



A WALL IS JUST A WALL

REIKO
HILLYER

THE PERMEABILITY OF
THE PRISON IN THE
TWENTIETH-CENTURY
UNITED STATES

**A WALL
IS JUST
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*The Permeability of the Prison in the
Twentieth-Century United States*

DUKE

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To Benjamin James Hall, 1974–2020

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**UNIVERSITY
PRESS**

CONTENTS

ix	ACKNOWLEDGMENTS
----	-----------------

i	Introduction
---	--------------

**PART I THE BOUNDARIES OF MERCY: CLEMENCY, JIM CROW,
AND MASS INCARCERATION**

27	1	Clemency in the Age of Jim Crow: Mercy and White Supremacy
46	2	Freedom Struggles: Clemency Hangs in the Balance in the Wake of the Civil Rights Movement
65	3	The House of the Dying: The Decline of Clemency under the New Jim Crow

**PART II STRANGE BEDFELLOWS: CONJUGAL VISITS,
BELONGING, AND SOCIAL DEATH**

89	4	Southern Hospitality: The Rise of Conjugal Visits
109	5	“It’s Something We Must Do”: The National Reach of Conjugal Visits
129	6	“Daddy Is in Prison”: The Decline of Conjugal Visits and the Strange Career of Family Values



**PART III WEEKEND PASSES: FURLOUGHS AND THE RISKS
OF FREEDOM**

153	7	“To Rub Elbows with Freedom”: Temporary Release in the Jim Crow South
174	8	Conquering Prison Walls: Furloughs at the Crossroads of the Rehabilitative Ideal
194	9	The End of Redemption: Willie Horton and Moral Panic
213		Epilogue
229		NOTES
303		BIBLIOGRAPHY
335		INDEX

DUKE

viii · CONTENTS
UNIVERSITY
PRESS

ACKNOWLEDGMENTS

As I write this, I am preparing to teach a history course at the Columbia River Correctional Institution in Portland, Oregon, as part of the Inside-Out Prison Exchange Program. The course will bring free undergraduate students and incarcerated students together to study in the same class. Though I have taught this course for a decade, this is the first time I am teaching the class since COVID-19 restrictions shut it down in March 2020. The interruption of the class was not only devastating but revealed—as the pandemic did with so many of our institutions and habits—the selectiveness of COVID-19’s reach and the selectiveness of our compassion. The incarcerated students were particularly vulnerable to the virus, and the vernacular created around the pandemic manifested assumptions about human disposability that were constructed in real time. Terms like *lock-down*, *social distance*, *risk*, and *public safety* echoed the lexicon of incarceration and exile and redrew boundaries regarding whose safety mattered and who was deemed fit for premature death. In an ideological sleight of hand, the most vulnerable among us were cast as the most dangerous. My first expression of appreciation goes to those students at Columbia River in 2020 who struggled to stay engaged in our course while struggling to stay alive. They remind me of the stakes of this project.

My experience teaching the Inside-Out course, which insists on breaking down the barriers that divide the incarcerated and the free, provided the genesis for this book. In 2023 the class will conclude with a theater piece devised by the students and, thanks to a seed grant from the Whiting Foundation that was followed by a Creative Heights grant from the Oregon Community Foundation, we will be adapting this piece for the professional stage. The guiding question for this project has been, How can we make the prison more porous? As such, I offer this round of thanks to all who have helped make the Columbia River Correctional Institution more

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PRESS

porous and introduced me to the transformative possibilities of cracking open the doors. These include all of my Inside-Out students since 2012; you have opened my heart and changed the course of my life. I am particularly grateful to the corrections administrators who have supported our work: Brandie Fazal, James Hanley, Elizabeth LaCarney, and the administration and staff at Lewis & Clark College who labor to make Inside-Out possible: Jerusha Detweiler-Bedell, Scott Feikert, Judy Finch, Alexis Rehrmann, and Bruce Suttmeier, as well as my colleagues in the History Department. One of the greatest gifts that has recently emerged from teaching Inside-Out at Lewis & Clark has been the talent and collaboration of Rebecca Lingafelter, who has taught my students that we carry history in our bodies and can use our bodies to tell stories. Her generosity, creativity, and trust are treasures I cherish. I was first introduced to the expansive promises of making art in a history class by Emily Squires, who made me believe that everyone is an artist. Both Emily and Rebecca have stretched my creative scope beyond the methodologies normally available to the historian. While writing about history is a creative act, understanding the past and how it shapes the present requires more tools than my primary discipline can provide. I am grateful to Emily and Rebecca for helping me integrate my artistic and scholarly selves. Finally, I throw a rose and bow to Lori Pompa for the vision and commitment it required to found Inside-Out twenty-five years ago.

I have conversed and corresponded with a number of people—friends, comrades, colleagues, and activists, some of whom are currently or were formerly incarcerated—whose insights, life experiences, and scholarship have informed and deepened this book. These include Hilda Aronson, Rachel Barkow, Sophie Cull, Sterling Cunio, Clifford Hampton, Michelle Jones, Aliza Kaplan, Markus Kondkar, Anoop Mirpuri, Bidish Sarma, Emerson Simmons, and Kempis “Ghani” Songster. Criminal justice scholar, *Angolite* journalist, and activist Burk Foster was incredibly generous in sharing his archives, time, humor, and passion with me. Andrew Hundley and Kerry Myers of the Louisiana Parole Project led me to documents, research assistants, and hope. Marianne Fischer-Giorlando, affectionately known as “Dr. G.” by those incarcerated at the Louisiana State Penitentiary at Angola, welcomed me into her home, treated me to ice cream, invited my questions, and shared obscure material about the penitentiary; her expertise in its history is unmatched. I am grateful to know Calvin Duncan and honored to call him my friend. His struggle to prove

his innocence while incarcerated at Angola, his brilliant and tireless work as a jailhouse lawyer, and his journey to Lewis & Clark Law School have served as an inspiration, but, more specifically, his intimate knowledge of Louisiana law was instrumental to me as I endeavored to track the demise of clemency in a state where it had been so routine.

I could not have told this story without having had the opportunity to interview key people. I am so grateful to Arnie King for his time, and I honor his struggle and his triumph. I thank Ed Mead for sharing his perspective and experience and thank Daniel Berger for putting us in contact. I appreciated the wisdom that Norris Henderson shared in our conversation; since being released from prison, he continues social justice work that he had begun on the inside, embodying the principle that those who are closest to the problem are closest to the solution. My greatest thanks go to Wilbert Rideau, whose candor, intellect, and resilience enriched every conversation. He read drafts of my chapters, kept me honest, and breathed life and urgency into my work. The records that he and his fellow prison journalists have left through their research and writing at the *Angolite* constitute an astounding archive of the true history of our prison system.

Because much of this manuscript was completed during the peak of COVID-19, I relied tremendously on research assistants, without whom the book would not have been possible. For their doggedness, I thank Jan Hillegas, Raegan Johnson, K. Howell Keiser, Kirsten Lee, Ashley Steenson, and Cara Tippet. Charlotte Rosen is simply a badass; her own scholarship is brilliant and important, and the research she conducted for me on furloughs launched my argument. I extend especially warm thanks to research assistant Kelsey Jenkins; I was so honored to be invited to her wedding in Louisiana, and the conversations I had there with people with experience on both sides of Angola's gates echoed in my ears as I wrote this book. Thank you to the Lewis & Clark students who expertly conducted research essential to this project: Claire Duncan, Lucy Hamil, Grey Sutor, and Maya Winshell. It was truly sweet to collaborate with you. I am grateful to librarian E. J. Carter at the Aubrey R. Watzek Library at Lewis & Clark for all of the times he found obscure reports and corrections journals for me. I also relied on the extra footwork of archivists around the country, such as those at the California State Archives, the Louisiana State University Library in Baton Rouge, the State Library of Massachusetts, and, in particular, Shaun Stalzer at the Mississippi State Archives. For material

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My support system within academia and beyond has bolstered my self-discipline and self-care in equal measure. I thank my dear colleagues in the History Department at Lewis & Clark College: Andy Bernstein, David Campion, Nancy Gallman, Susan Glosser, Ben Westervelt, and especially Mo Healy for much-needed girl-time on the Hosford Middle School benches. I could not have sustained my momentum had it not been for Dawn Odell; I am so grateful for her companionship and conviviality on our precious writing retreats and for giving me permission to embrace all of it. Amy Baskin is the glue that holds me together. She has the strength of duct tape and the grace of *kintsugi*. I appreciate the others beyond my campus who read and critiqued my work, including Seth Cotlar, Radhika Natarjan, and Pdraig Riley. I am forever sustained and grounded by my friendships with Monica Gisolfi and Jeffrey Trask, and to them I say *Itadakimasu*. I also hold gratitude for Marla Pallin, Tamara Metz, and Heather Watkins, members of my chosen family, for their consistent companionship and support. Thank you to the devoted and loving caregivers, Linda Angst, Crystal Malgren, and Gardner Dunavant, for comprising the village that it takes to raise our youngest child.

Of the many people who have laid eyes on this manuscript and lent their wisdom to its improvement, there are those who deserve special mention. From my first conversation with Elizabeth Ault at Duke University Press, I was taken with her belief in my book and the rigor of her questions. With the indispensable and patient help of Benjamin Kos-sack, Elizabeth's continued support has fostered my progress. I cannot say enough about Nancy Grey Osterud, so I will say too little: I could not have done this without her. Though it will make her blush, I look to Micol Sigel as a role model, and her imprint is all over this book. In the course of the many conversations during hikes up El Tepozteco over the past decade, Micol introduced me to the Inside-Out Prison Exchange Program and, later, talked me through many aspects of my project. She has nourished my work as a colleague, comrade, and friend in more ways than she knows. Micol also introduced me to Garret Felber, whose ethics, mind, and heart are a gift to me and to many others. That his feedback sharpened my argument—*dayenu*, as we say; “that would have been enough.” But Garrett's work, from the Liberation Literacy initiative to the Study and Struggle project to the historic Making and Unmaking Mass Incarceration

Conference, breaks down walls wherever he goes. Eden Wurmfeld, my lifelong friend, is once again helping to raise me. Her interest in *Inside-Out* as a cinematic subject has provided a new path for the next chapters of my professional and personal development; that she is willing to give so much of her time and talent and that we are finally able to collaborate after over forty years of friendship fills my heart. David Menschel has nurtured this project in innumerable ways, and his faith in its value lent urgency to my efforts. In the course of reading chapter after chapter, David's comments helped me refine my central questions and, more important, helped me develop confidence in my voice. One of his many brilliant political insights is the centrality of narrative to politics. I hope that this book can contribute to changing the narrative. I was sustained by my sister Linda Hillyer throughout this process. During our precious visits, we travel to conversational lands of capitalism, disability, art, Buddhism, and childhood as we explore our pasts and our presents together. Unexpectedly, Linda's own life experience yielded treasures such as interview subjects and obscure prison newspapers.

Though my stepdaughter Zulema is living the Bushwick life and my mother is halfway around the world, I feel their presence and their support for my work. I am so proud of Zulema's accomplishments and the ease and grace with which she has made the transition to adulthood. My dear brother Jonathan's curiosity reminds me of the audience that I am writing for, and I thank him for his interest and his love. My father, Raphael Hillyer, likely entered a prison only once: as the violist of a string quartet engaged to play a chamber music concert for incarcerated people. While he told this story with some titillation, the episode was consistent with his belief in the power of music to transcend social boundaries. As I write this, I have just celebrated his *yahrzeit*, which I spent listening to his recording of the Bach cello suites. His playing sang the ineffable union of pain and beauty, and I thank him for reminding me that they are conjoined.

My daughter Ryo, six and a half at the time of this writing, regularly schools me in the construction of ideology with her searing questions. She makes me a better person and she makes my heart grow three sizes. Ryo, the miracle is you. Thank you, Elliott, whose work in transnational and borderlands history has influenced me beyond measure. Elliott has introduced me to the constructedness of boundaries, the possibilities of a radical imagination, the varieties of political activism, and the importance of balancing work, play, justice, and love. As the unicorn who can legitimately

multitask, he probably scratches his head about my need for deep focus. I am all the more grateful for his gift of space when I needed it, and for his gift of adventure when I didn't know I needed it.

Finally, I dedicate this book to Ben Hall. You may have felt like you were not worthy enough for this world, but it turns out the world wasn't worthy of you. Rest in peace, my friend.

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UNIVERSITY
PRESS

xiv • ACKNOWLEDGMENTS

Introduction

And, if I know any thing at all
it's that a wall is just a wall
and nothing more at all.
It can be broken down.

—**ASSATA SHAKUR**, *Assata: An Autobiography*, 1987

We begin, as always, seated in a circle. Blue denim, chinos, blue denim, sweatpants, blue denim, white canvas, blue denim, flowered skirt. We alternate, the incarcerated and the free. The room is chirping and crowing with what people in the free world call small talk. For the incarcerated students, these exchanges are the jewels of all too rare, yet simple, human communication. After the classmates have had a chance to greet each other, I say, “Let’s close our eyes.” The room settles, and all that can be heard is the hum of the fluorescent lights. Suddenly, the classroom door opens. “Med line!” a correctional officer shouts, and we remember where we are. When the officer leaves and the room stills once again, I say, “Please go around the circle and just say one word to describe how we are feeling at this moment. Joel, will you start?” “Tired.” “Excited.” “Happy.” “Anxious.” “Overwhelmed.” “Grateful.” The voices swirl around the room like burning sage. Classroom 4 in the Columbia River Correctional Institution has been anointed.¹

As I begin to pass blank sheets of white paper and Sharpie markers around the circle, I explain the first activity. “We are going to get into pairs. One inside [incarcerated] student, one outside [free] student. You’ll move your chairs to face each other, and each of you will have two minutes to complete a blind contour drawing of your partner. What’s a blind contour drawing? You draw for two minutes but you cannot lift your pen or look down at your page.” The students giggle and guffaw, making

self-deprecating comments about their drawing skills, but they are game. I set the timer and they begin, eyes locked on each others' faces. Earnest focus is occasionally punctured by chuckles. When the two minutes are up and the students look down at their handiwork, the room roars with laughter.²

I ask the students how it felt to engage in the exercise. "It was really intense and intimate to be looking so closely at someone's face for that long," says one student. Another comments, "I really wanted to do justice to my partner's face, and I felt bad that my drawing looked so ridiculous!"

I remind the students that today's class is going to be devoted to discussing Bryan Stevenson's *Just Mercy: A Story of Justice and Redemption*. Stevenson is the founder of the Equal Justice Initiative, a legal practice committed to defending the most desperate: children, the poor, the wrongly convicted, those condemned to death. The book recounts his own experiences as an attorney, explores the lives of his clients, and probes the inequity of the criminal justice system.³ I ask the students why I might have tasked them with making blind contour drawings of each other to open this particular class. Trey, an inside student, perceives an analogue: "Stevenson's grandma tells him that he can't understand most of the important things from a distance. She said, 'You have to get close.' I think that exercise made us get close." For Gabriel, an outside student, the activity resonates in a different way:

You told us we couldn't look down to see if we were portraying our partner accurately. We only had two minutes and couldn't correct the image or go back and edit. This is like what happened with Charlie in the book and the way we treat juveniles in the criminal justice system. The prosecutor or judge makes a decision, and doesn't care if it accurately conveys the real person in front of them. And if they make a mistake, they aren't willing to go back and correct it. If the perpetrator changes or grows, the judge doesn't go back and update the picture. I feel like the convicted people in *Just Mercy* are treated like a bunch of blind contour drawings.

During the remainder of the class, we discuss *Just Mercy*, and we conclude with a writing exercise. I remind the students, "Bryan Stevenson likes to say that each of us is more than the worst thing we have ever done. He emphasizes this point by asking us to question our treatment of juveniles in particular, who, if they face long sentences, are treated as if they are frozen at fourteen and have no potential to change." I ask them to respond to the

prompt: “How have you changed since you were fourteen years old? What would people fail to see about you if they froze you at fourteen?”

Since 2012, I have taught a college history class at Columbia River Correctional Institution (CRCI) in Portland, Oregon, as part of the Inside-Out Prison Exchange Program. This program, founded at Temple University by Lori Pompa, trains instructors in a particular pedagogy: all classes are integrated with an equal number of undergraduates and incarcerated students who learn together as peers and equals. Undergraduate students in the course Crime and Punishment in US History are from Lewis & Clark College, where I am an associate professor, and the incarcerated students are confined at CRCI, a minimum-security men’s facility that houses both people serving shorter sentences and those at the end of very long sentences.⁴ In the words of Inside-Out instructors Simone Weil Davis and Barbara Sherr Roswell, the program offers “an alternative model of community-engaged learning unfettered by paternalistic notions of ‘charity’ or ‘service’” that, influenced by the work of Paolo Freire and Myles Horton, is rooted in “reciprocity, dialogue, and collaboration.”⁵

There is no other class I teach in which all students are so fully *present*. The stakes and the rewards of the encounter between undergraduates at a liberal arts college and incarcerated people are high precisely because such an encounter is so rare.⁶ Since the prison has been constructed, both rhetorically and physically, as impermeable, it is nearly impossible for those without loved ones in prison to imagine interacting with those who live inside. Even telling people about the program sometimes elicits responses such as, “Is it safe?” or “Why are you teaching college to a bunch of murderers?” The program insists on challenging those preconceptions by penetrating the walls; normalizing human interaction across the walls; and, through exchange, collaboration, and mutual learning, dismantling the barriers that prevent us from seeing each other as neighbors.

Year after year, when participants are asked to reflect on the class, incarcerated students comment that our classroom is an emancipatory space. In the class they are allowed to use their minds, express their thoughts, expand their knowledge and skills, and earn college credit. Even more significantly, their experiences as incarcerated people are cherished as valuable wisdom alongside and against the scholarship we read.⁷ While the undergraduate students might be more accustomed to abstract analysis, the incarcerated students carry the truths of own lives. Engaged in mutual knowledge production and braiding personal experience with historical scholarship, we create an imaginative, generative, and communal and

community-building space.⁸ Because the outside students represent the broader public from which the incarcerated students have been cast out, their attention, their listening, and their acceptance temporarily ameliorate a sense of exile. “Look into my eyes so you can see that I am flesh and bones,” explains Tony Vick, an Inside-Out participant serving two life sentences at Riverbend Maximum Security Prison in Tennessee. “After you see me and I see you, we can no longer pretend that the other does not exist . . . eyes to eyes.”⁹ One CRCI student recalled, “There was nowhere else I’d rather be . . . as I learned and listened to my classmates I felt so alive. . . . This class shown me I’m important, that I matter!” For a student named Henry, at the tail end of a twenty-two-year sentence, the integration of incarcerated and free students was a chance to imagine otherwise, to create an alternative social world, a collective insurgency of affection, eyes to eyes:

It is a strange thing to come into a prison to learn together and build a community where it is so discouraged to do so. In many ways we create our own world as we steal time in a space where many might imagine such a magical experience could never transpire. While we are longing to exit this space, you all desire to beat the door down to get back inside. Our intentionality creates a world that did not exist before which demonstrates that it is possible to do so, to build the world as it *could* be together. . . . It is this deliberate and creative practice in the world that will chip away at the foundations of the prison. . . . We must build something that is similar to what we’ve done with each other in this class.¹⁰

As a historian, I came to wonder if the walls had always been so impenetrable. When researching a 1968 prison strike at the Virginia State Penitentiary, I noticed that incarcerated musicians were able to leave the penitentiary to give concerts and several prisoners were granted furloughs to participate in high school chess tournaments well into the 1970s.¹¹ Going back even further, Norfolk Prison in Massachusetts was founded in 1927 as a “model prison community” whose stated mission was to keep incarcerated people engaged with, rather than removed from, the outside world.¹² While Malcolm X was incarcerated at Norfolk from 1948 to 1952, he participated in the Norfolk Prison Debating Society and debated university teams. The Wallkill Correctional Facility in New York State was constructed in 1932 in a college campus style with no walls or fence; when eight prisoners escaped one year later, the *New York Times*

declared, “Wallkill Prison without Walls a Success; Only Eight Break Trust in an Air of Freedom.”¹³ Tyrone Werts, a cofounder of Inside-Out who was incarcerated in Pennsylvania for thirty-six years, has said, “The walls aren’t just here to keep us in. They are there to keep you out.”¹⁴ Was this always so? Was it possible that our contemporary practice of exile is a departure from a longer tradition of permeable prisons? What reasons did people have for tolerating or encouraging interactions between those who were incarcerated and those outside? What does this practice and its demise tell us about the function of the prison in society? If prisons had remained porous, would we still have locked up 2.5 million people behind their walls?

* * *

Prison walls have not always been impermeable, and permeability has been both a vehicle for social control and a way for prisoners to resist it. During one month in 1968, dozens of men incarcerated at Louisiana State Penitentiary, the notorious prison known as Angola (after the former plantation grounds it occupies), were allowed to leave temporarily for various purposes. Under supervision and rigorously screened, members of Angola’s Bridge Club traveled to play in bridge tournaments; imprisoned participants in Alcoholics Anonymous and Narcotics Anonymous spoke at schools, churches, and business associations throughout the state; a country and western band composed of six incarcerated men, the Westernaires, played as many as three concerts a week at nursing homes, hospitals, and high schools.¹⁵ That same year, a beloved television cowboy known as Buckskin Bill who earned fame for his children’s show *Storyland* invited the Westernaires to star in their own weekly television show, *Good Morning, Angola Style*. Angola’s Jaycees—a chapter of the national leadership training and civic organization—traveled nearly two hundred miles to Monroe, Louisiana, to attend a two-day state Jaycee convention, where their branch won a standing ovation at the opening banquet. Some of these men, like many of those at Angola, had been convicted of murder, kidnapping, or armed robbery.¹⁶

The journeys of these “traveling ambassadors” were documented and celebrated in a feature story in the *Angolite*, the prison magazine produced by men incarcerated at the Louisiana State Penitentiary. Significantly, this article was reprinted in a local free-world newspaper, the *Rayne Acadian-Tribune*, demonstrating the public’s attention to the sojourners.¹⁷ The anonymous author used his “Viewpoint” column in the *Angolite* to assert

that these trips were crucial to informing the public that a “convict” was not a “brute dressed in a striped suit and restrained by a ball and chain.” Mobility served a larger purpose than temporary escape or even personal expression. Logging thousands of miles, Angola’s ambassadors would “carry the truth to the public,” the reporter declared. Though corrections officials often explained that the privilege of leaving the prison under these sanctioned conditions served the purpose of rehabilitation, incarcerated travelers perceived their exposure to the public as opportunities to rehabilitate the crude stereotypes held by those who called themselves law-abiding citizens. They hoped to prove “a simple lesson—the convict, despite his faults and failings, is not an ogre. He is little different from the rest of the people who populate these United States. And the sooner all folks come to realize that the majority of convicts present no threat to them or their way of life, the sooner will the walls come tumbling down.”¹⁸

Angolites, despite being confined at a facility long known as “America’s worst prison,” appreciated the opportunity to fashion constructive social identities in public.¹⁹ As a prison journalist noted, the warden, C. Murray Henderson (who with his wife accompanied the Jaycees on their trip to Monroe), “does not subscribe to the theory of isolation for offenders. His position is that a man in whom confidence and trust are placed is a man willing to accept responsibility, and that’s what prison is about.”²⁰ Henderson pointed out that prisoners do not have a political lobby, and that the resulting public ignorance obstructed an understanding of prisoners’ potential to return to society. Thus, he worked to “bring realities of prison and prisoners to the public . . . gambling on their conscience and basic sense of decency.”²¹ The risk was not that prisoners might escape or commit crimes but that they might be rejected by the public. Incarcerated people engaged in countless daily maneuvers to attain the privilege of gaining access to the traveling circuit and, once outside, used the opportunity to impress members of the public so that they could gain future allies in their petitions to gain early release.²²

Beyond Angola, Americans of African descent were still fighting to be free. In 1968 Louisiana schools were not yet fully desegregated, Black protestors were boycotting businesses that refused to serve Black customers, white Louisianans took advantage of racist real estate practices and were fleeing to the suburbs to avoid the democratization of urban public spaces, the Deacons of Defense had begun arming themselves to protect civil rights activists from routine acts of vigilante violence and police terror, and federal courts had recently ordered state officials to eliminate

barriers to Black voter registration.²³ The inmate clubs at Angola were all segregated, and Walter Watson of the Human Relations Club was the only Black prisoner allowed on the June 1968 tour. The traveling ambassadors were making their circuits just two months after the assassination of Martin Luther King Jr., whose murder was interpreted by white conservatives as a comeuppance that sealed the equivalence of civil disobedience with violent crime: “[King’s] brand of ‘non-violence’—provocative and contemptuous of law—begets violence just as violence undisguised does,” wrote a journalist for the *Shreveport Journal*.²⁴ Into the schools, churches, and rotary clubs of this turbulent state, Angola’s incarcerated ambassadors arrived as unlikely messengers.

According to an incarcerated journalist, the time was right for Warden Henderson’s vision: alongside calls for “law and order,” national alarm about youth rebellion, drug use, and crime momentarily—and perhaps counterintuitively—created a “public demand” to hear from incarcerated people. “Fearing the worst,” this prisoner inferred, “the idea of getting convicts to talk to society’s youth about the error of their ways and the pain and horrors awaiting them if they did not change their direction was appealing to parents, teachers, ministers and local law enforcement authorities, who hoped that perhaps the kids would be more willing to listen to a convict than to time-worn lectures from figures of authority.”²⁵ Incarcerated people, whatever their transgressions, possessed insight and even the authority to give advice. Such advice might reinforce traditional hierarchies and emphasize personal responsibility, but it came from the mouths of people whose incarceration qualified them as dispensers of wisdom born of personal experience. Teenagers might listen to their stories of transformation more than they would their own parents. The fundamental assumption that undergirded these encounters was that people can change.

Traveling outside the walls of the Louisiana State Penitentiary was part of a broader logic that assumed and accepted that almost everyone imprisoned at Angola would eventually get out. Until the late 1970s, even those with life sentences were routinely released after ten years and six months via a commutation from the governor as long as they kept a good prison record.²⁶ Thus, prisoners’ withdrawal from free society was understood to be temporary, and their visits outside nourished the connective tissue that would help secure their eventual reintegration into the body politic. By interacting with the public, incarcerated people could develop a sense of dignity beyond the reductive labels imposed by the criminal justice

system. And, by contributing to society through music, lectures, or charity work, they could counter the public's preconceived ideas about convicts. The traveling ambassadors refused stigma and social disfranchisement by claiming a positive identity beyond the site of the prison and by developing a track record of accomplishments that would earn them early release.²⁷

Norris Henderson, who began serving his life sentence at Angola for second-degree murder in 1977, recalls being allowed to leave the prison so frequently as a member of the Jaycees, the Lifers' Club, and the prison football team that he took traveling as "a given."²⁸ But by the late 1980s these travels had nearly disappeared. Law-and-order district attorney Harry Connick Sr. ominously warned the Louisiana public in 1979, "The truth is few convicted criminals are sent to the penitentiary" and "of those criminals who are sent to Angola, virtually none ever serves his full sentence."²⁹ Disgusted by a suite of practices designed "to reduce the terms of prisoners sent to jail," Connick railed against furloughs, work release, pardon, and commutation—some of which had been Louisiana tradition for the better part of the century and were fervently supported by corrections administrators.³⁰ New legislation prohibited the granting of furloughs to those convicted of violent crimes, drug crimes, or habitual offenses, eliminating nearly all the men at Angola from eligibility. After a prisoner working in the governor's mansion killed his girlfriend while out on furlough in 1988, Governor Buddy Roemer suspended furloughs indefinitely.³¹

One of the organizations hit hardest by new restrictions on travel was the Angola Jaycees, which had conducted robust external programs on juvenile delinquency, drug addiction, and crime prevention. Fundraising activities that brought incarcerated people outside the prison were also banned, such as the Cop-Con Walk, in which teams of police officers and Angola inmates walked across the state of Louisiana to raise money for the Cystic Fibrosis Foundation. The corrections secretary, as well as current and former wardens, had all supported these programs and lamented their restriction.³² Outside organizations that had relied upon inmate speakers decried the change. As Ned Hicks, the president of American Prison Ministry, commented, "I feel it's detrimental to the public interest because it denies the public the ability to hear what's happening with their tax dollars straight from the inmate's mouth. . . . The only way the public is going to be made aware of the inmate world is through personal contact."³³

For the prisoners who had been allowed to leave Angola temporarily, the end of these trips eliminated an essential route to self-definition. There were concrete future benefits to making contacts with people on the outside, and being trusted was a transformative feeling.³⁴ Furloughs provided a salve for “perhaps most unrecognized pains of imprisonment . . . the overwhelming sense of personal insignificance that goes with being a prisoner.” Without these opportunities, an incarcerated person could hope for no relief from the daily reminder, “in a thousand different ways, that he is nothing and incapable of being anything different.”³⁵ This plaint was repeated across the next two generations and echoed by thousands of souls, including those in my Inside-Out class.

New legislation also curtailed what was called the 10/6 rule, the practice by which the governor would release those with life sentences after ten years and six months with the approval of the warden. Louisiana was not an outlier in practicing early release. In 1913 the federal system defined a life sentence as fifteen years. For much of the twentieth century, a life sentence rarely meant a lifetime of confinement anywhere in the nation. As political scientist Marie Gottschalk notes, “The years that prisoners spent in Louisiana’s infamous Angola prison were oftentimes brutal and dehumanizing, but they nearly always had an end date.”³⁶ The change to this decades-long practice was so sudden that incarcerated people recognized it as a revolution. Most painfully, prisoners were now frozen in time at the moment of their offense, not just frozen in space. Now, none of their good deeds, personal transformation, compliance, vocational training, or even hospice service would ever provide them with a second chance. Herbert Williams, who by the year 2000 had served thirty-four years of a life sentence, explained the changes he had seen this way: “It was bad back then, but still you went home sooner or later.”³⁷ Even prison administrators recognized what politicians refused to admit: true life sentences were as novel as they were unconscionable. At the funeral of a man named Earl, who passed away in 1980 at Angola after serving thirty-three years, Warden Hilton Butler opined, “He didn’t deserve to die like he did. You know, forgotten and alone.” While acknowledging that “nobody liked Earl,” he concluded, “No man deserves that. . . . He was a trusty with an excellent record. A man just ain’t supposed to die like that in prison.”³⁸

In 1970, just 143 people were serving life without parole sentences in Louisiana. By 2021, the lifer population had grown to 4,400.³⁹ While the increasing separation of the prison from free society has redrawn the prison boundary, incarcerated people are also restrained by a tightened

temporal boundary that fastens them in their past. Nonetheless, prisoners change just as the prison has changed around them. They continue to grow, hope, work, and serve one another, demonstrating that they are not the same people they were when they committed their original crimes. Darren James, who has served thirty years since being incarcerated at age nineteen, has been involved in the Islamic community and Alcoholics Anonymous, but is most proud of the work he has done in the prison hospice, a feature of prison that has developed in response to its aging population. As James notes, “We human beings, we make mistakes, you know, I’m not my worstest mistake. I am not that person.”⁴⁰ Daryl Waters also presses beyond the confines of his original conviction: “All we regard is a thug on the street twenty-four, twenty five years ago, so we’re angry at that person, not realizing that that person doesn’t exist for at least twenty years.”⁴¹ These men refuse to be turned to stone. They also know that the laws that keep them locked up are not written in stone. In 1968, at the height of Jim Crow, people had a greater chance of leaving a brutal Louisiana prison, either temporarily or by early release, than they would fifty years later. For those incarcerated during those fifty years, the ground had shifted dramatically. We now understand that mass incarceration is relatively new. What is even newer is mass disappearance.⁴²

* * *

Historians of US prisons have only begun to analyze the changing relationship of prisons to the outside world. Prisons are not static institutions that have simply multiplied. Their conditions have changed, and these transformations have reflected and shaped shifting notions of prisoners’ relationship to free society. *A Wall Is Just a Wall: The Permeability of the Prison in Twentieth-Century United States* explores the thickening and hardening of prison walls in the post–World War II period and demonstrates that US prisons were relatively permeable until the 1990s. Throughout the twentieth century, even the harshest prison systems in the United States were rather porous; incarcerated people were regularly released from prison for Christmas holidays, to visit sick relatives, to play concerts, and to participate in professional boxing matches. Such freedoms, always conditional, were granted as mechanisms of state control. Mississippi, whose penal practices were infamous for their brutality, was the first state to provide conjugal visits to prisoners, and its governors led the nation in the number of commutations and pardons they issued, even at the height of Jim Crow. This book examines the invention and

decline of these and other practices that crossed prison boundaries. At a time when prisons are located mainly in rural areas and designed for the purpose of achieving higher degrees of confinement and social isolation, it is important to recognize that their separation from free society was not always as absolute as it is today. In order to understand the nature, assumptions, and consequences of mass incarceration, we must grapple with the increasingly permanent exclusion of prisoners from society as both cause and consequence of punitive policies that are relatively recent.⁴³

Each part of *A Wall Is Just a Wall* centers on a particular policy and practice that connected people inside prisons to those outside: gubernatorial clemency and pardons; conjugal and family visits; and temporary furloughs. The rise and fall of these ways of crossing the barriers between the prison and the free world have rarely been studied by historians of mass incarceration. This book demonstrates that the impermeability of the prison is neither natural nor inevitable but rather a recent, uneven, and contested phenomenon. I do not aim to unearth a “golden age” of prisons but to show that their current isolation and invisibility is neither necessary nor inevitable. *A Wall Is Just a Wall* explores the carceral state, going beyond public policies made outside the prison walls and illuminating prisoners’ lived experiences as they suffered, critiqued, survived, and resisted penal practices designed to bring about what scholars and activists have called their social death.⁴⁴

The book is organized in three parts of three chapters each. Part I, “The Boundaries of Mercy,” focuses on the practices of gubernatorial clemency, particularly in the US South. In this region, the practice has been both paternalistic and capricious, simultaneously upholding the hierarchies of white supremacy and offering a back door to freedom. Historians of the South have observed that most governors were generous in granting clemency well into the twentieth century and have shown that clemency practices during the era of Jim Crow reinforced hierarchies of race and labor relations. By demanding deference and relying upon sovereign discretion, clemency can be interpreted as fortifying state power over vulnerable citizens.⁴⁵ While legal scholars have agreed that clemency has atrophied in recent decades nationwide, a history of the practice across the twentieth century is needed to fully appreciate the significance of its decline for incarcerated people.⁴⁶

The demise of clemency has contributed to a dramatic increase in the number of people serving life without the possibility of parole, which must be seen as the historical aberration that it is.⁴⁷ Previously, life sentences were

regularly tempered with mercy, by either a governor or a parole board; the rejection of mercy was a new instrument of social death. For most of the twentieth century the life sentence was the cornerstone of an indeterminate sentencing paradigm that could contain both paternalistic notions of sovereign discretion and modern penal principles of rehabilitation. Until the 1970s, a “life” sentence, which in practice ranged between ten and twenty years, provided the offender with an opportunity for review and thus a plausible expectation of release for good conduct. The decline of discretion reflects a radically new outlook: that it is reasonable to confine a person until death. As Christopher Seeds puts it, “Just as the life with parole sentence was at the crux of the transformation in US punishment at the end of the nineteenth century, the life without parole, or LWOP, sentence stands among the most prominent penal developments of the late twentieth century.”⁴⁸ These developments are entwined with the nation’s history of slavery and Jim Crow. Under Jim Crow, because white supremacy ordered the whole society, imprisonment was not the only means of enforcing it. In the embers of Jim Crow, the decline of mercy turned the prison into a new vehicle of exclusion by means of perpetual confinement.

The first three chapters of *A Wall Is Just a Wall* examine the regularity and then the demise of gubernatorial clemency in the South with a close investigation of Louisiana and Mississippi. In the South, clemency has a peculiar relationship to the rise of carceral practices because governors who frequently granted clemency were conservative champions of white supremacy and law and order. Simultaneously, as an apparent relic of Old South noblesse and an expression of the rehabilitative ideal commonly associated with prisons outside the South, clemency is a prism that forces us to question neat categories of “liberal” and “conservative” stances toward carceral policy. Further, it troubles our understanding of a punitive backlash as it took shape in the South as governors there continued to exercise their clemency power at rates far beyond what is typical today, even after tough-on-crime policies became common sense. Southern governors’ disinclination to grant clemency began in the wake of the civil rights movement. Until then, the architecture of Jim Crow was enough to keep former prisoners in check. When the structures that guaranteed white control over Black lives were dismantled, prison became a site of more rigid containment and permanent exile. The paternalism and force characteristic of Jim Crow allowed for the exercise of mercy; the New Jim Crow rendered prisoners beyond redemption.⁴⁹

In part II, “Strange Bedfellows,” I trace the implementation and decline of programs that allowed spouses and other family members to visit prisoners for as long as seventy-two hours in a homelike setting, relatively free from supervision. According to Sylvia E. Harvey, this practice “revolutionized the way families maintained ties through the confines of imprisonment.”⁵⁰ By the 1990s, seventeen states allowed some form of conjugal visitation, but by 2015, private, extended visits had disappeared in all but three. Conjugal visits were instituted for reasons both humanitarian and cynical; their termination hardened the carceral boundary and deprived incarcerated people of essential emotional sustenance. Drawing upon prison newspapers that articulate the complex meanings of the privilege of conjugal visits, primary sources from the field of penology and corrections, as well as court cases in which incarcerated plaintiffs argue that such visits are a basic right, “Strange Bedfellows” explores the reasons for their rise and fall.

The history of conjugal visits can tell us a great deal about changing notions of rehabilitation, risk, and sexuality in relation to the hardening of the carceral state.⁵¹ As with clemency, debates about conjugal visits reveal unexpected allegiances and strange bedfellows that scramble any pat political categories. Supporters of the practice included prison reformers, correctional officers, and Christian evangelicals, which reminds us that those who shape penal policy are varied, and a measure that might be seen as backward in one context might be heralded as benevolent in another. These visits were allowed in states as different as California and Mississippi for reasons that both affirmed the basic dignity of prisoners and saw them as continued objects of social control. Finally, this web of advocates and its success in instituting conjugal visits from the late 1960s through the 1980s disrupts our conventional chronology of the rise of law-and-order politics. Just as “crime in the streets” became the mantra of mass incarceration, prisons across the nation began experimenting with visitation policies that are difficult to imagine being accepted today.

Despite the outpouring of literature on prisoners’ movements and prison conditions, historians have neglected to examine conjugal visits.⁵² Visitation is a crucial topic for analysis if we are to grasp the lived experience of incarceration and prisoners’ struggles to maintain their family ties. In advocating for conjugal visits, prisoners challenged their social death by insisting upon their emotional, sexual, and social needs and on their connections with the outside world. Using a variety of arguments, they asserted their rights to intimacy and pleasure and their membership in a

community beyond prison walls. This struggle, which required organizing prisoners with their families on the outside, was an effort to attain visibility and claim belonging.

Part III, “Weekend Passes,” explores furloughs, which allowed prisoners—including those convicted of murder and sentenced to life without parole—to leave the prison for hours or even days at a time. In the Jim Crow South, furloughs first took the form of “Christmas leaves”; hundreds of prisoners were released over the holidays so that they could go home for ten days. Variations on this practice eventually became a cornerstone of what was called “community corrections,” the postwar philosophy that those convicted of crime were best treated and supervised outside a prison setting in order to optimize their reintegration into the community. Furloughs were commonplace and relatively uncontroversial in all fifty states from the late 1960s until 1988, when the moral panic fomented by the Willie Horton scandal cast Massachusetts’s furlough policy into doubt and sent Governor Michael Dukakis’s presidential campaign into a tailspin. As a result of this infamous case, in which Horton, a Black man, committed violent crimes while out on furlough, prison furloughs became a proxy for national debates about crime and punishment. In the heyday of community corrections, the public was regarded as responsible for reintegrating former prisoners into society, but now politicians and the media represented the public as perpetual potential victims who required constant protection from the threat of violence. Although prisoners, their families, and correctional administrators mobilized to protect furloughs, the backlash strangled discretionary release of any kind. In Massachusetts and across the nation, the demise of furloughs signaled the erosion of the rehabilitative promise, the repudiation of correctional experts, the abandonment of discretion, and changing calculations of risk. Part III ends by tracking the demise of clemency in Massachusetts following the Horton scandal and brings the reader back to the themes of mercy and redemption that open the book.

The close examination of clemency, conjugal visits, and furloughs reveals unexpected allegiances that transgress the default categories of liberal and conservative. For example, conjugal visits at the Mississippi State Penitentiary began in the early twentieth century as an incentive to extract more labor from Black people who supposedly were incapable of moral rehabilitation, but by the 1960s they were seen as a progressive and humane way of keeping families intact until prisoners were released and could rejoin their loved ones. California looked to Mississippi as a model

when it initiated its own conjugal visit program in 1968. Governor Ronald Reagan, who traced the roots of the putative rise in crime to the moral breakdown of American society, supported conjugal visits as a means of preventing homosexual acts among incarcerated men. As political scientist Naomi Murakawa has shown, those who have influenced correctional policy are not monolithic, nor can the prison boom be explained solely as a victory of the Republican Party's law-and-order platform over the Democratic Party's support of civil rights. What to do with those who have transgressed society's mores is an age-old question, and the variety and contingency of the answers remind us of the conflicting and contradictory motives that can guide criminal justice policy.⁵³

Along with shuffling default political categories, *A Wall Is Just a Wall* disaggregates various actors and groups that are too often lumped together or overlooked entirely. As geographer Ruth Wilson Gilmore reminds us, "the state" includes a contradictory and dynamic set of institutions, each of which faces challenges to its legitimacy.⁵⁴ While scholars such as historian Daniel Chard and sociologist Joshua Page have begun to unearth a social and political history of prison guards, few have examined corrections professionals as a distinct set of actors.⁵⁵ In the case of furloughs, for example, corrections administrators and social scientists, along with governors of both parties, supported the practice, but they found themselves at odds with those in law enforcement. As clemency became politicized and governors were increasingly reluctant to grant it, prison wardens vocally defended discretionary release of prisoners who, on the basis of their firsthand knowledge, presented no threat. The decline of both furloughs and clemency indicates that shrinking faith in official discretion was accompanied by a tendency to dismiss the expertise of corrections professionals, who, because they were engaged with incarcerated people on a daily basis, had concrete reasons for advocating policies that politicians rejected for motives of their own.

By tracking debates about prison practices, *A Wall Is Just a Wall* re-frames standard chronological accounts of the development of mass incarceration. The first wave of scholarship identified what it called the punitive turn as a conservative backlash against the gains made by civil rights activists. A more recent body of work has emphasized the complicity of liberals in the expansion of the carceral state and has connected debates over criminal legal policy to broader questions about welfare and poverty.⁵⁶ This book reveals threads that do not conform to this historical trajectory and traces new connections among them. Because the fear of

prison unrest converged with increased attention to prisoners' rights, prison officials experimented with practices that facilitated movement across prison walls at the same time as law-and-order rhetoric and policy became a new political consensus. Since conjugal visits and furloughs could serve as mechanisms of control, they were popularized at the very moment when racialized fearmongering about crime in the streets inspired intensified policing and harsher sentencing. At this contradictory juncture, social scientists, politicians, journalists, and corrections administrators advocated more interchange between the prison and the free world, fashioning a common sense that seems radical today. The crisis produced by prison overcrowding also disrupts neat periodization. During the 1980s, a decade usually associated with the "prison boom," Mississippi and other states did not respond to overcrowding by expanding their prison systems but turned to mass clemencies as a vehicle to reduce their prison populations.⁵⁷ This moment reminds us of the varying ways that clemency can be used—even in moments of heightened fears of crime—to address the crisis of incarceration.⁵⁸

By the 1990s, however, thanks to the moral panics fomented by politicians, the insinuation of victim impact statements into the sentencing process, and the belief that habitual criminals were gaining rights at the expense of law-abiding citizens, prisoners began to lose hard-won channels to the outside world and their customary expectation of eventual release. Tropes of "revolving door prisons" and "country club prisons" drew upon the antiwelfare rhetoric of the time, helping to undergird a movement that critics call penal harm, which justified not only longer sentences but harsher conditions.⁵⁹ Just as the antiwelfare movement suggested a zero-sum understanding of government spending so that whatever benefits the racialized poor received were imagined at coming at the expense of employed taxpayers, the penal harm movement endorsed the termination of conjugal visits and furloughs as indulgent luxuries, the putative "pink Cadillacs" of prison life. For incarcerated people, increasing isolation from the outside was an interpersonal and emotional form of deprivation, and they and their loved ones protested its imposition. The penal harm movement, which among other changes shut down flows into and out of prison, allows us to comprehend the shift from a social welfare state to a punitive state in experiential as well as rhetorical terms.⁶⁰ Further, linking the austerity of prison life to the austerity of services in the free world reinforces Ruth Wilson Gilmore and Craig Gilmore's claim that mass incarceration is a key, "perhaps *the* key, political attack on the political ground created in

the New Deal and Civil Rights era.”⁶¹ Conservative radio broadcaster Paul Harvey offered a road map of this offensive when in 1980 he said, “Many are willing to go to jail because life behind bars is more comfortable than what they’re accustomed to outside. . . . Inmates in Angola play sports, get furloughs home, enjoy TV, or sit around and smoke pot. . . . When the slum kid is fed, clothed, and comforted more in jail than out, confinement is not the deterrent it used to be.”⁶²

As this book bridges the registers of policy and personal experience, so too does it move across multiple scales and beyond the physical institution of the prison. I examine the prison as part of a larger carceral geography in three main ways: I look at regional connections and networks of prison practices across states; I track spatial flows of people into and out of prison, as well as the increasing spatial constriction of incarcerated people as these flows were cut off; and I consider how prison became such an extreme state of exile at one end of what theorists call the carceral continuum.⁶³

Most detailed studies of prison systems in the United States necessarily focus on an individual state, as the majority of criminal justice legislation occurs on the state level.⁶⁴ But what went on in one state had repercussions for the others; states looked to each other for both models and omens, and a national network of wardens and penologists codified and traded ideas. This multistate study, ranging from Louisiana and Mississippi to California and Massachusetts, attends to regional specificity and local conditions while challenging our assumptions about such differences. The analysis of the plantation prison as an extension of slavery and Jim Crow is so entrenched that we are scarcely able to perceive that rehabilitative and progressive possibilities might have emerged there as well, even if they were articulated in a different dialect. Moreover, mid-twentieth-century penologists and lawmakers outside the South closely studied southern prisons, pruning their paternalistic practices and grafting them onto what they regarded as modern penological science. If we adopt sociologist Liam Kennedy’s contention that notions of rehabilitation are malleable and can fit into different styles of penal governance, we can perceive how penal rhetoric and practice migrate, operate, and mutate in various contexts.⁶⁵ While looking at several states allows the reader to perceive a circuitry of penal practices, it also reveals the multiple meanings of those practices. Thus, this study examines the variations of those practices across space, as well as over time.

Just as penal harm introduced a zero-sum idea of prisoners’ dignity and victims’ rights, a zero-sum idea of risk has animated the afterlife

of incarceration, extending carceral tentacles into everyday life beyond prison. The prison is more than just a building. The militarization of the landscape; the fluidity of practices of surveillance and control; the predatory and punitive infrastructure of bail, fines, and fees; and the collateral consequences that follow formerly incarcerated people outside the gates—all demonstrate that the prison is a locus in a broader web of carcerality that extends beyond its walls.⁶⁶ Black activists have long articulated that the ghetto and the prison existed on a continuum of carceral coercion and surveillance. As the political prisoner, radical bookstore owner, jailhouse lawyer, and Black Puerto Rican anarchist Martin Sostre argues, “As long as you are oppressed by the State and the State is in control this [society] is a minimum security prison. Inside [the prison] is maximum security.”⁶⁷ But prison is still, and always has been, a distinct place set apart both in imagination and in fact. Even as carceral practices have extended beyond the prison, politicians have pledged allegiance to the discursive and material hardening of boundaries around the prison as the only line of defense between safety and danger. Despite the metastasis of carcerality into free spaces over the past fifty years, policymakers have articulated their stake in both rhetorically and physically separating the world of the free and that of the captive.

Looking at the hardening of prison’s boundaries offers new vantage points for appreciating the varied role of the state and for considering the work that the prison does to manifest and serve the state’s purpose. As Ruth Wilson Gilmore has asserted, as the state lost legitimacy to enact Keynesian projects—that is, state-funded infrastructure programs and social services to stimulate economic growth—it morphed from a social welfare state to a domestic warfare state.⁶⁸ *A Wall Is Just a Wall* looks at the different ways that the state exerts power in different times and places and parses how the shift from welfare to warfare was articulated and experienced in prison settings. Jackie Wang asks rhetorically whether it is possible that once the government abrogated its obligations to social welfare, “the only remaining entitlement—the entitlement that has come to give the state as an entity its coherence—is the entitlement of *security*.”⁶⁹ The state-as-protector justified new obstacles to release as preemptive moves toward the holy grail of zero risk, merging algorithmic forms of governance with hysterical fear.⁷⁰

In this sense, Willie Horton and his ghosts must be understood as representing something new. Useful here is Ruth Wilson Gilmore and Craig

Gilmore's idea that the state's management of race is not static any more than ideas about race are static: "The state's management of racial categories is analogous to the management of highways or ports or telecommunication: racist ideological and material practices are infrastructure that needs to be updated, upgraded, and modernized periodically: That is what is meant by racialization."⁷¹ Once a sovereign's repudiation of his discretionary power was cast as fairness and the political race to the bottom cemented additional layers to prison walls, a new logic was born: Those branded as criminals will always be dangerous.⁷² According to Jonathan Simon, the resulting fear of violent crime forms "the emotional core, the sense of grievance" that fuels the reordering of government priorities.⁷³ As Gilmore and Gilmore put it, "As in any protection racket the protector requires the threat from which we need protection. . . . If they didn't exist, they would have to be invented."⁷⁴ Those convicted of crimes now suffer perpetual exclusion, figured as a breed apart, fixed in an identity outside of society's moral circle.⁷⁵

Thus, an exploration of changing penal practices and the evolution of the "protection racket" not only sheds light on theories of the state but illuminates the contingency of ideas about risk, public safety, and redeemability. In the early nineteenth century, rural prisons in northern states were ostensibly created to insulate criminals from the corrupting influence of society in order to reform them, but by the late twentieth century, the intention was to protect society from dangerous criminals on the loose. Penal practices that were common throughout much of the twentieth century suggest that, far from being an objective, measurable trait that inheres in an individual person or category of people, risk has been fluid, contested, and provisional. Governors in the Jim Crow South, empowered by the laws and customs of white supremacy, saw no risk to their safety when they employed people convicted of murder to work as domestic servants in the governor's mansion; corrections officials saw little risk to the public when they advocated in the 1970s that prisoners serving sentences for violent crimes be allowed to go home on weekends to see their families; governors were not hamstrung by anxiety about risk when they routinely released people convicted of first-degree murder who had served only ten years in prison.

Shifting notions of what constitutes risk dovetail with increasing skepticism about redeemability and rehabilitation. If most prisoners are figured as always posing a risk to the public regardless of their time spent or

growth in prison, then prisoners are immutably beyond rehabilitation and redemption. The increasingly permanent exile of prisoners is connected to Jonathan Simon's observation that recent decades have seen the correctional subject more tightly tethered to his crime. This shift is documented in the changing eligibility standards for furloughs in Arizona: in 1988, for the first time, furlough eligibility was based on the class and nature of the original offense rather than one's institutional record.⁷⁶ The rigid logics of risk management not only chain prisoners to their past but, like a kind of postmodern phrenology, purport to determine the future.⁷⁷ According to Richard Berk, who researches predictive policing and teaches criminology at the University of Pennsylvania, developments in algorithmic policing and data science make it possible to "calculate the likelihood that someone will engage in criminal activity before they are born."⁷⁸ The deployment of predictive data reifies racially discriminatory patterns of law enforcement and lends a scientific veneer to preemptively retributive justice. Examining the decline of clemency, conjugal visits, and furloughs offers us a way to understand this transformation and historicizes this new common sense.

The continued relevance of prison as a distinct place resonates in the now conventional wisdom that the tide of law and order was accompanied by a shift in penological goals from rehabilitation to containment, which has been documented by a number of scholars of criminology and social science.⁷⁹ While the decline of the rehabilitative ideal has been taken for granted, *A Wall Is Just a Wall* examines what this decline meant in a qualitative sense for incarcerated people. Containment and warehousing are not only principles of punishment or powerful spatial metaphors; first and last, they are embodied experiences. The public's faith in prison's efficacy relies not on the institution's capacity to rehabilitate but on its ability to keep criminals behind thick walls. To the extent that a prison remains a site to fix a body in space and inflict pain, prison walls matter very much to those who reside within them. Scholars have exposed the dehumanizing material conditions of supermax and solitary confinement, but we need to historicize this increasing isolation and examine its consequences, along a spectrum of mobility and privileges, for incarcerated people.⁸⁰ To more fully understand how prisoners experienced the shift to containment, we must examine both the lived experience of those inside the container and the changing constitution of its walls.⁸¹

For their part, incarcerated people have resisted the tightened constraints on their lives. When clemencies dried up and furloughs ended,

prisoners experienced devastating losses. Despite the fact that their original crimes have become permanent brands, incarcerated people struggle to place themselves in history, both by testifying to their own transformation and by tracking the law's transformation over time. Having complied with the customary conditions of their confinement in order to make meaning as well as earn privileges and mercy, incarcerated people developed a collective consciousness of their just deserts and critiqued the prison against its own claims and the politicians who seemed to be playing games with their lives. They adapted to and resisted the new probability of dying in prison in ways that challenged laws and allowed them to write new stories about themselves.⁸² Whatever the leakage of incarceration into freedom, the ideological and literal sequestration of incarcerated people has constituted a significant shift in policy and lived experience.

Most studies of mass incarceration attribute the expansion of the carceral state to increasingly punitive sentencing but stop short at the prison door and do not fully engage the experience of prisoners as they witnessed their fates and their immediate conditions and possibilities for freedom change during their own lifetimes. This book takes seriously the lived experience and consciousness of prisoners who used all of the levers at their disposal to survive and challenge their confinement. While many prisoners denounced furloughs and conjugal visits as bribes, others begrudgingly accepted such reforms as a strategic step or relished them as a means of immediate improvement in the conditions of their lives. Practices such as granting clemency, conjugal visits, and furloughs were the objects of collective mobilization by prisoners and claimed as an entitlement. By agitating for such possibilities, incarcerated people revealed their strategies for survival as well as both individual and collective betterment. At the same time, because the practices in question were framed by prisoners' keepers as privileges rather than rights they could be taken away, exposing the ultimate power of the prison. Looking at the rise and fall of practices that held out the promise of belonging to a world beyond the prison, all of which dissipated during prisoners' lifetimes, helps us to understand their exile from the perspective of captivity and loss. I track how changes in penal rhetoric and strategies of governance shaped the lives of prisoners, paying attention to carrots as well as sticks.

Finally, because recent studies have been conducted at the peak of mass incarceration, scholars and activists have warned that making prison kinder only legitimates it, and have demonstrated that past reforms have only led to a strengthening of the carceral state.⁸³ Yet this hindsight has

underestimated the contingencies and possibilities of the past. Given the growth of the carceral state, it is tempting to regard those advocating for reforms such as furloughs and conjugal visits as disingenuous, cynical, or hopelessly naive. But the assumptions that undergirded these practices reveal a moment when the permeability of the prison was interpreted as a stage in its dissolution. These assumptions—the belief that incarceration was almost always temporary, the idea that most people who were incarcerated should have ways to sustain their relationships with loved ones as well as the public, the trust that even those convicted of violent crimes could and should move about unescorted outside prison, and the faith that people who broke the law need not be perpetually ostracized for their crime and instead should be shown mercy—were as normative then as they are anathema now. If challenging hegemonic institutions such as the prison requires a fundamental change in consciousness, we must time-travel to those moments when today’s assumptions were not common sense. According to Ruth Wilson Gilmore, “the ways people think about the world, and understand themselves in it, define in large part what they do to endure or change the world.”⁸⁴ I share Jonathan Simon’s view: “To go forward, we must look back. Along with tens of thousands of individuals, mass incarceration has also swept away a landscape of criminological ideas and projects that, as of the late 1970s, was a thriving field of intense intellectual competition.” Looking back at these ideas and practices can allow us to “enter a kind of literary Pompeii in which the authors have been captured in positions of struggle relevant to the fault lines of the moment, oblivious to the lava flow about to overtake them.”⁸⁵ The fundamental idea that public safety could be best ensured by making the prison more permeable is one of those pillars of thought buried under the lava flow. Recent writing follows the extension of the carceral state into so-called free territory, but the historic permeability of the prison holds possibilities for freedom as well. Most fundamentally, we must reckon with the reality that people—even those who have committed horrible acts of violence—change over time. There are people currently incarcerated who remember when this was common sense.

Just as the institution of slavery determined the social organization of slave society by tethering both enslaved and free people to its logic, the prison is both a discrete space and one that is constitutive of a broader social order. In her description of the gradual decay of slavery in Maryland, historian Barbara J. Fields reminds her readers that even the

“hemorrhage of the slave population did not signal the end of slavery as an overriding fact of life for the people—especially the black people—of Maryland.” She adds, “Perhaps slavery might be likened in this to a radioactive object: constantly emitting radiation, nonetheless, radioactive. Or perhaps to a strong dye that, even as it faded, tinted freedom in somber shades.”⁸⁶

This book explores what it may have felt like for prisoners to experience the somber shades of freedom. From the vantage point of captivity in prison, the world outside remained a North Star. However mythical, clouded, or disappointing, freedom was not impossible to reach throughout most of the twentieth century. The taste of freedom offered by furloughs and conjugal visits and the promise of clemency shaped prisoners’ sense of self, their understandings of the ethics of the criminal justice system, their relationship to the outside world, and how they spent their time while inside. The foreclosure of these possibilities was devastating.

Thus, creating possibilities to collapse the boundaries between inside and outside is a practice of refusing the ideological and material boundaries that produce disposable and punishable categories of people. The practice of encounter between inside and outside cuts through media sensationalism, political posturing, fearmongering, and panic. Through “getting close” we embody the possibility that things could be otherwise. As political philosopher Lisa Guenther has said of building bridges between inside and outside prison, “This is what abolition looks like . . . the creation of new ways of thinking, seeing, feeling, speaking, and experiencing a world that is shared in common with all other human . . . beings. So, coming together is a small act of resistance at the scene of the ‘crime’ itself.”⁸⁷ Henry, the incarcerated student whom we met earlier, recognized the possibility of creating a collective that would resuscitate prisoners from social death and practice an otherwise that could transcend the finite nature of the class:

Our time together has not truly come to an end, this world we’ve created is in no way transitory. We carry it beyond the threshold of these doors. Inside we go on to mentor others as we carry your faces and words in our hearts remembering that you treated us as human beings; you go on to continue building the world around you in how you interact, love, vote, and speak to power. We will always have the context we shared together; no one can take that from us and no one can stop us from recreating what is possible to create with others.⁸⁸

Radical change must be ushered and experienced in steps that are imaginable in order to change people's views of what is possible. By providing wedges that literally open the prison doors, we can overcome the panic with which we have been infected and make the unthinkable thinkable. Eye to eye, we can mend the social fabric. We must confront the fact that prison walls were *made*. And, in the words of Frederick Douglass, "What man can make, man can unmake."⁸⁹

DUKE

24 • INTRODUCTION
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NOTES

INTRODUCTION

- 1 All students' names have been changed to protect their privacy.
- 2 I thank artist Emily Squires for devising this exercise.
- 3 Stevenson, *Just Mercy*.
- 4 Though CRCI is a men's facility, trans women are incarcerated there as well.
- 5 Davis and Roswell, "Introduction," 5.
- 6 On the demise of higher education in prison as part of a politics of austerity, see Yates and Lakes, "After Pell Grants," 61–70.
- 7 Jones, "Biographical Mediation," 500.
- 8 Rodríguez, "Abolition as Praxis of Human Being," 1576. As Gilmore, "Ruth Wilson Gilmore on Abolition, the Climate Crisis and What Must Be Done," notes, "abolition is life in rehearsal."
- 9 Vick, "Look at Me!," 155.
- 10 Henry [pseud.], Inside-Out reflection booklet, 2019, collection of the author, Lewis & Clark College.
- 11 *FYSK: Facts You Should Know* (Virginia State Penitentiary) 2, no. 1 (1982): 10, Library of Virginia.
- 12 DelSesto, "Norfolk's 'Model Prison Community,'" 127–46; Malcolm X, *The Autobiography of Malcolm X*, 212.
- 13 "Wallkill Prison without Walls a Success; Only Eight Break Trust in an Air of Freedom," *New York Times*, June 18, 1933.
- 14 Tyrone Werts, quoted in Pompa, "One Brick at a Time," 133.
- 15 "Avoyelles Manor Nursing Home News," *Cottonport (LA) Leader*, June 16, 1974; Nan Nadler, "Angola Cons Have Music, Will Travel to Perform," *Daily World* (Opelousas, LA), July 25, 1968.
- 16 "Viewpoint: Traveling Ambassadors," *Angolite*, June 5, 1968, 1.
- 17 "Traveling Ambassadors," *Rayne (LA) Acadian-Tribune*, June 27, 1968.
- 18 "Viewpoint: Traveling Ambassadors," 1.
- 19 John Leahr and W. W. Stagg, "America's Worst Prison," *Collier's*, November 22, 1952, 13–16.

- 20 “Those Westernaires,” *Angolite*, September 30, 1968, 18.
- 21 “The Axe on Travel,” *Angolite*, March 1, 1979, 16.
- 22 Wilbert Rideau, interview with the author, June 20, 2022.
- 23 Fairclough, *Race and Democracy*, chaps. 12–14; Strain, “‘We Walked Like Men,’” 43–62; Hill, “The Bogalusa Movement,” 43–54.
- 24 “‘Non-violence’ Breeds Violence,” *Shreveport (LA) Journal*, quoted in Brückmann, “Citizens Councils, Conservatism, and White Supremacy,” 1.
- 25 “The Axe on Travel,” 16.
- 26 Bergeron, “Second Place Isn’t Good Enough,” 124.
- 27 Jones, “Biographic Mediation,” 489, 500.
- 28 Norris Henderson, interview with the author, June 24, 2022.
- 29 Harry Connick Sr., quoted in “D.A. Would Jail More Criminals,” *Times* (Shreveport, LA), April 28, 1979.
- 30 Bergeron, “Second Place Isn’t Good Enough,” 126.
- 31 Jerry Moskal, “Furlough Programs Growing Stricter after Controversies,” *Times* (Shreveport, LA), December 24, 1988; Jerry Humphries, “State Prisoners Now Get Few Furloughs,” *Town Talk* (Alexandria, LA), October 24, 1988.
- 32 “The Axe on Travel,” 20.
- 33 Ned Hicks, quoted in “The Axe on Travel,” 21.
- 34 Rideau interview.
- 35 “The Axe on Travel,” 22.
- 36 Marie Gottschalk, “Days without End: Life Sentences and Penal Reform,” *Prison Legal News*, January 15, 2012, <https://www.prisonlegalnews.org/news/2012/jan/15/days-without-end-life-sentences-and-penal-reform/>.
- 37 Herbert Williams, quoted in Kerry Myers, “The Real Deal,” *Angolite*, November/December 2000–January/February 2001, 35. As Bergeron, “Second Place Isn’t Good Enough,” 125, notes, “Unlike Louisiana’s sentencing structure, which has become progressively more severe, prison conditions in Louisiana have actually witnessed a dramatic improvement.”
- 38 Hilton Butler, quoted in “The Forgotten Men,” *Angolite*, May 1, 1980, 24.
- 39 Chavez, “Aging Louisiana Prisoners.”
- 40 Darren James, Visiting Room Project, video, 2021, https://www.visitingroomproject.org/archive/darren_james.
- 41 Daryl Waters, Visiting Room Project, video, 2021, https://www.visitingroomproject.org/archive/daryl_waters.
- 42 I thank Garrett Felber for this formulation.
- 43 Scholars who have centered the inside-outside relationship in their analyses include Pelot-Hobbs, “Organized Inside and Out”; and Janssen, “When the ‘Jungle’ Met the Forest.”

- 44 Patterson, *Slavery and Social Death*; Price, *Prison and Social Death*; Cacho, *Social Death*.
- 45 Ayers, *Vengeance and Justice*, 63, 204–6; Oshinsky, *Worse Than Slavery*, 179–204; Miller, *Crime, Sexual Violence, and Clemency*; Wood, “Cole Blease’s Pardoning Pen”; Garton, “Managing Mercy.”
- 46 One excellent source on the history of clemency throughout the twentieth century focusing on one state is Seeds, “Governors and Prisoners.”
- 47 Ogletree and Sarat, *Life without Parole*.
- 48 Seeds, “Life Sentences and Perpetual Confinement,” 291.
- 49 I am borrowing this now well-known identifier, the New Jim Crow, from Alexander, *The New Jim Crow*.
- 50 Harvey, *The Shadow System*, 112.
- 51 For recent discussions of the relationship between sexuality and the modern carceral state, see Kunzel, *Criminal Intimacy*; Halperin and Hoppe, eds., *The War on Sex*; Lancaster, *Sex Panic and the Punitive State*; and Renfro, *Stranger Danger*.
- 52 Most studies of prison visitation have been done by legal scholars, criminologists, and sociologists and do not include a historical approach. See, for example, Boudin, Stutz, and Littman, “Prison Visitation Policies”; and Hensley, Rutland, and Gray-Ray, “Inmate Attitudes.” On the effects of incarceration on prisoners’ loved ones, see Harvey, *The Shadow System*.
- 53 Murakawa, *The First Civil Right*; Forman, *Locking Up Our Own*; Hinton, *From the War on Poverty to the War on Crime*; Taylor, *From #Black Lives Matter to Black Liberation*.
- 54 Gilmore and Gilmore, “Restating the Obvious,” 145.
- 55 Chard, “Rallying for Repression”; Page, *The Toughest Beat*.
- 56 For the punitive turn, see Flamm, *Law and Order*. For how this punitive turn manifested and was amplified by popular culture and the media, see Macek, *Urban Nightmares*; and Sherry, *The Punitive Turn in American Life*. On links between liberal Great Society programs, welfare and opposition to it, and the rise of mass incarceration, see Murakawa, *The First Civil Right*; Kohler-Hausmann, *Getting Tough*; Hinton, *From the War on Poverty to the War on Crime*; and Weaver, “Frontlash.”
- 57 Rosen, “Carceral Crisis.”
- 58 Strange, *Discretionary Justice*, chap. 7, finds that executive clemency remained strong in New York State in the 1920s and 1930s despite a panic about crime and prisoner unrest.
- 59 Clear, *Harm in American Penology*.
- 60 For a close examination of the twin processes of social disinvestment and prison expansion—what Alex Lichtenstein calls “sunbelt penology,” see Lichtenstein, “Flocatex and the Fiscal Limits of Mass Incarceration.”

- 61 Gilmore and Gilmore, “Restating the Obvious,” 158, emphasis in the original. See also Thompson, “Why Mass Incarceration Matters.”
- 62 Paul Harvey, “Columnist Thinks Prison Life Getting Soft,” *Daily World* (Opelousas, LA), December 28, 1980.
- 63 Theorists who have identified a carceral continuum include Wacquant, “Deadly Symbiosis.” The concept of a “carceral archipelago,” which includes other punitive institutions in addition to prisons, was introduced by the French historian and philosopher Michel Foucault in *Discipline and Punish*, 297. Further, this exile or banishment is related to and contemporaneous with Beckett and Herbert, *Banished*, 8, who point out that “increasing swaths of urban space are delimited as zones of exclusion from which the undesirable are banned.”
- 64 See, for example, Lynch, *Sunbelt Justice*; Perkinson, *Texas Tough*; McClennan, *The Crisis of Imprisonment*; Gilmore, *Golden Gulag*; and Oshinsky, *Worse Than Slavery*.
- 65 Kennedy, “‘Longtermers Blues,’” 307. For examinations of regional distinctions and commonalities in prison practices, see Thompson, “Blinded by a ‘Barbaric’ South”; and Kamerling, *Capital and Convict*.
- 66 I have been influenced by the scholarship of geographer Dominique Moran, which itself is in dialogue with Erving Goffman’s work on the “total institution,” Michel Foucault’s work on the development of the prison and regulation of bodies, and Giorgio Agamben’s work on “spaces of exception” and “bare life,” among others. Moran suggests that “the ‘carceral’ is something more than merely the spaces in which individuals are confined—rather, that the ‘carceral’ is a social and psychological construction relevant both within and outside physical spaces of incarceration.” Moran, “Linking the Carceral and the Punitive State,” 166. See also Moran, *Carceral Geography*. Wang, *Carceral Capitalism*, 151, 17, analyzes both algorithmic policing and the “municipal plunder” by which cities rely on revenue generated by fines and fees and refers to this practice as evidence of the “predatory state.” On electronic monitoring, see Kilgore, *Understanding E-carceration*. On the collateral consequences of incarceration, see Jones, “Biographic Mediation.”

I have also been influenced by the scholarly and cinematic work of Brett Story, who looks at the prison as a set of relationships, tracking the entanglements of prison with broken windows policing in Detroit, the demise of coal mining in Kentucky, and the liminal space of the prison bus; see Story, *Prison Land*. Turner, *Prison Boundary*, 5–6, suggests that scholarship “has not yet interrogated the work of the boundary as a process in creating and stabilizing these categories,” and that this boundary is “constituted as a *set of connections* that work to construct, reinforce, and transgress that boundary” (emphasis in the original).

- 67 Martin Sostre, "The Open Road Interview," by David Spaner, *Open Road*, Summer 1976, 12. I thank Garrett Felber for this reference.
- 68 Gilmore, *Golden Gulag*.
- 69 Wang, *Carceral Capitalism*, 82–83, emphasis in the original. For the use of the fear of crime as a mode of governance, see Simon, *Governing through Crime*.
- 70 Appreciation and analysis of how fear has shaped the design of the physical landscape can be found in Davis, *City of Quartz*; Sorkin, *Indefensible Space*; Zukin, *Landscapes of Power*; and Smith, *The New Urban Frontier*.
- 71 Gilmore and Gilmore, "Restating the Obvious," 144–45.
- 72 Fallacious assumptions that Black people were inherently criminal long predate the Willie Horton scandal; see Muhammad, *The Condemnation of Blackness*.
- 73 Simon, "The 'Hard Back' of Mass Incarceration," 202.
- 74 Gilmore and Gilmore, "Restating the Obvious," 154.
- 75 Dolovich, "Foreword," 254.
- 76 Bortz, "From the Editor," 2.
- 77 On the increasing reliance on risk assessment in criminal justice policy and its relationship to the politics of mass incarceration, see Scheingold, *The Politics of Street Crime*; Simon, *Governing through Crime*; Garland, *The Culture of Control*; Simon, "Wake of the Flood"; Harcourt, *Profiling, Policing, and Punishing*; Pratt and Anderson, *Criminal Justice*; and Baker and Simon, *Embracing Risk*. The ascendant strategy of risk-based criminal justice, in which one class of people is categorized as the primary threat to the other and thus must be controlled rather than integrated, has been called "actuarial justice"; see O'Malley, "Globalising Risk?"
- 78 Atkinson, *Do Not Resist*.
- 79 Allen, *The Decline of the Rehabilitative Ideal*; Phelps, "Rehabilitation in the Punitive Era"; Tonry, *Sentencing Fragments*; Grasso, "The Unity of Individualism and Determinism."
- 80 Reiter, 23/7; Rhodes, *Total Confinement*.
- 81 Criminologist Christopher Seeds has examined the varying ways that people serving life and virtual life sentences have maintained hope and has urged more research in this area; see Seeds, "Hope and the Life Sentence."
- 82 As Steven Herbert has found in his interviews with people serving life sentences in Washington State, "Life-sentenced prisoners do good works because of the positive impact it can generate for others, but also because they can simultaneously write a new story about themselves, one that can provide a sense of both atonement and hope"; Herbert, *Too Easy to Keep*, 34.
- 83 Schenwar and Law, *Prison by Any Other Name*; Whitlock and Heitzeg, "'Bipartisan' Criminal Justice Reform."

- 84 Gilmore and Gilmore, "Restating the Obvious," 147.
- 85 Simon, "A Radical Need for Criminology," 10–11.
- 86 Fields, *Slavery and Freedom on the Middle Ground*, 39.
- 87 Guenther, *Solitary Confinement*, 60.
- 88 Henry [pseud.], Inside-Out reflection booklet.
- 89 Douglass, *My Bondage and My Freedom*, 90.

I. CLEMENCY IN THE AGE OF JIM CROW

- 1 Twelve percent of the clemencies, issued to twenty-six inmates, were for people who were in custody at the time of their release. Statement from the office of former governor Haley Barbour, quoted in Donna Ladd, "Barbour Finally Addresses Pardons; Insults Missisippians," *Jackson (MS) Free Press*, January 12, 2012, <https://www.jacksonfreepress.com/news/2012/jan/12/barbour-finally-addresses-pardons-insults/>.
- 2 "Haley Barbour May Try to Rewrite the Script for 2012 Presidential Race," *Washington Post*, March 21, 2011; "Questionable Decision by Outgoing Governor," *Meridian (MS) Star*, January 15, 2012, https://www.meridianstar.com/opinion/editorials/questionable-decision-by-outgoing-governor/article_cc43fd4d-ba10-55d9-a7d3-a8b8c6ac9768.html; Patrik Jonsson, "Haley Barbour's Pardons Put Southern Redemption on Trial," *Christian Science Monitor*, January 14, 2021, <https://www.csmonitor.com/USA/2012/0114/Haley-Barbour-s-pardons-put-Southern-redemption-on-trial>.
- 3 Haley Barbour, quoted in "Lawmaker Wants to Strip Governor's Pardon Power," *Sun Herald* (Gulfport, MS), July 27, 2008, reposted *Magnolia Tribune* (Flora, MS), https://magnoliatribune.com/2008/07/28/lawmaker_wants_to_strip_governors_pardon_power/.
- 4 The use of clemency had been routine at the federal level for most of US history until the administration of President Richard Nixon. See Love, "Fear of Forgiving."
- 5 Guenther, *Solitary Confinement*, xxi.
- 6 Ayers, *Vengeance and Justice*, 63, 204–6; Oshinsky, *Worse Than Slavery*, 179–204; Miller, *Crime, Sexual Violence, and Clemency*; Wood, "Cole Blease's Pardoning Pen"; Garton, "Managing Mercy."
- 7 Wood, "Cole Blease's Pardoning Pen," 148.
- 8 Myers, *Race, Labor and Punishment*, chaps. 6–7.
- 9 Wood, "Cole Blease's Pardoning Pen," 148–49, describes Governor Blease's use of the pardon power as "a modern, prebureaucratic approach to criminal justice" that "reinforced a dynamic of benevolence and deference between the governor and his supporters." Blease's