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"Jail teaches nothing valuable except how to survive in jail."

Women in Prison

By Kathryn Watterson Burkhart
Doubleday, 528 pp., \$10

Reviewed by Anne Hollander

There can be no doubt that our system of criminal justice is an expensive failure, a fact easily arrived at without the benefit of any research beyond consulting the daily newspaper. On the national scale, all institutions attempting to deal with crime have apparently succeeded only in increasing both the number of criminals (punished and unpunished) and the fear of crime. Moreover, in addition to all the abuses in and misuses of the criminal courts, imprisonment offers yet a further possibility for com-

Anne Hollander is at work on a book about the clothed form in art.

promising law, justice, and bedeviled humanity.

Since men and women have been treated—and have behaved—so differently for so long in our culture, it seems profitable to study their different treatment under criminal justice. In *Women in Prison*, Kathryn Watterson Burkhart has made an effort to show how the failures of the prison system in this country specifically affect women at every stage of their contact with it. Although official segregation of the sexes has been continually attacked and has been broken down in some of society's basic institutions during the last hundred years, it has actually been brought about and institutionalized for the disposition of convicted criminals during the same period. Men, women, and children were jailed together in America under varying conditions until the 1870s, when the reform spirit at work

in many social institutions in the nineteenth century succeeded in causing women and children to be confined separately from men. Since then, enforced separation of the sexes has been one of the most glaring abuses characterizing imprisonment in this country. This has occurred during the same era in which co-education and the increasing scope of women's public activities and economic power have assured the increased mingling of men and women (for good or ill) in the regions of life beyond the domestic and erotic. Consequently, it seems all the more ludicrous that present-day prison arrangements should absolutely prevent any contact between the sexes at all, while purportedly claiming to rehabilitate the prisoners and to prepare them to fit into society.

Mrs. Burkhart indicates that even benevolently conceived prison reforms, such as sexual segregation, have often, with time, resulted in worse abuses. She concludes, therefore, that the existence of prisons is bad and making them better will simply expand an evil system. The historical section of *Women in Prison* is most interesting in its description of the changes in official attitudes toward crime and punishment, which reflect changes in moral temperament. In early colonial times corporal punishment was prescribed for wrongdoers—cropping of ears, whipping, castrating, and hanging, as well as confinement—in simple, if not suitable, retribution for crimes. By 1825 religious people (chiefly Quakers) conceived the idea that repentance, brought about by enforced solitude and silence, should be the aim of imprisonment. These were the conditions at the first "penitentiary" built in the United States (which Charles Dickens saw and viewed with great misgivings), after which many others like it were built. It took several decades to discover that prisoners kept in lengthy solitary confinement and idleness went mad and died instead of repenting; they were thereupon gradually permitted to mingle, as in the early prisons, and to work together. Public awareness of prison conditions in the 1850s resulted in the separation, for their own protection and benefit, of "weak and dependent" women and children from the corrupting influence of "brutal" men. Characteristic of nineteenth-century morality was the belief that to contain wicked, irrepressible lust, a huge gulf had to separate the sexes. Modern prison and parole rules still reflect this view, despite a more permissive sexual code in

this country. Women prisoners, confined separately since 1870, when the first American women's prison was opened in Indiana, are evidently still treated as if any contact with men would result in an instant and undeserved orgy. ("It seems that sex is considered dessert in our culture," says Mrs. Burkhart, "too special and rare a treat for bad children.")

THE YEAR 1870 is also noted for the fact that rehabilitation, rather than repentance, was officially adopted as the goal of imprisonment—"restoring a person to useful life," rather than simply punishing or trying to engender repentant feelings in him. It was a revolutionary concept. For women at that time, "useful life" meant only respectable marriage and motherhood. "Respectability" meant a combination of the Protestant virtues of cleanliness, godliness, ladylike behavior, and proficiency in the household arts. When prisons came to be designed expressly for women, some approximation to domestic circumstances was intended by confining the prisoners in "cottages" of twenty to sixty women, with facilities for keeping house. "Sin-stained souls" were to be "cleansed," presumably, by the uplifting influence of housework well laced with religion. In the grim modern prison world, in a milieu of drug addiction or simply in the absence of men, where many wretched women are noticeably impervious to such influences for good, these surviving architectural arrangements seem essentially humane but are pitifully inadequate, particularly since the naïve notions underlying their *raison d'être* survive, too. For some reason the idea persists that women have an extra measure of latent virtue that will naturally incline them all to chaste and peaceable domesticity if order is provided for them and they are removed from the influence of male "brutality." Enlightened folk have now presumably come to recognize the basic humanity of women, acknowledging that they are prone not only to as much but to the same kinds of wickedness as men and that they suffer and commit crimes from their own self-destructive and aggressive impulses, just as men do. Mrs. Burkhart, however, shows that the judicial system perpetuates a general prejudice against women in trouble with the law: the notion that by committing any crime they have also committed a moral offense against their own womanhood.

Women in Prison is designed to describe and expose a national disgrace. To

do this thoroughly, the author has investigated all aspects of the prison life of American women; compiled many statements from inmates, ex-inmates, and staff members; and digested many statistics. She has also included a great deal of rhetorical material designed to arouse strong emotional responses. Since the book is quite substantial in its factual material, it should not have been necessary to include such sensational material as the brief prose accounts of individual experiences, distinguished as lyric poems—that is, printed in italics as extracts, under a title consisting simply of a woman's name. Also included are some tear-jerking letters from prisoners' children and some bad poetry written by inmates.

BECAUSE MOST OF this book is indeed so instructive and illuminating and because the facts speak most eloquently, the reader is justified in demanding more facts and fewer appeals. Since the real theme of the book is not just jailed women but the whole question of the effectiveness of imprisonment, there would

"Prison rules still reflect the nineteenth-century belief that to contain wicked lust a huge gulf must separate the sexes."

have been value in some comparisons with the prison systems of other countries as well as a more detailed examination of the prison life of American men as compared with that of women. Besides advocating the abolition of imprisonment, *Women in Prison* calls for more awareness of the truth about all our penal institutions, not only on the part of the public but even within the system of criminal justice itself. For instance, judges often sentence people to institutions of which they have no firsthand knowledge—where programs of recreation and training are supposed to exist but often do not, where the medical staff may be both overworked and incompetent, or where justified protests of the inmates, properly expressed through legitimate channels, are perpetually ignored.

Institutions of correction are isolated worlds wherein the staff and inmates alike are kept at a distance from ordinary society and the whole flavor and texture of their life are unknown to the outside

world. When visiting prisons, Mrs. Burkhart took great pains to discover the kinds of details that constitute the truth of daily life. She interviewed hundreds of prisoners and staff members of all ages and conditions and apparently did her best to become real friends with as many as would allow it, on both sides of the bars. Her emotional involvement with individuals was evidently necessary for the kind of data she wanted, for she was determined to find out what it is really like and to tell it all. The utterances of inmates and staff reproduced here sound unguarded, reflecting many opposing points of view and giving conflicting facts. The combined effect gives the desired impression that most convicts are quite ordinary people in difficulties of varying degrees. The pressures that result in crime are shown to be complex as well as acute, and no simple solutions are indicated.

The only simple conclusion the author is forced to draw is that jail teaches nothing valuable except how to survive in jail. The noble goal of rehabilitation is a total practical impossibility, since isolated and enforced institutional living, even under model conditions, is utterly unlike life. The mental and moral climate in institutions leads to regression rather than development. Mrs. Burkhart amply makes the point that imprisonment defeats its own aim, and she shows how a large percentage of people in jail ought not to be there. In addition to bringing out many unfamiliar facts of prison life, *Women in Prison* gives further evidence to support certain other, well-known facts: that the poor always have a harder time than the rich, that the old have a harder time than the young, and that cruelty, greed, and duplicity are not diminishing among us.

ALTHOUGH JAIL is bad for everyone, women are subject to certain kinds of torment from which men are exempt. Anxiety about their children is a dreadful affliction for women who must wait in jail for trial because they cannot raise bail and who have no relatives to whom children may go. Although arrangements are made for their children, women in prison are frequently not consulted or informed about them. Another and more subtle form of maltreatment reserved for female prisoners is evidently a kind of forced infantilism, in which—because of their dependency and because they are not considered dangerous, like men—they are treated, spoken to, and spoken of as if they were children. The

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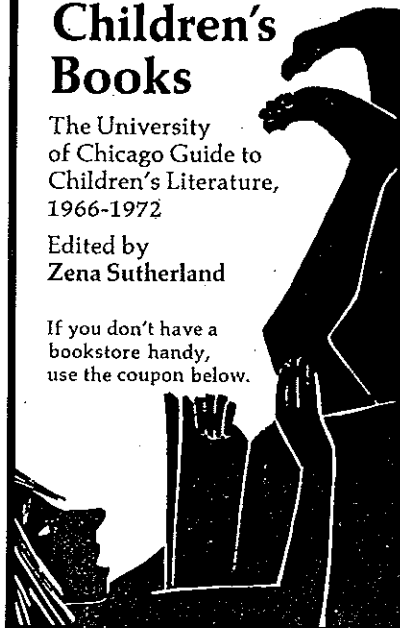
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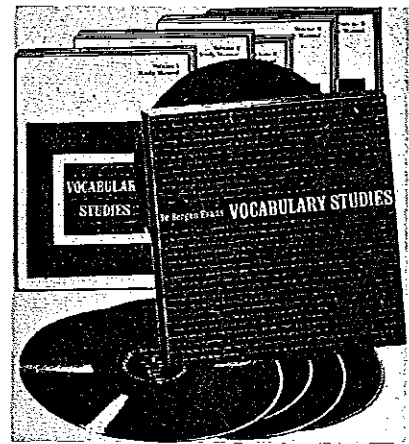
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demoralizing effect of such treatment
over a long time is considerable, particu-
larly since they are usually treated like
bad children—physically humiliated and
forbidden to laugh and play or hug and
kiss. (The dangerousness of women is
apparently felt to arise from their adult
sexuality itself, rather than from the kind
of potential violence feared in men.)

Women in Prison is organized in sec-
tions dealing with different stages of the
penal process ("Gettin' in," "Bein' in,"
"Stayin' in," "Gettin' out"—the dropped
g's are unfortunate, however accurate);
and in each section the statistics, the ex-
position, and the texts of interviews are
mixed together and interspersed with
the aforementioned poems and letters.
This method generates a good deal of
emotional force and also a good deal of
confusion. Individual women are intro-
duced and then casually referred to later,
after one has forgotten exactly who they
are. Similarly, names of institutions and
facts about them are scattered through-
out, wherever applicable, but it would
have been more helpful to supply a set of
tables, with all the raw facts and figures,
in the back. Without apparatus of this
kind it is impossible to keep track of bur-
ied single bits of information for refer-
ence or comparison. There is a long bib-
liography that is in the nature of a
further appeal for public consciousness
of this national blight. There is also a
long glossary that seems rather padded
with ordinary slang terms not properly
classified as prison terminology.

THE CLOSING STATEMENTS in this book
are inadequate to the enormous problems
raised, but the author's aim has not been
to propose practical alternatives to the
existing system. Ideal alternatives, in-
volving neighborhood community cen-
ters dispensing love, laughter, and medi-
cation, are cursorily described but
despaired of. Despite her inability to be-
lieve in the ultimate good of any improve-
ments of an essentially bad system, Mrs.
Burkhart does hope for some immediate
attention to the civil rights of prisoners
and some practical help for their lives.
For example, she would have them per-
mitted to earn money and support their
families while they are in prison, helped
to maintain family ties, and counseled to
reduce some of the dreadful sense of
powerlessness that is at the root of so
much crime to begin with. ☐

Answer to *Wit Twister* (see page 68):
plead, paled, pedal.



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