibid., 70). And indeed, political prisoner Russell "Maroon" Shoats and former political prisoner Assata Shakur (currently still wanted by the FBI and living in exile in Cuba) often refer to themselves as

"marooned slaves" and "political refugees," asserting, in essence, that criminality in the United States is tantamount to statelessness.

Dayan poses the question: "What does it mean, in the words of Hannah Arendt in *The Origins of Totalitarianism*, 'to be out of legality altogether,' to be 'outside the scope of all tangible law'?" (Ibid). Criminals, she asserts, although physically alive, are rendered dead in law; civil death becomes the framework through which criminal (and, relatedly, the slave) "though possessing *natural life*, has lost all *civil rights*" ("Legal Slaves Civil Bodies, 6). Much like the notion of the social contract was constituted by the existence of the "savage" who lay outside the bounds of civil society, "

> The terms of law and their rationalization of custody and control not only devise a philosophy of personhood but, in creating the legal subject, also summons forms of punishment that are activated only when people of a certain "nature"—those labeled as unfit, subhuman, barbaric, or in numerous prison officials', as well as Donald Rumsfeld's phrasing, "the worst of the worst"—are to be restrained in their liberty, deprived of rights, and ultimately, undone as persons ("Legal Terrors," 46).

The legal fiction of civil death renders social deprivation and overall cruel treatment of prisoners just in the name of their criminal status, their status as enemies of the state.

Over the course of American history, this logic of exclusion has taken many forms— genocide of Native Americans, Slavery, and Jim Crow Laws, the Japanese internment camps, etc. It is worth noting that the 13th amendment forbade slavery, with one important exception, stating that "neither slavery nor involuntary servitude, *except as a punishment for crime* whereof the party shall have been duly convicted, shall exist within the United States." In other words, prisons were understood as the logical extension of the institution of slavery. Analogously,

Michelle Alexander (2012) demonstrates that, "what has changed since the collapse of Jim Crow has less to do with the basic structure of our society than with the language we use to justify it…Rather than rely on race, we use our criminal justice system to label people of color 'criminals' and then engage in all the practices we have supposedly left behind" (*The New Jim Crow*, 2). These "old" forms of violence have not been eradicated, but have simply been displaced. This is no more apparent than within the prison walls themselves, where the breakdown of public and private spaces reflects the ambivalent legal status of prisoners.

Concerns about the Public/Private Distinction

As indicated earlier, Arendt does not provide an adequate framework for thinking of plurality in terms of different communities with intersecting and even competing narratives and histories. Even Arendt's endorsement of a fairly strict public/private distinction comes with its own problems. Angela Davis explains, liberal theoretical categories like "public and private" (although she does not mention Arendt in particular) often serve to mask or render invisible the experiences of prisoners. Prison conditions for women, for example, reflect "the patriarchal power circuits from the state to the home, which are disconnected by the ideological division of the 'public' and the 'private,' thus rendering the underlying complexities of women's punishment invisible" ("Public Imprisonment and Private Violence," 342). Seyla Benhabib also levels a concern that "some of Arendt's characteristic distinctions as between the 'public realm of politics' and the 'private realm of the household' appear to condemn women in the most traditional ways to the private sphere of care for the necessities of daily life" (*The Reluctant Modernism of Hannah Arendt*, xxxiii). These worries speak to a more general question about the inflexibility of liberal categories and forms of exclusion that these categories often justify. In

order to address concerns about Arendt's public/private distinction, it may be helpful to turn to postcolonial theorists who have attempted to address and critique this aspect of Arendt's thought.

Post-colonial theorist Homi Bhabha draws heavily from Arendt's *The Human Condition* in his account of cultural identity and political plurality. Bhabha asserts that a fundamental issue for Arendt is the political uncertainty generated by the who-what distinction: "the disclosure of the who – the agent as individuation – is contiguous with the what of the intersubjective realms. This contiguous relation between who and what cannot be transcended but must be accepted as a form of indeterminism and doubling" (*The Location of Culture* 1994, 271). One's "agency bears no mimetic immediacy or adequacy of representation (Ibid., 271)," and as such, "it is the public sphere of language and action that must be at once the theater and the screen for the manifestation of the capacities of human agency" (Ibid., 272). The agent of action "causes the narrative," but this narrative is owned not by the agent himself but becomes property of the "intersubjective realm" of appearance. For Bhabha, Arendt's insight about the intersubjective quality of meaning-making becomes particularly illuminating when considered from the vantage point of our post-colonial world, as marginalized groups attempt to come to terms with their histories and to understand their own traditions in relation to that history. These traditions are not static, but rather, they are constantly reified by competing narratives and accounts. Bhabha, expanding upon Arendts ideas, characterizes his own concept of hybridity as "a difference 'within' a subject that inhabits the rim of an 'in-between' reality" (The Location of Culture 1994, 19) such that one's identity as part of a tradition and one's understanding of cultural differences is necessarily marked with uncertainty and undecidability (Ibid., 51). Bhabha asserts that there can be "no unitary representation of political agency," (41) and as such there cannot exist a "simple identity between the political objective and its means of representation" (39).

Where Bhabha departs from Arendt, he explains, is "liberal vision of togetherness" (Ibid., 273). Arendt imagines that a "community, or the public sphere" is largely consensual (Ibid.). As such, Arendt cannot fully account for "social marginality as a product of the liberal state" (Ibid.). This, Bhabha contends, reveals the "limitations of its common sense (inter-est) of society" from the perspective of minorities or the marginalized (Ibid., 273). Importantly, both psychologically and politically speaking, articulations of identity are constituted by an, albeit ephemeral, moment of decision, so to speak. Bhabha explains that while "political positions" cannot be determined "outside the terms and conditions of their discursive address" (Ibid., 33), it is precisely through the "agonistic process" of establishing difference qua "dissensus, alterity and otherness" that the "politicized subject" and "'public' truth" can be recognized (Ibid., 34). Agonism in regard to an other defines the political process from its very constitution. Arendt, indeed, expresses nostalgia for the "agonal spirit" of the Greek polis, however, her account remains individualistic, without a discussion of a broader cultural identity formation; indeed, for Arendt, "the public realm…was preserved for individuality" (*The Human Condition*, 41). As such, Bhabha concludes that the missing piece of Arendt's political theory is an articulation of alternative modes of human togetherness based on cultural difference.

In his essay "Peripheral Peoples and Narrative Identities: Arendtian Reflections on Late Modernity (1996)," Carlos A. Forment engages in a similar analysis of Arendt's thought. Forment explains that "surveying the political landscape of late modernity with Arendtian lenses has persuaded me that 'peripheral peoples' are emblematic of contemporary public life in the same way that their immediate predecessors, Jewish pariahs and political refugees, were once associated with modernity" (Ibid., 314). By "peripheral peoples," Forment refers to a diverse collection of marginalized peoples—from "ex-colonial subjects" to women to homosexuals. I

would add prisoners to this list. That is not to say that status of the prisoner is the *same* as that of other groups—indeed, the prisoner might even enjoy a "special status" as both an outsider, as an enemy of the state, and at the same time as a law-breaker whose body and life have been seized by the state. However, it would be ridiculous to imagine that the social and civil status of the modern prisoner doesn't have everything to do with a history of colonial and racial oppression, sexual oppression, etc…

Similar to Bhabha, Forment extends beyond some of the more limiting aspects of Arendt's thought to account for intersectional histories and alternatives to liberalism (Ibid., 324). Just as in Arendt's day totalitarianism was made possible by the "marginalization of pariah's and Jews," so too is contemporary public life "marked by social exclusion (Ibid., 314). However, Arendt's distinction between "pariah" and "parvenu" has become complicated by the emergence of transnational actors—"excolonials" living in the West whose very identities have been radically pluralized due to such dual loyalties (Ibid., 315). These actors are "embedded in hybrid forms of life; engaged in 'social politics' aimed at protecting their civil societies; and in constant dialogue with their heritage" (Ibid, 324). Their concern lies not in choosing between a "homeland" on the one hand and pure assimilation on the other, but rather, in finding a way to counteracting the totalizing logic of liberalism, which tends to "blur social boundaries and dissolve cultural and political markers" in the name of rights and liberties (Ibid). Marginalized and hybrid peoples of today have "experienced some of liberalism's shortcomings" firsthand. The hybrid narratives that these groups have produced possess the unique capacity to "fuse particularism with universalism," or, in Arendtian terms, equality and difference (Ibid). As such, Forment argues, peripheral groups have the opportunity today to use thought to "restructure public life" in a way that the Arendt's "pariahs" did not (Ibid., 325).

Criminals especially occupy this "hybrid" space. Historically and today, the poor and people of color who predominately make up the prison population in America have also experienced the "the shortcomings" of liberal-juridical constructs. Criminals have also been rendered "stateless," have been denied legal rights and state protection from violence. As such, their voices and acts of resistance will play an integral role in rethinking the political landscape of exclusion, and the very notion of criminality itself. In the next section, I will address the ways in which prisoners have resisted the limitations of the prison space in order to cultivate political forms of speech and action.

Conclusions: On Prison Resistance

In the prison context, survival itself becomes a means of resisting by claiming life in the face of civil death. This assertion of life can often take tragic forms. For example, Dayan (2001) documents the troubling pervasiveness of self-mutilation among prisoners. She notes that the cruel and unusual effects of solitary confinement on a prisoner are legally recognized only "insofar as he becomes a senseless icon of the human, either mentally impaired or physically damaged," even if that impairment is, in retrospect, a direct effect of prison treatment ("Legal Slaves and Civil Bodies," 25). As such, Dayan argues, self-mutilation becomes a means for prisoners to "[reenact] the law's process of decreation on their own bodies, making visible what the law masks" (Ibid., 28). This physical manifestation of psychic pain is comparable to Simone de Beauvoir's description of the phenomenon of self-mutilation among adolescent girls. According to Beauvoir (2010), the young girl finds herself viewed increasingly as a flesh by herself and others, and she rebels against this (*The Second Sex*, 366). She draws blood and mutilates her body in anticipation of her changing body and a, perhaps violent, loss of virginity. She demonstrates to her "future lover: you will never inflict on me anything more horrible than I

inflict on myself" (Ibid., 367). Beauvoir asserts that although the girl, "destined to be passive prey, claims her freedom" through this act of violence, it is a form of "bad faith" because "it means she accepts, through her rejections, her future as a woman; she would not mutilate her flesh with hatred if first she did not recognize herself as flesh" (Ibid., 367). I do not find the existential notion of "bad faith" appropriate for discussing the psychic condition of prisoners. However, Beauvoir's account of self-mutilation in *The Second Sex* can still be helpful in the prison context. Her analysis helps us to understand that self-mutilation can be seen as an act of resistance, as the prisoner's attempt to regain control over her own body and to create a visual representation of the psychological violence she is experiencing. Shedding one's blood can be interpreted as an act of defiance against civil death—I'm not dead; I'm very much alive, and I still bleed. On the other hand, this act of resistance may also be an affirmation that one's status has been reduced to that of a body.

By contrast, *Survival in Solitary* (2008) offers numerous alternative political strategies for combating social and sensory deprivation and defying civil death. Again, in prison, the very act of survival can be seen as a form of resistance; James Swon writes that prisoners have one main objective: "Focus on surviving! And not dying," that is, assert your living presence against a system which treats you otherwise (Ibid., 17). However, prisoner Paul Redd asserts that to survive solitary confinement, he must ensure that "*only* my body is being held captive. To put it more plainly, 95% of time daily is spent writing and thinking outside prison" (Ibid., 15, my emphasis). Thinking, then, can be understood not only as form of retreat, but as a form of *escape*.

Resistance, Redd asserts, also entails not only cultivating mental fortitude but also asserting one's *political* presence. Redd advises others in solitary confinement to hold on to their senses of self through "studying your history, culture and yourself….[making] a real

commitment to your inner consciousness…[thinking] of ways you can make positive

contributions to our peoples in the communities" and maintaining persistent communication with

people outside the prison (Ibid., 16). In other words, survival in solitary involves both

maintaining forms of historical, social, and political connectedness to other prisoners and the

outside world, as well as cultivating mental focus and strength. Prisoners who "break" mentally

under solitary conditions are the ones who fail to "make contact with the outside…their thinking

[stays] contained within the isolated walls and soon isolation [consumes] them" (Ibid., 16).

Prisoner John W. Perotti offers similar advice, stating that "[establishing] one-on-one contact"

with other inmates as well and "maintaining outside contacts is very important" for cultivating a

healthy sense of self and a context from which to combat prison abuse (Ibid., 19).

Finally, because "control units exist…to crush the revolutionary spirit embodied within

certain prisoners" Sondai Kamdibe, like Redd, also advocates cultivating (subjugated) historical

knowledge as a form of resistance (Ibid., 20). This pursuit seems key for "going beyond"

Arendt's "liberal vision of togetherness" and her glorification of agonism at the purely individual

level. Reading Kamdibe's words, I am reminded of the scholarship of W.E.B Du Bois, who

wrote:

> Have you hear the story of the conquest of German East Africa? Listen to the untold tale:
> there were 20,000 black men and 4,000 white men who talked German. There were
> 20,000 black men and 12,000 white men who talked English…they struggled on
> mountain, hill and valley, in river, lake and swamp, until in masses they sickened,
> crawled and died…thousands of black men…and all you hear about it is that England and
> Belgium conquered German Africa for the allies!..Such is the true and stirring stuff of

which Romance is born and from this stuff come the stirrings of men who are beginning

to remember that this kind of material is theirs. ("Criteria of Negro Art," 997)

For Arendt, the significance of true spontaneous action, which is characterized by

"unpredictability" (Ibid, 191), can only be revealed through its reification through an historical

narrative (Ibidl, 186-187). Once this process begins, however, that act can become potentially

"boundless" in its "significance and truthfulness" (Ibid., 192), and its "tendency to force open all

limitation and cut across all boundaries" (Ibid., 190). The political strategies of prisoners shed

new light on Arendt's insights about the importance of public and private spaces, on thinking and

political life, and the role of speech and action in constituting these spaces. For Arendt, private

spaces of reflection make political spaces possible. Privacy provides the space and distance for

genuine thought, while the public space serves as the forum from which that thought can be

expressed and understood. The space of appearances, however, lies logically prior to our

concept(s) of political community(ies). It would be impossible to make an exhaustive list of

possible manifestations of spaces of appearance, because this space, the political, is not just a

condition for the possibility of speech and action, but rather, is constitutive of speech and action.

So, through speech and action, new possibilities for political community emerge as well. As

such, Arendt can be helpful for thinking not only about possibilities for community formation,

but also political transformation.

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