# Theoretical and Cultural Dimensions of the Warehouse Philosophy of Punishment

By

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This article examines the scholarship of several critical and popular criminologists who have offered explanations for the relative disappearance and dehumanization of prisons and their inhabitants in an American cultural and intellectual environment that has become increasingly punitive and expressive in its penal sanctions. Selective films from two different time-frames are examined for their representations of associated penal discourses. The author is particularly interested in the changes seen in feature-length films, and believes it is possible to apply the works of social commentators on penal policy generally to contextualize and understand them. Indeed, she considers these changes in recent films to be indicative of new cultural beliefs and ideologies about the criminal offender and justice system. The former, she argues, has been demonized and made unredeemable in our thinking, with banishment and containment being the sole corrective policies put forth to deal with him or her. And, the latter, she believes, shows the effects of a citizenry that has become deeply distrustful of its government and justice system and much more confident of the wonders of technology to remove and manage in a more efficient way the dangerous others among us.

Keywords: Warehouse prison, culture of contol, penal populism, offender demonization

#### INTRODUCTION

The film adaptation of a Stephen King short story, *The Shawshank Redemption* (1994), has been voted one of the most popular or "best" films of the 20<sup>th</sup> century by those who engage in such rankings. Leaving aside the issue of whether or not the film actually was a prison movie (Wilson & O'Sullivan, 2004), one might argue that a primary reason for this accolade was *Shawshank's* unrelenting message of hope, as evinced in heroic proportions by the main character, Andy Dufrense, a stoical everyman, who through will and wits alone overcame a brutal and corrupt prison system, while redeeming himself and his friends at the same time. Others might contend that there was a deeper, more complex explanation for the film's popularity, an explanation that revolved around the ideological discourse about prison and its inhabitants in the film – a discourse, which by the 1990s had become penologically extinct and politically incorrect, but which the public still entertained, even if it was nothing more than a form of wilfull nostalgia or culturally fabricated myth rather than accurate recall of the past (Simon, 1995).

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The relationship between penal cinematic history and different eras of penological discourse is explored in the present article. The method used to do so involves the integration of two strands of scholarship in a consideration of the practice and ideology of punishment in the United States: that which is associated with critical social theory regarding shifts in prevailing penological thought and that termed popular criminology, a field of scholarship which engages in an analysis of public discourses about crime and punishment. Although the latter encompasses all forms of public communication about crime and criminals, from urban legends to television and contemporary music, the interest here is with feature-length film, which is arguably one of the more accessible, and, therefore, influential, sources of information on crime and justice issues for the general public (Rafter, 2006). Indeed, despite the recent increasing appearance of prison and prisoners on television, motion pictures continue to remain, as discussed by Cheatwood (1998), the "primary medium that has created and supported popular images of what incarceration is, and this is a role [they] have filled since their inception" (p. 210).

Popular criminological scholarship on prison films has grown in recent years. In spite of this greater interest, however, many of these treatments have been "theoretically lightweight ... [and] reductive, offering little more than narrative description with no attempt critically to engage with epistemologies" (Mason, 2006, p. 194). What has been lacking, according to Mason, is an examination of "Hollywood's construction of incarceration...in Foucauldian terms as a discursive practice...fixing the meaning of imprisonment within a particular discourse at a particular time" (p. 194). This is especially the case with respect to the influence that our current state of penal populism and punitiveness has had on film. "None of the criminological writing [on either]," Mason argued, "[has sought] to engage on any meaningful level with how various forms of media construct prison and punishment" (p. 1).

It is the author's intent to contribute to this discussion by undertaking the previously described analysis incorporative of two modes of inquiry, critical social theory and popular criminological thought. Both will be used to discern and contextualize the characters and themes associated with two different eras of penal cinematic history, each of which, it will be argued, can be linked to a distinct set of beliefs and penological discourse at a particular point in time. The power that the media can have in shaping, or at least influencing, public attitudes about criminal justice issues, and corrections in particular, has been discussed elsewhere and will not be a focus of the present inquiry (Kappeler & Potter, 2005; Potter & Kappeler, 2006; Surette, 2006). The development of a prison film typology also is not intended, although comments about more recent films will be made to suggest a new filmic era characteristic of the current technological warehouse prison (Irwin, 2007). The aim, instead, is to examine cinematic productions as "morality plays" (Cheatwood, 1998, p. 210) for what they convey about the nature of the incarcerated and those who administer their sanctions and to consider how these messages reflect political and penological thought prevailing in a particular time and place.

## FILM SELECTION, IDEOLOGICAL CONTEXTS, and ANALYSES

Films from two different time-frames, 1960-1980 and 1981 to the present, were examined in this inquiry. For the earlier era, the following films were included: *Birdman of Alcatraz* 

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(1962), Cool Hand Luke (1967), Papillion (1973), Short Eyes (1979), and Brubaker (1980). Films selected from the later period were the following: Escape from New York (1981), Ghosts ... of the Civil Dead (1988), American Me (1992), Con Air (1997), and American History X (1998). For reasons discussed by Cheatwood (1998), only productions dealing with adult male civilian prisons were analyzed, as these are, indeed, the types of institutions that the public identifies with the "prison problem" (p. 211).

Although there was no question that the films selected were, in fact, prison films, given the presence in them of all criteria associated with that designation established by scholars in the field (Cheatwood, 1998; Mason, 2003; Rafter, 2006; Wilson & O'Sullivan, 2004), they were not identified for inclusion in this study through the use of standard scientific means. Instead, they were chosen with illustrative purposes in mind, only: and, those purposes were limited to their applicability in demonstrating penological thought at the time of their production. As such, they satisfied the author's intent not to characterize or typify films of a particular era, but to comment on the appearance and changing nature of criminological discourses in the media at specific points in time. It also should be noted that the film *Ghosts ... of the Civil Dead* is an Australian production. The use of the film in this study was suggested by a reviewer of a previous draft of the present article, given its powerful and unsurpassed representation of current penological trends and thought, which will be discussed further below.

The two time-frames from which films were selected witnessed markedly different ideological discourses about punishment. The earlier period, 1960 - 1980, was a period of great change with respect to penological beliefs and practices. It began, as David Garland (2001a) has chronicled, with a continued adherence to a policy framework of penal-welfarism, which had its "most vigorous development in the 1950s ... [and] basic axiom that penal measures ought, where possible, to be rehabilitative interventions rather than negative, retributive punishments" (p. 34). And, it ushered in, by the late 1970s, a period of "demoralization...that undermined the credibility of key institutions of crime control [and that had as its core belief] the notion that 'nothing works' [and ever would with the criminal offender]" (p. 61).

Government officials and policy-makers responded to these sentiments and in the 1980s abandoned the century-old rehabilitation philosophy of punishment for one that was relentlessly retributive and sought to "condemn more and understand less" (p. 9). States rushed to adopt mandatory sentences, a variety of predicate or habitual offender statutes, punitive enhancements for weapons or gang-related offenses, and truth in sentencing guidelines, while abolishing parole along the way. They also embraced a number of more expressive sanctions that were clearly designed with the once again fashionable public condemnation in mind through conspicuous shaming, humiliation, and symbolic (yet absolute) banishment (e.g., chain gangs, sex offender public notification laws, and sex offender civil commitment procedures (p. 9)).

It was not just sentence lengths and conditions that became more punitive, however; the prison environment itself, where these sanctions were carried out, also was changed to mirror this public censure by becoming "suitably austere" (p. 9). Programs disappeared because of lack of funding; aid for higher education (and higher education itself) was eliminated; inmate fees for services became common; double-celling was implemented; inmate visitation was restricted; and

at the high-end of the scale, states began constructing the technologically sophisticated (and psychologically damaging) super-max facilities designed supposedly to hold the worst of the worse in an environment that all but eliminated any human contact or sensory stimulation.

The "new penology" (Feeley & Simon, 1992) followed on the heels of these changes and in its assumptions and research agenda, very much expressed the same pessimistic sentiments as the nothing works paradigm (Shichor, 1997). At its foundation was the belief that because criminology had failed as a rehabilitative science, "a high level of criminal behavior [would always] continue to occur" (p. 474). And, in response to this, criminologists were advised to turn their attention away from the individual and his/her rehabilitation and to direct it instead at research concerned with identifying, classifying, and managing types of inmates according to their levels of dangerousness (p. 472). Thus, at its most basic level, the field became dominated by an ideology grounded in pragmatic, rather than moral considerations, with its main objectives being the pursuit of a new dangerous class in the person of the hard-core criminal offender (pp. 473 & 474) and the development of knowledge and technology to best manage the new "modern day stainless steel 'panopticons'" (Simon, 2000, p. 286).

Rafter's (2006) work directed the initial comparison of films from the above two time-frames. However, it should be emphasized that there were some limitations in her analytic framework. These have been discussed by Wilson and O'Sullivan (2004) who argued that Rafter's failure to base her inquiry on the historical context of particular film eras or to periodise the prison film genre as Cheatwood (1998) and others have, "[overstated] the homogeneity of the genre and [failed] to distinguish between distinctly different uses of the same 'generic formula'" (p. 66). Moreover, Wilson and O'Sullivan claimed, that by "reducing the prison film to its generic characteristics, [Rafter excluded] from ...analysis [any] consideration of the changing *mise en scene* [i.e., tone] of the prison film [or] changing representations of [both the prison and its inhabitants]" (p. 66). Even more problematic, at least from this author's perspective, was their observation that Rafter's work made an implicit assumption that "the same characteristics ...in films [from] different time periods ... [meant] essentially the same thing" (p. 66).

Accordingly, the most helpful source consulted for this analysis was the work by Cheatwood (1998) who, moreso than Rafter (2006), undertook his examination with the type of scrutiny intended by the present inquiry. On the basis of what he called the fundamental structural elements of prison films (confinement, justice, authority, and release), Cheatwood identified four distinct eras in the genre and, then, examined films from each as "morality plays" (p. 210) that enabled an interpretation of "society's baseline attitudes about corrections at specific times and places, undisguised by academic jargon or political rhetoric" (p. 210).

The films selected for this study were analyzed in terms of three general criteria: representations of the offender; representations of the prison; and the plot. Included within each of these elements were other subtopics of interest, similar to Cheatwood's (1998) key structural elements identified above, that were obviously related to the broader criterion. For instance, in analyzing the representation of the prison, the nature of that confinement was of particular interest, as were the implicit messages and imagery associated with prison and state authorities, and inmate reactions to, and ultimately release from confinement. The analysis, as already

stated, also involved a much more critical and substantive level of interpretation. This centered on examining the relationship of a film's imagery and message to the penological discourse of its time, which was accomplished by referencing the work of critical social theorists.

### FINDINGS AND RESULTS

Unlike early American sanctions which were expressly theatrical and public in their enactment, the prison and sanction of imprisonment have been shrouded since their inception in absolute secrecy. Typically located in rural, sparsely populated areas, the prison's high walls, turrets, and razor wire have not only kept the confined in, but public scrutiny out. As a result, their internal "guts" or workings have provided an almost perfect arena for rampant speculation and myth-making, with beliefs and ideologies about the keepers and the kept serving as the grist for what the public has thought life behind bars must be like. Indeed, in many ways, they are forbidden institutions, tainted by the crimes and beings of those they hold.

Media representations of the prison and imprisoned often have purported to be based on "the true story" or to be telling the public what really goes on behind those high walls (Rafter, 2006). This, however, has rarely been the case, and what that story typically did was reflect more about what we, as a society, thought or believed about the institution and those it held at particular points in time than what actually was. Thus, as has been stated earlier, prison films "are almost pure 'morality plays' that allow us to see the optimism or pessimism society holds toward the 'system' and toward 'individuals' at that time" (Cheatwood p 210). And, in the end, it is those very characteristics that we identity as unrealistic "that help make such films more abstractly pure and valuable for an investigation of general public attitudes" (210). What is even more revealing is to compare prison films from two different time-frames, as was done here, where the ascendancy and decline of certain characteristics can be charted and, then, contextualized in terms of relevant penological discourses. Such a comparison, along with interpretation, is provided below.

## THE OFFENDER: FROM EVERYMAN to the OTHER

Perhaps one of the most profound changes in recent prison films has been the media "reconstruction" of the offender and other stock characters, omnipresent in most prison films produced before the mid to late 1970s. According to Rafter (2006), these inmate types have included the older, wiser inmate who knew the ropes and typically bonded with the younger (often innocent) new-comer (i.e., fish), along with the rat, snitch, and mean, bloodthirsty convict. Although most of the above types were present in the earlier films reviewed for this study, those produced between 1960 and 1980, one also began to see in these movies distinct changes from the more traditional 1950s prison film, changes that could be seen as reflecting the move in this country toward the "nothing works" paradigm in corrections.

Looking at *Brubaker*, as an example, the reform-minded warden (who entered the prison farm under-cover as a new inmate) was, in fact, quick to connect with the elderly, beaten-down African American porter who not only played an advisory role for Redford's character throughout the film, but also came to represent the tragic outcome of the corrupt correctional

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system that was the target for Brubaker's reforms. And, the latter included, of course, a host of evil, opportunistic inmates who, as "trustees," managed the population and farm in typical slave-driver fashion. At the same time, however, there seemed to be no innocent men on the farm, except those raped or beaten without cause to serve as examples for new-comers and the porter who was unjustly held beyond his release date. Likewise, there were no distinct rats or snitches, and the only other demonstration of an older inmate helping one who was younger led to an unseen severe beating of the former.

These characters have a somewhat different presentation in *Birdman of Alcatraz* and *Cool Hand Luke*. In *Birdman*, it was the main character, Robert Stroud, who became the wise, elderly inmate, and in *Cool Hand Luke* the relationship between Luke (the newcomer) and Dragline (the boss convict) was sealed only after Luke refused to stay down and admit to defeat after a pummeling by the latter. In addition, in both of these films, there was little doubt about the guilt of those confined, even though main characters were somewhat sympathetically portrayed, Stroud for killing a guard who cancelled a visit with his elderly mother and Luke for receiving a harsh sentence for a seemingly trivial offense (cutting off the tops of parking meters). The same could be said for *Papillion*, which also established the main character as the wise, seasoned con to Hoffman as the first timer; both characters (and the rest of their Devil's Island neighbors) were presented as guilty and although McQueen certainly advises Hoffman about the Island early on, their paths definitely diverge when it comes to how they do their time.

In many ways, *Short Eyes* (1979) can be looked at as a film that provided a transition to those that appeared in the later era under discussion (i.e., 1980 – present). It had its share of traditional prison film types, including the more seasoned inmate who initially befriended the newcomer (an alleged pedolphile, hence the title, *Short Eyes*) and the mean, blood-thirsty detainees. At the same time, however, it introduced new, more modern types, such as the inmates running the block's underground economy (i.e., store) and themes, including that of homosexuality (as opposed to rape) in the detainees' reactions to the younger inmate "cupcakes."

The presence of stock characters in prison films from the 1960s through the 1970s, a period during which the racial composition and politicization of inmates led to increasing tension and conflict in the American prison, can only be interpreted in a manner similar to that used by Simon (1995) to account for the cultural relevance and resonance of the boot camp in today's society. The continued, though somewhat altered, appearance of these types of offenders in films of that period was, thus, not a product of "classical nostalgia" or yearning for a past "golden age" as it was one of "willful nostalgia" (p. 30). It was, in other words, a social construction of the past, or what we've been told happened versus what actually happened.

At the same time, however, certain changes in characterizations, including those described above, appeared. And, it was these changes that were noteworthy for what they conveyed about the penological discourse of that particular time. That discourse, as explained earlier, was one of great change with respect to penological beliefs and culminated, by the late 1970s, in an abandonment of the rehabilitative ideal for the nothing works model and its corollary confinement ideology necessary for an increasingly diverse, politicized, and, at times, hostile population (Cheatwood, 1998).

This was clearly reflected in the films of this era as individual reformation or redemption became irrelevant to the narratives, with the exception, of course, of *Birdman*, and, in fact, certain inmate types became portrayed as wholly unredeemable (*Short Eyes*). Moreover, violent, as well as irrational, offenders made an appearance (*Birdman, Brubaker*), as did racial tension (*Short Eyes*). Finally, the innocent or at least likeable everyman of earlier eras was replaced by the tough or shrewd con who not only defended himself against others, but resisted authority (*Cool Hand Luke, Papillion, and Birdman of Alcatraz*).

In more recent films, most of the staples identified by Rafter (2006) have disappeared altogether, except for the predatory inmate, who has been exaggerated to the point of becoming the norm in today's prison population. This is nowhere better seen than in the film *Ghosts* ... of the Civil Dead, where absolutely no one, not even the seemingly misplaced property offender, Henry Wenzil, and those in solitary confinement who pursued art, self-education, and model building, was immune from committing senseless butchery. Moreover, rather than seeing a sense of camaraderie between inmates, especially the new and the older to survive the violence of the yard, shop, or shower, victimization often happened first before establishing protective liaisons with others, as in American History X or American Me. Even more emphasized has been the extreme importance of individual inner strength for survival (American History X, American Me, Con Air) or, the opposite, that because of who or what one is or has done, it is often impossible to secure help in what has become a kill or be killed, survival of the fittest environment (Escape from New York, Con Air, American Me, Ghosts ... of the Civil Dead).

Like stock characters, heroes in prison films of the past also differed substantially from those of the present. They were, for one, thing quite obvious and far less complicated. For instance, Burt Lancaster as Stroud in *Birdman* was almost pious in his demeanor and not only brought his guard to tears and other inmates like Telly Savalas to recognize their softer, birdloving side, he also managed to defuse a riot and challenge the warden in an intelligent, irrefutable discourse about the flaws of prison as an agent of change. Similarly, *Papillion* remained a free spirit on Devil's Island until the end, as did Luke in *Cool Hand Luke*, although the latter's outcome was far more negative. *Brubaker*, likewise, entered and left the prison farm as a reform-minded warden, and received at his exit an accolade of applause from the entire inmate population despite his untimely dismissal.

In more recent films, heroes either have totally disappeared (*Ghosts* ... of the Civil Dead) or, if present, have become more difficult to identify, appear as works in progress, or seem more coarsened and flawed than those of the past. For instance, although American Me's Santana clearly has a good side that sermonized about the destruction wreaked on communities and youth by drugs and crime, the murderer that he became was unable to survive the consequences of his own involvement in both. His death scene, in fact, almost seemed ritualized or sacrificial, with a level of compliance and resignation seen in his eyes and demeanor when approaching those who carried it out. Moreover, with their denial and lack of action as Santana walked to his death, his friends appeared almost apostolic. Derek Vinyard (American History X) also suffered for his hatred-filled past with the violent death of his younger brother, even though he himself was reborn beforehand as a seemingly wise, caring family man. In contrast, there were only heroic machismo caricatures in Escape from New York and comic book action warriors in Con Air, one

a good bad guy and the other a good good guy, who mount their motorcycles in unison to save the day against the monstrous or worst of the worse convicts (Rafter, 2006).

The work of Jock Young (1999) seems particularly relevant to understanding the changes in these cinematic representations of the offender. Young has argued that the political, economic, and social uncertainty of late modern culture, when coupled with past record-level crime rates, has created a sense of popular apprehension and "transformation of public behavior and attitudes" from one of inclusion, tolerance, and assimilation to that of exclusion, avoidance, and removal where intolerance and demonization prevail (p. 17). In doing so, the deviant other has been reconfigured, Young continued, from being "someone who [could and] must be socialized, rehabilitated, cured until he or she [was] like 'us'" (p. 5), to an enemy alien, "essentially different from us," who was incapable of redemption and must be abhorred and excluded (p.114).

Such a transformation was necessary, Young stated, because as crime became a normal rather than exceptional event in people's lives, the average citizen had to be distinguished from those others, wicked creatures and monsters, clearly responsible for the current state of fear, anxiety, and disorder. Accordingly, he claimed that the "underclass, who [lived] in idleness and crime" had become "a scapegoat for the troubles of the wider society....They [were] the social impurities of the late modern world" (p. 20). Whereas they once were seen as marginalized and, therefore, capable of inclusion, Young said, the operative phrase today is "social exclusion ... encompassing as it does a more dynamic expulsion from society and, most importantly a decline in the motivation to integrate the poor into society" (p. 20).

Beckett and Western (2001) likewise implicated changes in thinking about the governance of social marginality into their explanation for the new offender associated with a punitive penological discourse (p. 35). More specifically, they argued, like Young (1999), that the policies of penal and social welfare institutions "[varied] according to their commitment to including or excluding marginal groups" (p. 36). Accordingly, Beckett and Western have asserted that whereas "inclusive regimes [emphasized] the need to improve and integrate the socially marginal, [placing]... emphasis on the social causes of marginality..., exclusionary regimes [emphasized] the undeserving and unreformable nature of deviants...and hence [were] more likely to feature less generous welfare benefits and more punitive anti-crime policies" (p. 36).

Garland (2001a) also has examined how beliefs about the offender have changed not in response to structural reconfigurations of the punishment system, but more as an ancillary to what he has called a new culture of control "that enlivens [them], orders their use and shapes their meaning" (p. 175). He has said that in this new culture the system has changed its focus from individual welfare or rehabilitative thinking to a more punitive and retributive orientation. And, at the crux of these changed concerns was a different offender, one who was "less likely to be represented in official discourse as [a] socially deprived citizen in need of support" (p. 175), and more likely to be depicted as "culpable, undeserving, and somewhat dangerous individuals who [had to] be carefully controlled for the protection of the public" or as "risks who [had to] be managed" by a system that minimized costs and maximized security. (p. 175)

Simon (2001) and Wacquant (2001) have gone even further in their interpretation of the "newly" constructed offender equating crime to a disease or condition with polluting effects stressing what has become the sole purpose of the prison, discussed further below, and that is to "quarantine [an infected] group from the urban body... [and] to dramatize the fear and loathing of crime...as the abhorrent conduct of defective individuals" (p. 98).

It is this process of demonization and essentializing of the other to account for crime in an individual rather than societal-based fashion that has marked this country's current thinking about the offender and what should (or could) be done to control (but not change) him or her. We, thus, have transformed the offender into a monster (or our new boogey man) and exaggerated the risk he or she poses, with much help from the media, so that nothing more or less than "a criminology of war" and exclusion is both possible and probable (Young, pp. 116-117). Ironically, that war has been given the most extreme expression in the film *Ghosts* ... of the Civil Dead, where the prison environment is that of a new generation jail (which has been touted in this country and elsewhere as providing a more humane confinement setting). In that film, guards appeared and acted as if under siege, as they supervised their charges watching closed-circuit televisions (CCTVs) within a plexi-glass control room, and a super-max facility was recommended as the final solution "to protect law-abiding citizens from this country's most dangerous men."

## THE PRISON: FROM TOXIC MACHINE TO WASTE MANAGEMENT

Past representations of the prison as a confinement setting essentially consisted of it as a people processing machine, comprised of incessant, boring routines, and countless rules and regulations (Mason, 2006). Everyone coming into its bowels was subject to the same dehumanizing intake process, moved in unison to/from his cell for programs or meals, and was given a particular part in keeping the machine going. These themes were especially evident in *Birdman of Alcatraz* and a slightly different version of them also appeared in *Cool Hand Luke*, *Papillion*, and *Brubaker*. In all three of these films, setting, of course, definitely determined the nature of the machine, from the chain gang in *Luke* to the prison camp/farm in *Papillion* and *Brubaker*. At the same time, however, the purpose of the machine or those in control remained the same as that seen in earlier films associated with the Big House era of imprisonment (Rafter, 2006) and that was to subject the individual to the total control of state authority and if noncompliant, to expel him from its midst to the box or hole.

The prison as machine controlled by the authority of state officials has been far less apparent in more recent films. Although inmates have still been seen complying with rules and moving as one in response to orders at scheduled intervals, they have been far less quiet and emotionless when doing so. In fact, it seems that the purpose of the prison machine has changed dramatically from that of people processing to that of people keeping, and then not necessarily in a safe and secure manner. As will be discussed below, prison officials also have become less present in these current films and, thus, their authority over running the daily life of the prison or attempting to change any of its inhabitants has rarely been seen or assumed. Instead, the inmates have been portrayed as maintaining what peace there was in the house or on the island, sometimes successfully and sometimes not, and rather than change and redemption, survival

through total withdrawal or gang affiliation has become the new objective for a prison machine that has come to function solely as a warehouse (Irwin, 2007).

This dysfunctional machine and lack of official control are two themes in recent prison films that will be discussed below. There have been, however, several more profound changes between the cinematic prison machine of the past and that of the present. The very nature of the machine and its relationship to those processed, have, in fact, changed. Whereas the past film message appears to have been that the machine itself, and those who operated it, were toxic or evil, today's imagery sanitizes the machine with technology and communicates that it is the inmates who are toxic and can only be contained, rather than restored, by the state. Moreover, a second, more sinister, message has focused on the fate of supposed "normals" in the new prison environment. While in the past it was the state that beat these "normals" down unless they, like *Shawshank's* Andy, could escape, both figuratively and literally, the toxicity of the prison, in more recent films it is the inmates, themselves, who have become toxic and contaminative of those exposed to them, especially the "normal" white everyman.

The toxic prison machine, operated by ineffectual or evil state officials, was very evident in films of the past. And, typically joining this representation was the inmate who resisted this authority, either because he has been unjustly placed in its midst or was, at heart, a free spirit who may have committed an offense but was loveable just the same. *Birdman*, for instance, presented the audience with rather weak ineffectual officials in the characters of the sympathetic guard who grew old with Stroud and the warden who was very officious and committed to his profession, but just didn't understand the flaws of forced rehabilitation, as Stroud so eloquently pointed out in the film. In contrast was *Cool Hand Luke*, whose guards were clear representations of evil where human qualities of heart and sight were masked behind reflective glasses. The same was true for *Short Eyes*, where the guards, who were seldom on screen, appeared solely to taunt their charges and eventually cheer on the grisly murder of an alleged pedophile.

*Brubaker* was a bit more complicated. Although it also had its share of evil- minded, unfeeling guards, in this case they were trustee cons who brutally managed their peers on the farm. This film also introduced the politically-minded government official for whom reform must be popularly supported to be pursued and the principled, yet politically unsavy warden, who failed because he could not work the system. And, finally *Papillion* stayed rather neutral with respect to prison officials, who appeared as military, and rather personless, appendages who had very little to do with the well-being and care of their inmate charges.

In all of the above films, one also saw an administration (prison, field, or other) that debased its charges or profited at their expense, against which one or several inmates fought. In *Papillion*, for instance, the character portrayed by Dustin Hoffman in his final garden-tending passivity represented the sorry, mindless outcome of the "treatment" administered on Devil's Island, whereas the beguiling McQueen character whose continued attempts at escape showed the indomitable will of the individual over the machine. Similarly, *Birdman's* Stroud triumphed, symbolically and through rhetoric at least, over a vengeful warden, appearing at the end of the film as a dignified, wise elder who had become the subject of a prize-winning work. And, in

*Brubaker* the brutality and exploitation of the system was, of course, the centerpiece of the film, as were the positive changes seen in the inmates exercising collaborative self-government after the reform efforts of the new, albeit short-termed, new warden's administration.

More recent cinematic images have provided sharp contrast to these somewhat hopeful challenges against a toxic prison authority. Indeed, in these films, the inmates themselves have become poisonous against each other in the context of a faceless prison machine that has as its sole function their containment. This was clearly seen in *American History X, American Me*, and *Escape from New York*, with ethnic/racial gangs fighting for power and governing the nature of one's life and survival. For instance, when Derek walked away from the Aryan Brotherhood in *American History X*, he suffered the consequence of a brutal rape and, then, survived only because he, unknowingly, had the more powerful African American Brothers on his side.

The flawed machine metaphor and survival of the fittest ethos also were evident in *Con Air*, where in spite of the most sophisticated technology available, a group of inmates, representing the worst of the worse, took control of their airplane transport, brutalizing their keepers and each other in the process. However, even more extreme in its failures and role in precipitating violence among both the keepers and kept was the Central Industrial Part of Correctional Services ("the future of containment") in *Ghosts ... of the Civil Dead*. As described earlier, guards in this film were totally reliant on the latest technology in their supervision of inmates, and, at least initially, allowed all forms of deviance to flourish unabated in the new generation housing unit: their watching these activities on CCTV's or through the plexi-glass of a control room was both chilling and terrifying. The subsequent foolish and nonsensical actions of upper management to assert control where there had been none and the violence these decisions engendered were nothing less than horrific.

In these films, the prison official himself has typically disappeared altogether or become a one dimensional character of good and evil. In *American History X* and *American Me*, for instance, there seemed to be no governmental officials in charge, with the prisons taken over and run by racial-ethnic gangs. Government officials, while introduced, also had minimal influence in *Escape from New York*, where the below-ground crazies battled with different above-ground cliques, such as that headed by the Duke of New York (Isaac Hayes), who was eventually machine-gunned to death by his captive president. *Con Air* introduced more variety; even though its characters were very one-dimensional and cartoonish, they also included a couple of by-the-book, unfeeling guards, along with those who were more humanistic and believing in individual change, including a somewhat traditional damsel in distress. A varied, but distinctly different group of ineffective officials also peopled the film *Ghosts ... of the Civil Dead*, from the modern version of the turn-key (i.e., the guard doing his shift in the control room) and the officer who suffered a suicidal breakdown to the seasoned guard who attempted, but failed, to influence an inept administration to change its ill-advised ways.

Finally, as stated at the outset of this discussion, there has been a dramatic change between the two eras in terms of the outcome experienced by the "normal" individual subjected to the prison machine. One need only compare two films, *Cool Hand Luke* and *Ghosts ...of the Civil Dead*, to demonstrate this difference. In the former, Luke, of course, was the normal,

small-time offender who entered the toxic Southern chain-gang. And, until his demise in that system, he mocked and resisted all attempts at control, maintaining his unique personality and stature among the other convicts. In contrast was the young property offender Henry Wenzil from *Ghosts* ... of the Civil Dead, who, unprotected by the inept prison administration and staff, descended into the depravity of those around him, brutally murdering the unit's popular homosexual, under the not-so watchful eyes of the guards.

Such cinematic changes as those noted above have been received well by a public that has come to think very differently about crime, punishment, and government's capability to control the former and exact the latter than it did in the past. As discussed earlier, critical social theorists have offered a number of different interpretations for this transformation in public receptivity to a criminology of war and populist punitiveness that has affected both penological policy and scholarship.

The demonization of the offender in this country's penological discourse was previously examined, as was the impact such changed imagery has had on thinking about the causes of crime. Garland (2001a), for one, argued that over the last 20 years, criminological thought has changed from a social welfare orientation, with criminality viewed as a "dispositional outcome of social deprivation" (p. 182), to ways of thinking much more in line with penal-welfarism (p. 182). He has said that two opposing schools of thought have dominated the field, the first of which stressed individual accountability for criminal behavior, and the second which assumed there were certain offenders who were "simply wicked", intrinsically evil, and different from the rest of us, who could only be locked up and never treated (p. 184).

Garland also characterized the changed style of reasoning that underlay this country's new culture of control as being more economically than socially based as it was in the past. He has said that whereas we once conceived of crime problems as having "social [causes] and social [solutions]" (p. 188), we have come to think of crime and crime control, specifically, in economic terms. Accordingly, we tally the costs of crime and its prevention and talk of the risks posed by crime control strategies and offenders themselves, objectifying the latter in terms of their potential risks and dangers to the rest of us.

As sated earlier, Garland also has argued that the most significant change in our machinery of social control has not been in its structures, but in the "culture that enlivens [them], orders their use, and shapes their meaning" (p. 175). Our current correctional system, he has said, has shifted from individual welfare or rehabilitative thinking to a more punitive and retributive orientation. Its new prioritized concerns have become distinctively *penal*" (p. 175; emphasis in original), he said, including such symbolic and expressive concepts as "less eligibility, the certainty and fixity of punishment, the condemnation and hard treatment of offenders, and" the minimization of risk to ensure public safety (p. 175). As a result, we, as a nation have evinced a penal ideology best termed "populist punitiveness" (Young, 1998), the beliefs of which have stressed a "compulsive attachment to toughness" (Clear, 1994) and "addiction to imprisonment" (Pratt, 2009).

Extending this thinking even further, Wacquant (2001) has argued that there is a current symbiosis between the ghetto and prison in American society and a new "carceral continuum" (p. 83) or mesh between these two institutions, with each taking on the characteristics of the other (p. 84). It is because of sweeping economic and political forces, Wacquant has said, that the ghetto has become much more like a prison: racially homogenous, it "now serves a negative economic function of storage of a surplus population devoid of market utility" (p.92), with state institutions of social control replacing the more informal neighborhood institutions and a public space damaged by fear, danger, suspicion, and mistrust requiring, like in any prison, the demonstration of street smarts to survive. Similarly, he has observed that today's prison has devolved into and taken on the cast of ghettoization; gone is any mention of rehabilitation and in its place one finds nothing more than a "race divided, violence ridden warehouse, geared solely to neutralizing social rejects by sequestering them physically from society" (p. 95). In other words, like the other scholars previously discussed, Wacquant spoke of the polluting effects of crime and how the prison, like the ghetto, has as its mission "the quarantine [of an infected] group from the urban body" (p.98).

Just as the meaning of crime and punishment has changed in this society, so too has the discourse about government or rather public trust and beliefs in it to punish adequately and accomplish its mandate of public safety. Simon (2001), for instance, has built upon Young's argument and asserted that politicians in the United States have made the fear of crime a pivotal part of their public discourse and agenda because of its value and usefulness to their continued dominance of the political culture and sphere. In fact, he has said that our past and present crime panics have been promoted in the media to provide an increasingly mistrusted government new risks and enemies to act against so as to demonstrate its true effectiveness. And, the public has become more than receptive to this discourse, Simon argued, because of cultural changes akin to those highlighted by Young (1999), such as the rise of a "new populist punitiveness" and commitment to hyper-individualism and personal accountability (p. 20).

Simon concluded his argument by explaining why imprisonment has become the political response of choice to crime in this country. And, he did so by "analyzing crime fear as a sectarian value system" or set of politically distorted beliefs about crime that ascribed blame (on cities, minorities, and liberal government) and told us who and what to valorize (the innocent white victim and individual moral integrity) (see pp. 20-24). A pivotal theme in this system, according to Simon, was the equation of crime to a kind of pollution or disease for which imprisonment or containment became the political response of choice. The financial cost of such a policy should not be of concern, Simon contended, because "[a]s with 'super-fund' expenditures to clean up industrial contamination, there is no point in asking whether [imprisonment costs] can be justified by the reduction in risk. When the moral survival of a society is threatened there can be no cost-benefit analysis" (p. 22).

Shichor (1997) also explained the appearance of the new penology in a manner similar to that of other scholars previously reviewed, stressing that it was a product of a moral panic that swept the country in the 1970s, when faith in the system's ability to rehabilitate was repudiated and replaced with a concern for public safety through the identification and management of dangerous others. Shichor derived a somewhat different meaning from the punishments

associated with this new penology, however. Rather than characterizing them as waste management, demonization, or penal-welfarism, he related measures such as Three Strikes legislation in particular to the cultural model and trend of McDonaldization in American society where punishment has been construed to serve a kind of one size fits all purpose.

Indeed, Shichor analyzed California's Three Strikes law as a product of the ethos of "formal rationality" (p. 476), evincing the four primary dimensions associated with the fast food industry of efficiency, calculability, predictability, and control (p. 476). Accordingly, it was supposed to be efficient in targeting and incapacitating the worst offenders; it was formulaic with a legislatively calculated sentence (25 to life); it provided for predictable, set sentences by limiting judicial discretion; and it provided for increased control over sentencing using nonhuman technology.

Zimring (2001) also related distrust of government or the politics of distrust to the public's support of punishments that have flooded this nation's correctional system. More specifically, he argued that the public does not believe criminal justice officials act forcefully enough in upholding the law and sanctioning its offenders. It was because of this distrust, Zimring said, that the public has supported the imposition of strict penal measures, such as Three Strikes and You're Out, Truth in Sentencing, and mandatory penalties, which limit governmental intervention and the discretionary powers of practitioners in the system to take a softer stance toward any individual offender (p. 148).

One cannot help but see the above ideas and beliefs reflected in the more recent cinematic representation of the state of punishment and especially imprisonment in this country. Crime has clearly been construed as inevitable and the product of evil and wicked others who can only be contained and never reformed. Moreover, the prison machine has become dehumanized and focused solely on risk management, where more extreme levels of security and deprivations have become not only necessary but welcome. And, in the midst of this, one finds very little faith in government, or for that matter man, to manage the worst of the worse without an over-reliance on technology.

## THE PLOT: FROM JUSTICE and RELEASE to DOMINATION and SURVIVAL

Both Rafter (2006) and Cheatwood (1998) have identified two standard plot narratives or story-lines in the traditional prison film. These concerned the issues of securing both justice and release from state confinement. With these two themes in mind, Rafter characterized the traditional prison film as follows:

[They] are essentially fantasies, films that purport to reveal the brutal realities of incarceration while actually offering viewers escape from the miseries of daily life through adventure and heroism. Presenting tales in which justice is miraculously restored after long periods of harsh oppression, prison movies enable us to believe, if only briefly, in a world where long suffering virtue is rewarded. (p. 163)

The threads of the individual's battle against the injustice of and release from a corrupt authority were clearly seen in the older films reviewed here, but perhaps nowhere better than in *Cool Hand Luke*. Indeed, Luke's very being brimmed with contempt and antagonism toward authority, coolly captured in his grin, countenance, and words of defiance. From the outset and in nearly every scene he challenged the bosses and their petty rules, earning an early knick-name of "No Ears" for failing to listen during his orientation to the regime of the chain gang. And, when it appeared that Luke was broken and beaten into submission, it was just that, an appearance or act that preceded his third and final escape from the gang.

In the remaining four earlier films reviewed for this analysis, the search for justice became pitted against the conditions of confinement or, in the case of *Birdman of Alcatraz*, the fairness of a person's continued confinement (the elderly Stroud, who also challenged and critiqued in writing the regime of the Bureau of Prisons). The austere Devil's Island was, of course, the target in *Papillion*, as was the entire Arkansas prison system in *Brubaker*, although in the latter the reform warden also sought justice for those in unmarked graves on the prison farms. The themes of justice and release were quite different and more difficult to discern in the transitional film, *Short Eyes*. Although the film clearly railed against vigilante justice with the grisly murder of an alleged pedophile, the ambiguity about the latter's present and past offenses tended to temper, at least somewhat, the sense of absolute outrage.

The nature of justice and the issue of release have become far murkier and much less comforting in more recent prison films. For instance, the unjustly convicted hero, so common in the traditional prison film, has all but disappeared in films produced since 1980, with, perhaps, the exception of *Con Air*. In addition, the source of underlying tension in these films has not been between prison authorities and the inmates, but amongst the inmates themselves. Thus, rather than rebellion, one finds revenge for slights or violence committed by another inmate (*American Me, Con Air*). And, instead of butting up against prison authorities to establish one's sense of control and manhood, there is the steely-eyed confrontation with the offender who victimized another (*American History X, Con Air*) or the consistent skirmishes between different groups vying for power (*Escape from New York*). Finally, reality is never in question in these later films: the brutal, victimizing inmate is always just that, with no soft side or winning over by the hero.

More importantly, however, it seems that justice has become assumed, irrelevant or a sidebar in more recent films, which are focused solely on day-to-day survival in prison. Nowhere is there a question about the rightness of a sentence (as in *Cool Hand Luke*), the duration and nature of confinement (*Birdman of Alcatraz*), or the conditions under which a sentence is served (*Brubaker*, *Papillion*). Even more telling is what justice has been reduced to in these films. In most, the message seems to have become that there is no justice, at least from the public's vantage point, and that the state is only capable of banishing, containing, or better yet warehousing its criminals.

Just as important have been the two opposing themes that seem to underlie this emphasis on "just" containment. The first, seen in *American Me, American History X, and Escape from New York*, is that inmates today deserve what they get, and what that is should only be the most

minimal sense of safety and living conditions. For instance in the futuristic film, *Escape from New York*, justice appears to have become the chaos of a walled, open-air, inmate-run prison on the now desolate island of Manhattan where kill or be killed represents the new inmate code. The kill or be killed ethos also was evident in films, like *Ghosts ... of the Civil Dead*, which have conveyed the second theme associated with what justice has come to mean in the public mind, and that is that inmates get far more than they should. Accordingly, in *Ghosts*, as well as *American Me and American History X*, the public sees inmates dealing drugs, watching pornographic videos, lifting weights, and playing handball.

Finally, the issue of release also has taken on new meaning in more recent films. Whereas in earlier films, inmates were seen as either fighting for their legal release (*Birdman of Alcatraz*) or plotting a less than legal way out of custody (*Cool Hand Luke, Papillion*), safe extrication from today's high tech prison warehouse has become uncertain and totally dependent on one's strength of will to survive everyone else stored in that environment or the arbitrary product of some senseless decision made by a senseless authority, as in *Ghosts...of the Civil Dead*.

Such representations of justice and release clearly have their origins in contemporary thinking, discussed earlier, about the offender and the lack of trust in government to ensure justice through its flawed punishment system. At the same time, they also communicate a sense of what the public, and policy-makers in response, want the purpose of imprisonment to be in today's society. And, that has been most completely captured in Todd Clear's (1994) reflections about the increased popularity and commitment to penal harm in this country.

Clear introduced this concept as the primary descriptor for current penological thinking: that offenders can and should not be treated, but punished, condemned, and warehoused with only those minimal supplies necessary for survival. He argued that "the expansion of penal harming machinery can only be understood as a consciously chosen social policy" (p. 172): it cannot be explained by increasing crime rates, as crime has been decreasing since the early 1990s and we cannot say that it is part of some crime prevention strategy, as few meaningful changes in crime patterns and rates have occurred since it was undertaken.

Rather, Clear contended, "we come by our nonsensically large penal system as a product of our nonsensical approach to crime" (p. 176). Ours has become a culture, he said, with a "deep fixation upon intolerance... [and] a belief in the power of separatist thinking: [we] build prisons and stick those we think responsible for [our] decay [as a society] in them" (pp. 180 & 181). In fact, Clear observed, our institutions of penal harm have come to define us as a culture and society:

We are a nation that spends more total dollars on imprisoning young black men than on providing them with higher education; indeed, we deflect tax revenues away from our public education, transportation, and health budgets in order to afford the practice of penal harming. We are a nation in which minority group members, especially the poor from those groups, experience penal harm as virtually a rite of passage to adulthood. We are a nation for whom the only growing portions of government expenditure are those that keep the aged alive

and healthy and keep young men under correctional observation and control; and public debate occurs only around the issue of health and social security for the aged. (p. 182)

### **CONCLUSION**

Just as the penological discourse in this country has become more retributive and expressive in its condemnation of the offender, prisons and their inhabitants have become increasingly dehumanized in an American cultural and intellectual environment that appears far more welcoming to and enamored with less morally tainted groups and issues. This article has examined the scholarship of several critical and popular criminologists who have offered explanations for these cultural and intellectual changes in the meaning of our punishment response. As stated earlier, its intent was to examine prison cinema over two time-frames as if they were "morality plays" (Cheatwood, 1998, p. 210), so as to discern from their content and narratives the meaning of punishment and "society's baseline attitudes about corrections" (p. 210) in a particular time and place.

It is thought that the analysis done here clearly demonstrates how the penological discourse of each specific period influenced and was reflected in selected prison films of that time. And, based on this analysis, it is suggested that we have entered a new era of the prison film, one that dovetails nicely with the tenets of the penological discourse of our time, whether it be called the new penology, culture of control, or popular punitiveness, and might be termed "the technological warehouse era." Although it is true that some recent prison films have engaged in what Simon (1995) has called willful nostalgia in their use of traditional characters, scenes, and themes of past films, a good deal more have departed from these formulaic devices and appear to be tapping into a different set of beliefs and ideologies about the purpose and place of punishment in American society in their representation of both the prison stage and those who act out on it.

These changes in recent films seem to be indicative of new cultural beliefs and ideologies about the criminal offender and justice system. The former, it was argued, has become demonized and made unredeemable in our thinking, with banishment and containment being the sole corrective policies put forth to deal with him or her. And, the latter seems to show the effects of a citizenry that has become deeply distrustful of its government and justice system and much more confident of the wonders of technology to remove and manage in a more efficient way the dangerous others among us.

In concluding this article, these observations are discussed further below. Before doing so, however, three additional points about the current cultural and intellectual context of the prison in American society should be highlighted. First, it should be noted that the very output of prison films in this country has decreased in recent years, despite our record-level number of persons incarcerated, a reflection perhaps of a seemingly disinterested, retributive public indifferent to any level of pain experienced (and, in fact, deserved) by the convicted offender.

Also critical to note and remark upon is the recent popularity of the futuristic prison film, heretofore unseen in the American popular media.

Nellis (2006) suggests that these films "are so consistently remorselessly dystopian that, in the absence of any cultural counterweights of comparable popular appeal..., they cannot but add to a sense of pessimism and despair about future penal practices" (p. 211). He argues, in fact, that rather than keeping inmates in an "earthly purgatory" like that suggested in *The Shawshank Redemption*, the futuristic film tells us that with technology we clearly will be able to consign the offender to a deserved Hell (p. 212). Thus, Nellis says, the latter films present us with "an envisaged penal future [that] is Hell" (p. 212) or as a place "of deliberately created misery, occupied by the damned...an obvious Dantean environment... [that introduces] progressively more painful punishments...for ever more recalcitrant inmates" (p. 223).

The final point that should be made relates to the nature of current scholarship in the field. In certain ways, this has mirrored popular imagery. Indeed, scholars today have shied away from the human element of prison (Wacquant, 2002), and the effects of imprisonment on it, and now engage in research that is less concerned with understanding the prison as a social system and possible vehicle for positive change, and more attuned to knowing how best to manage these "modern day stainless steel 'panopticons'" (Simon, 2000, p. 286) for the sole function of warehousing they now seem to serve. In fact, in a particularly powerful passage referred to earlier, Simon (2000) equates the logic of the "new penology" to that of the "arts of 'waste management' practiced by contemporary environmental engineers" (p. 287) saying: "Prisoners in warehousing systems are defined through and through as unchangeable and dangerous, [so that when] they are 'recycled' to the community it is almost with the perception by the public, including government and employers, that they are now more toxic than ever" (p. 287).

In elaborating upon the observations made in this article, the very tone or *mise en scene* (Wilson & O'Sullivan, 2004) of current as opposed to earlier films about prison should be considered first. Clearly, later films project a mood that is not only dark, but also completely pessimistic about the possibility for individual reform and future hope. And, this lack of optimism about the future is present even when the "protagonist" (who is hardly the untainted hero of past prison films) manages to survive his imprisonment as in American History X, Con Air, Escape from New York, and Ghosts...of the Civil Dead. In American History X, for instance, Derek Vinyard faces a life without his adoring younger brother in a family wracked with poverty and a chronically ill mother, encircled by the volatile unresolved conflicts with past Nazi friends. Similarly, although Cameron Poe of *Con Air* may be reunited with his family, it is in a world where the worst of his fellow passengers now live. And, even though Snake Plissken may Escape from New York and save the life of the American president, his decision to destroy a cassette tape explaining a new fission technology that might solve the world's problems does not bode well for the future of mankind. Likewise, nearly everything about *American Me* is dark from its opening night scene of the zoot suit riots to the death of Santana in the bowels of prison. And, even more disturbing is the development and fate of Henry Wenzil in *Ghosts...of the Civil* Dead, who both opens and closes the film, a cinematic device which dramatically illustrates, through his physical being, the debasing changes the character has undergone while incarcerated.

This darkness and lack of hope is a clear representation of beliefs about the offender associated with the new penology (Feeley & Simon, 1992; Shickor, 1997), how he/she should be treated, and government's capabilities to do anything with/for him/her (Simon, 2001; Young, 1999). Gone from any significant consideration in the current prison film are the social causes of criminality (Beckett & Western, 2001; Garland., 2001a & 2001b; Young, 1999). Instead, the emphasis now is on the individual and his/her culpability for the mayhem that precipitated his/her punishment. Indeed, today's film offender is often made to look dangerous. He is a martial arts master, has a swastika or snake tattooed on his torso, and in the case of Wenzil bears on his forehead the permanent profanity associated with a beating. As such, he is very different from the everyman portrayed in earlier prison films, where the expression "there but for the grace of God go I" might apply. "Moms" are never shown visiting their sons in prison (Birdman of Alcatraz), inmates do not have pets or gardens (Birdman, Papillion), and laughter, pranks, or camaraderie (Cool Hand Luke) has been replaced by gang rapes (American History X), drug dealing (American Me, American History X), murders (Ghosts ... of the Civil Dead), and more individual-based pursuits from weight-lifting (American History X) to total withdrawal (Con Air).

In fact, pessimism pervades most aspects of these films considered representative of the technological warehouse era. Not only is the offender pictured as responsible for his present plight (usually through his own personal wickedness), he typically is seen as un-reformable by the system and needing to be isolated, contained, warehoused, or exterminated to ensure public safety. Indeed, today's films reflect the popular sentiment previously discussed that the imprisoned "are incapable of redemption and must be abhorred and excluded" (Young, p. 114) or that they are like a polluting waste that can only be managed but never totally eliminated (Simon, 2001).

Moreover, the barren, program-less prisons pictured in these films also mirror our beliefs that the imprisoned should receive only the most minimal support as we neutralize and isolate them in a violence-ridden warehouse of other social rejects like themselves (Clear, 1994). Of course, earlier films do not project particularly pleasant conditions of confinement, either. However, it is these conditions themselves that are the source of darkness and criticism in earlier films, and not the characters of their inhabitants. Indeed, it is the strength of will of the inmates to challenge the oppressive and corrupt structures of authority that is showcased in movies like *Birdman, Cool Hand Luke, Papillion*, and *Brubaker*. There is, in fact, hope in these films, hope that is generated by the spirit of the inmates to overcome their confinement and subordination through escape and humor (*Cool Hand Luke and Papillion*), nurturance and knowledge (*Birdman*), and collaboration and friendship (*Brubaker*).

In contrast, more recent films seem to imply that the harsh, ghetto-like conditions of imprisonment are due the offender, a belief clearly associated with the thinking of Young (1999) Wacquant (2001), Clear (1994), and Garland (2001a & 2001b). Accordingly, offenders have become exaggerated monsters, the worst of the worse, lacking in morals and any sense of humanity. No longer are they hustlers or forgers like the protagonists in *Papillion*, or the funloving non-conformists who destroy parking meters like Luke in *Cool Hand Luke*. Instead, today's criminals are all the same -- drug-lords, hate-crazed murderers, and violent pedophiles,

our new boogey men, and, we are at war with them, needing the most sophisticated technology and cages possible for their incapacitation and containment, especially since government is not seen as having commitment to combat crime forcefully enough (Shichor, 1997; Zimring, 2001).

It is, perhaps, fitting to conclude this piece with several comments about the most dramatic and effective cinematic representation of the above observations and that is the film, *Ghosts ...of the Civil Dead.* Although the author had been familiar with this film, she had not viewed it until a reviewer of a previous draft of the present article advised her to do so, for which she is extremely grateful. Even though Australian made, the decision was made to include *Ghosts* in this analysis because of the particularly powerful and insightful commentary it presents on penological thought and practice of the late 20<sup>th</sup> and early 21<sup>st</sup> centuries.

Seemingly set in the not too distant future, the film chronicles an inquiry into the events leading up to a 37-month lockdown in the Central Industrial part of Correctional Services, presumably a privately run prison "dedicated to the goal of humane containment [and representing the very] future of containment." The prison itself screams of banishment, located as it is in the barren expanse of an uninhabited desert, and is almost machine-like in its humanless processing of new intakes and movement in the facility through a pre-recorded female voice, so ironically misplaced in the soft new generation setting.

Scene after scene displays the chaotic violence among the inmates, watched by both viewer and chain-smoking, voiceless guards encased in plexiglass. The latter, it seems, have been relegated to pure "keeper" status by an inept administration that first maintains a "waste management" mentality when it comes to inmate supervision and, then, abruptly shifts to a brutal war against their charges, removing all personal property and privileges, including access to outdoor exercise and television. Throughout the film, the viewer sees what actually happens in the prison before its lock-down and what is subsequently recorded by the Committee of the Judiciary that commissioned an inquiry into it, which bears absolutely no relationship to the reality of the preceding violence and senseless actions of an inept administration.

In the two final scenes, one sees representatives of the media mindlessly reporting the Committee's skeletal findings and the released "protagonist," who has become as brutal as his surroundings, entering a subway station with a pre-recorded human voice, similar to that in the prison, announcing arrivals and departures in the background. The former presents what Bennett (2003) has called "a brilliant pastiche of a typical news story ... with its reliance on official sources" to vilify the inmates, glorify the guards, and dismiss public concerns about any loss of control at the institution. And, the latter eerily conveys the sense that the toxic disease of criminality, uncured by inept authorities, is once again loose in the community, which in its stark, gray cinematic presentation under a similar level of surveillance and technological oversight as the prison seems but another expression of our "culture of control" (Garland, 2001b) or, better yet, the "carceral continuum" deadly symbiosis between ghetto and prison (Wacquant, 2001).

Unfortunately, *Ghosts... of the Civil Dead* is not science fiction. And, in certain chilling respects, it almost seems like a documentary with the cinematic devices employed to capture

events, both through the use of CCTVs and self-reflexive scenes where inmates speak to their plights. It is the latter aspect that provides the most disturbing, powerful, and critical commentary on how the warehouse philosophy of imprisonment (Irwin, 2007) affects the human spirit. Indeed, what *Ghosts* tells us is that because we now subscribe to a penal policy and practice that demands a true Hell on earth for those we damn, this country will continue to be haunted by the presence of those we consign there (Bennett, 2003), for we are only "damaging those who are already damaged" and, consequently, "breeding [them] to create fear... [and do what they're] supposed to do."

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