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REPRESENTATIONS OF SEXUAL PRACTICE AND IDENTITY IN  
MEN'S PRISONS SINCE THE 1950S IN  
THE UK AND THE US

by

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Submitted for the degree of  
Doctor of Philosophy in Media and Cultural Studies

At the  
University of Sussex

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original work.

University of Sussex

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Doctor of Philosophy in Media and Cultural Studies

**Representations of sexual practice and identity in men's prisons since the 1950s in the UK and the US.**

Summary

In this thesis I propose that the representation of the prison is an untapped and valuable resource for non-traditional representations of the queered male, homo-sex and sexualities. I draw together texts on prison and sexuality from the 1800s to the 2000s in order to discuss the representation of prison in light of what it adds to a wider historical understanding of sexuality. The thesis is broadly chronological in form, analysing academic and theoretical texts in context alongside popular cultural representations.

I reassess the ways in which sexuality is viewed and understood over time, and place homosexuality within the framework of wider male sexuality as represented in the prison. I theorise a re-imagining of homosexuality within normative male sexuality and I challenge the concept of 'situational sex' through the complex issues behind understandings of sex in prison.

My research methodology includes close textual analysis of representations of prison in literature, film and television alongside academic and theoretical texts on sexuality, gender and queer theory. Each chapter focuses on specific cultural texts, including *Against the Law* (1957), *Birdman of Alcatraz* (1962) *Short Eyes* (1977), *Scum* (1977, 1979) and *Oz* (1997-2003). By drawing the representations and the theories together I am able to provide a re-reading of the texts within a recognition of sexual fluidity and the reclassification of heterosexual males and gender hierarchies.

In my research I argue that the representation of sex in prison re-writes sexuality and contributes to a reading of the queering potential of the cultural representation of prison. With this method I challenge conventional understandings of sexuality as well as perceptions of how male sexuality is viewed in popular culture. I argue that the cultural representation of the prison is a site of queer potentiality in form, idea and context and is a means to re-imagine male sexuality.



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## Introduction

Number forty-seven said to number three:  
You're the cutest jailbird I ever did see.  
I sure would be delighted with your company,  
Come on and do the jailhouse rock with me.  
Lets rock, everybody, lets rock.  
Everybody in the whole cell block  
Was dancin' to the jailhouse rock.

(Jailhouse Rock, Elvis Presley 1957)<sup>1</sup>

### Introductory Statement

Interest in the subject of representations of sex in prison began in 1997 with an M.A. dissertation on “A Question of Choice”, looking at theories of sexuality that enabled a degree of agency or choice with regard to sexuality beyond the standard passive signifiers and theories. It was the chapter on single-sex institutions and most notably the prison that I found to most challenge the ways in which sexuality was understood. The ability to change sexual object choice seemed to run counter to popular nature/nurture debates around an acquired sexuality. Alongside this I found that such a change in sexual object choice may not be written permanently on the subject, and may shift back (relatively unproblematically) upon release. This change of sexual object choice

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<sup>1</sup> Jailhouse Rock was written and produced by Jerry Leiber and Mike Stoller, released 24<sup>th</sup> September 1957 by RCA Victor.

when mapped against societal reaction to homosexual curiosity as a signifier of (at the very least) a latent gayness created, to my mind, a seeming discontinuity of sexual behaviour and identities.

This curiosity and knowledge about circumstances in prison grew to an understanding of the centrality of rape in prison as a predominant representational expression of sex in prison through study for that earlier dissertation on 'choice'. Accounts such as that by Donald Tucker (a.k.a. Donny the Punk) in *A Punk's Song: View from the Inside* (1982) in which he recalls how he was raped over sixty times in a two day period in a Washington D.C. facility at the seeming collusion of the institution, alongside the prison study by Anthony Scacco's of *Rape in Prison* (1975) led to an understanding of the horror of the situation that those who are raped experience within the prison system. These horrific accounts and a recognition of the damage of prisoner rape seemed directly at odds with the irreverent jokes and asides that appeared throughout popular culture alluding to prisoner rape in comments such as "Don't drop the soap" and "I'm too pretty to go to prison"<sup>2</sup>. That the subject of male rape in prison was often vocalised as humorous seemed incongruous at the least and is where this study began in an effort to try to understand how this cultural response to prison, prisoners and prisoner rape could have come from.

Therefore the two central research questions for the following thesis are

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<sup>2</sup> Examples of the statement "I'm too pretty to go to prison" can be found in: *True Blood* (2008) HBO: 28<sup>th</sup> September 2008: Season One Episode Four by Jason Stackhouse (played by Ryan Kwanten). *Coronation Street* (2010) ITV: 17<sup>th</sup> September 2010, by Kirk Sutherland (played by Andrew Whymant). Also, a variation is in *Kick-Ass 2* (Jeff Wadlow, 2013) by the character of Marty/Battle Guy (played by Clark Duke) who says: "My ass is too pretty to go to jail". References for "Don't drop the soap" will follow in the main text.

broadly focussed on:

1. How can straight identified men have sex with other straight identified men within the prison context and still identify as straight?
2. How is it that prisoner rape has become so trivialised as to be viewed as comical within popular culture?

These two questions will be addressed through each chapter. In broad terms the background sections of each chapter will work around developing an understanding of the first question and the case studies will more directly address the second and the move to the popular cultural trivialisation of prisoner rape.

I will next outline two examples of the ubiquity of references of sex in prison within popular culture: firstly, a Home Office advertising campaign informing the change of consent laws for rape in 2006 and what that shows about how culture and ideas about sex work together; secondly, the recognised centrality of phrases such as “Don’t drop the soap” and prisoner rape. This is followed by a challenge to the term “situational sex” as it relates to sex in prison and opportunism.

## **Background**

Home Office awareness campaign on the change in the Law of consent for rape (2006)

In March 2006 the British Government launched an advertising campaign to address the subject of rape and to highlight new laws regarding consent with the advertisements to feature in 'lads' magazines, on radio stations and in pub washrooms, aimed at young men aged eighteen to twenty-four to raise awareness and understanding of consent.<sup>3</sup> The advertisement (see figure 1<sup>4</sup>) depicts an older male sat on the top bunk in a prison cell staring directly out at the viewer<sup>5</sup>. The advertisement works by utilising a correlation between prison and rape by evoking a subtext of fear and uncertainty that is frequently found in imagery around male prisons in order to create the requisite warning, fear and uncertainty in the minds of the intended recipient of the message (the young males aged eighteen to twenty-four).

By close textual analysis of the image it is possible to see how it has been constructed to create the required message and through which deconstruct the coding used therein. Firstly let us examine the subject of the image himself. It depicts a middle-aged male who according to Michael Kimmel (2009) can be seen to be at the height of patriarchal power. Kimmel states:

Within the dominant culture, the masculinity that defines white, middle-class, early middle-aged, heterosexual men is the masculinity

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<sup>3</sup> From the Home Office website: <http://press.homeoffice.gov.uk/press-releases/tough-campaign-rape?version=1> (26<sup>th</sup> June 2006 - 11.39am)

<sup>4</sup> Figure 1 is to be found on page 59

<sup>5</sup> The companion advertisement is a relatively standard insignia and accessible concept with its statement, featuring a close up a young woman's groin, with a no-entry sign on the underwear, with the slogan "Have sex with someone who hasn't said yes to it, and the next place you enter could be prison."<sup>5</sup> Other than sexist objectification of the female form, the removal of a persona from the image and the reference to the woman as a 'place to enter' (which are complicated and troubled signifiers in their own right) this advertisement is not the one that is problematic for this area of study.

that sets the standards for other men, against which other men are measured and, more often than not, found wanting (Kimmel 2009, p.163).

The young men of the advertisement's intended audience are those set to be 'found wanting' when placed next to the dominant (top bunk) subject. To exemplify a simple cultural reading of the subject as dominant and powerful it is men of the age and ethnicity represented in the image that dominate forums of power, including the governments of both the UK and the US. The man in the advertisement is symbolic of men with power even when that power is renegotiated by the confines of the prison setting, as the absence of a guard or restraint within the image gives the subject a perceived authority over the territory depicted (i.e. the prison cell). The subject stares straight out at the viewer, hostile and unwelcoming, issuing a challenge. The pictures on the wall behind the subject carry no signifiers of the paternal or familial such as family photographs, children's drawings, notes or cards to husband or father, and lack any such representation of domesticity that could render the subject as socially 'safe'. Instead, independent and removed from such familial grounding the man is free to manifest danger and become a threat within the mind of the intended audience.

The text is even more problematic than the image. The advertisement reads:

If you don't get a 'yes' before sex, who'll be your next sleeping



partner?<sup>6</sup>

This can be read as coding the advertisement within a socially recognised understanding of sexual practice within the homosocial world of the prison, and ultimately links it to male rape. The text takes us from context (the image) to subtext (the message) and draws on culturally resonant concepts of sexual activity in the prison environment. The Home Office, as authors of the advertisement, on the surface seem to refer to “sleeping” as simply meaning sharing a space, the cell, with the top-bunk man. However this sentence is placed in direct conjunction with the act of rape (i.e. not getting a yes before sex in line with the new laws of consent). Thus sleeping attains the connotation of sexual activity and I would argue the “next sleeping partner” can only be in relation to the prior “sleeping partner”, which in this instance is the rape victim. The advertisement is warning its target audience of ‘young men aged eighteen to twenty-four’ that if they commit rape they too will be raped.

The advertisement works as a warning and discouragement against rape through a culturally acknowledged and accepted reading of prison as a place of male rape. In other words eighteen to twenty-four year old men are in danger of rape in prison by older, middle-aged men as represented in the advertisement. For an advertisement to work it needs to plug into recognisable culturally understood ideas, as a result the content of an advertisement can be traced backwards to access those ideas. As has been shown here, the reading of the advertisement is

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<sup>6</sup> Home Office Website: <http://www.homeoffice.gov.uk/about-us/news/consent-campaign?version=1> Accessed 26<sup>th</sup> June 2006.

achieved through the knowledge that in society prison is represented to equal prisoner rape. The advertisement distils into a single image a message that is reiterated throughout literature, film and television of the prison, a message of the potentiality for homosexual activity within the prison and also the use (and expectation) of force and ultimately the act of rape as an inevitability of incarceration. Although the prison genre may at times be placed outside of the mainstream, my research will demonstrate that representations and references that illustrate an understanding of prison to equal rape are a prevalent representational and cultural commodity. Also, that such cultural commodities are sources as produced by and commenting on their context. These representations can be used as a way into context, but equally these texts can be seen as a way of challenging that context.

### Mainstream acknowledgement of Male Rape In prison

From the Home Office advertisement and the 'humour' of the pun on sleeping partners there is a similar sensibility to the phrases mentioned above: "Don't drop the soap" and "I'm too pretty to go to prison"<sup>7</sup>. The predominance of the acceptance of these within popular culture is widespread, appearing in soap operas, television drama series, films, cartoons and adverts. Two examples of 'comedy' references to prisoner

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<sup>7</sup> Examples of use are in footnote 1 above for "too pretty" and examples of the use of "Don't drop the soap" follow in reference to two advertising campaigns, but is also seen in the advertising image for the film *Let's Got To Prison* (Bob Odenkirk, 2006) which features a bar of soap and a shower drain.

rape are: 'Careful What You Sign – Wyclef's escape' (2003)<sup>8</sup> advertisement for Virgin mobile and the removed Orlando Jones advertisement for 7Up (2002)<sup>9</sup>. The former shows Wyclef Jean arrested for breach of contract, and ends with a scene of Wyclef in the prison shower next to his 'greatest fan' another inmate with a tattoo of Wyclef on his shoulder, the final shot of the advert is of a bar of soap next to a shower drain, with a rat running by. The latter shows Orlando Jones promoting 7Up within a prison, selling to a 'captive' audience, during which he refuses to bend over to pick up a dropped can, and a final scene being 'friendly' with a prisoner in a cell. Images that undermine the issue of prison rape predominate as "tasteless jokes on late night television" (Stemple 2007, p.166) and undermine the relevancy of the issue as a violation of basic human rights. As Bill Yousman argues in reference to the 2002 7Up advert:

Imagine using incarceration and intimations of rape to sell soda... While this initially seems outrageous, it should actually be understood as "business as usual" (Yousman 2009, p.111)

Even though campaigns such as *Stop Prisoner Rape* (who's director T.J. Parsell is a rape survivor) and the Prison Rape Elimination Act of 2003 in the US are indicators of a shift in attitude, during my research I found little evidence of public outrage over the rape of the removed prisoner,

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<sup>8</sup> ADStudiesMobileComms (2013) Virgin Mobile, Careful what you sign: Wyclef's escape. <http://www.youtube.com/watch?v=PBA1QqVhr4E>

<sup>9</sup> The Ad Show (2011) (7Up) Orlando Jones' prison break: a whole new experience. <http://www.youtube.com/watch?v=jwayMQhTfWY>

contained and confined away from societal norms and concerns<sup>10</sup>.

The “business as usual” understanding of the prevalence of prisoner rape ‘jokes’ and the phrases outlined above demonstrates a cultural awareness of an existing connection between prison and male rape or some form of coercive homosexual act. Heterosexually identified male characters use such phrases to indicate fear and an acknowledgement of the role that male rape plays within the institution, a fear above and beyond the loss of freedom, isolation from friends and family, loss of livelihood, and other factors associated with imprisonment. In order for this reading to occur the heterosexual character (and also the viewer/reader) must understand the reference which resituates them from their current context to that of the confined site of the prison where they become vulnerable to the threat of the anonymous prisoner. The character (and viewer) is drawing on prior coded references to sexual activity within prison and representations of that tacit sexuality, which frame the statements such as “Don’t drop the soap” within that realised (remembered) threat or rape.

The phrases, “Don’t drop the soap” and “I’m too pretty to go to prison”, allude to different readings and understandings of sex in prison. The phrase “Don’t drop the soap” illustrates an opportunistic view of rape in prison. By the incidental and accidental nature of ‘dropping the soap’ the subject becomes vulnerable to the barely restrained animalistic urges of the savage carnal beast of the fellow prisoner. The prison shower is the site of a negotiation of power and dominance within the vulnerable state

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<sup>10</sup> The UK’s first study of sex in prison (including coercive sex and rape) is being conducted by the Howard League of Penal Reform in 2012 to be completed in 2014.

of the naked body. The phrase “I’m too pretty to go to prison” is more usually voiced by young, attractive heterosexual male characters, such as Jason Stackhouse (in HBO’s *True Blood*) or with irony by older or less characteristically attractive ones (Marty in *Kick-Ass 2* directed by Jeff Wadlow, 2013)<sup>11</sup>. This is in order to depict a previously heterosexually inviolable male as becoming sexually objectified, victimised and subjugated through the act of either coercive same-sex sex or rape. The heterosexual male character is momentarily illustrating an awareness of their desirability to men, as well as their own potentiality to be sexually submissive to another male. Therein the prison as a concept has the means to queer the individual even before he comes into contact with the prison institution. The prevalence of these phrases like “Don’t drop the soap” and images of rape threat in prison, as outlined above, precipitates an acceptance and acknowledgement of same-sex sex and male rape within the institution of prison, and it is these incidental intimations that inform the subject in the individual’s mind. Through these allusions the recognition and fear of prison as a site of male rape is constantly rearticulated and perpetuated.

This perception of (homo)sex and male rape within the prison is not archetypally ascribed an avowed homosexuality or a ‘gay’ identity of the protagonists, but instead the characters are seen to represent normative associative heterosexual signifiers (even if undermined by the actuality of homo-sex) as the opportunistic moment of “Don’t drop the soap” shows. In the prison context, sex with men is not read as conferring ‘gayness’

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<sup>11</sup> Referenced in footnote 1.

onto the participants (especially not the active/dominant partner, a distinction to be outlined later). This shows a disparity where on the one hand the representation of prison depicts homosexual activity occurring between heterosexually signified and maintained males and where on the other hand the wider societal understanding of the queering link between a notional homosexual desire or interest and ultimate gayness. Through the way that the subject of sex in prison is acknowledged and consumed culturally, the understanding of that sex is re-written through the heterocentric gaze of circumstance beyond the queering potentiality of such sex. The image of the prisoner in the shower ‘dropping the soap’ is vastly dissimilar to the widely accepted spectacle of gay identity we have come to recognise in the UK and the US.

The repeated references and representation of sex in prison informs a view of prison and prisoners. The cultural acknowledgement of sex between men in prison and male rape informs an understanding of not just the potentiality of sex between heterosexual men but also the means by which we understand prison as an institution at all. The phrase is so culturally resonant, so “business as usual” and casually ascribed that there is even a board game called “Don’t Drop the Soap”<sup>12</sup> where players have to negotiate the risks, rigours and dangers of daily life in prison, including the threat of being raped in the showers by the Aryan Brotherhood<sup>13</sup> (Singer 2013, p.82). It is the widespread recognition and tacit acceptance of male rape in prison that enables the Home Office to

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<sup>12</sup> Designed by John Sebelius and produced by Gillius in 2007.

<sup>13</sup> The Aryan Brotherhood was originally founded in 1967 allegedly in order to protect white inmates from the majority populations of black and Hispanic inmates (Andrews 2003, p.33).

create an advertising campaign which utilises that understanding of its own institutions in order to warn other males away from rape.

### Situational Sex

Before looking at the way sex in prison has been written about, it is necessary to mention one way in which sex in prison has been characterised and how this manifests within understandings of sex. Sex in prison has been 'explained' by an understanding of sexuality through a disassociated form which leaves it ultimately removed and positioned away from an individual's acknowledged sexuality and role. The concept of "situational sex" outlines how it is possible within the heteronormative association of sex in prison to maintain an ascribed heterosexuality even whilst engaging in acts of homosexuality (Sinfield 1998, p.11). Sex in prison thus categorised by the term "situational sex" is placed with other single-sex institutions, such as public schools and the military (Weeks 1979; Wooden and Parker 1983; Kunzel 2008). The term "situational sex" was first used in the 1940s and 1950s by sociologists to demark homosexual activity by otherwise heterosexually identified individuals within a *specific* circumstance or situation (Kunzel 2008, p.102). By placing the emphasis on the situation rather than on the individual the implication is that when that situation changes, so too will the individual's sexual behaviour. In the non-institutional situation the individual returns unproblematically to their prior ascribed heterosexuality (Kunzel 2008;

Wooden and Parker 1983). This can be seen to work with the 'homosexual' fear underscoring the Home Office advert for the young males, as well as the opportunistic moment conferred by "Don't drop the soap" as each imagine a space where 'straight' men have sex with men. This conceptualisation of homosexual activity between previously heterosexually signified individuals as situational is ultimately unsatisfactory. Not only is it problematic because it directly positions heterosexuality within homosexual sex, but to say that a change of circumstance can reframe an individual's sexual object choice without conflicting their prior heterosexuality runs counter to recognised models of sexuality (notably popular concepts of nature and nurture, as foregrounded by Sigmund Freud in 1905 and Havelock Ellis in 1906). Furthermore a reading of situational sex propagates the idea that need, frustration and a sexual drive beyond the heterocentric carries a sense of the inconsequence of the sexual object. However, this idea of frustrated needs for sexual release is not carried into the prison as represented through the texts I will refer to through this research. What rejects this way of thinking of sex is the 'desirability' or 'attractiveness' of the objectified sex object, the male sexual partner.

Representations of sex in prison as shown in *Fish: Memoir of a Boy in a Man's Prison* by T.J. Parsell (2006) as well as others<sup>14</sup> repeatedly frame the desirability of the sexual object choice, and the location of sexual

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<sup>14</sup> *On the Yard* (Raphael D. Silver, 1978), *Short Eyes* (Robert M. Young, 1977), *Escape from Alcatraz* (Don Siegel, 1979), *Animal Factory* (Steve Buscemi, 2000), *Let's Go To Prison* (Bob Odenkirk, 2006), *The Escapist* (Rupert Wyatt, 2008), etc. are all texts that include moments of desire between inmates.



interest within that desire. These are texts that include moments of homosocial desire directed between inmates, a desire that presupposes attractiveness and a resultant sexual availability, an availability that is usually taken to fruition within the texts, either forcefully, coercively or (rarely) voluntarily.

A good example to illustrate this desirability is a scene where there are two characters discussing the means of selection behind a sexual partnership in the book *Fish* (2006) by Parsell, mentioned above. When the new inmates arrived one dominant prisoner singled out another through his *desirability* as a potential sexual partner. An inmate comments, "He had his eyes on you the moment you hit the yard" (Parsell 2006, p.265). This selection process indicates more than a frustrated need where any form of sexual outlet (orifice) would suffice but rather a deliberate appraisal or singling out, which goes beyond a predatory assessment of potential weakness and accessibility. In chapter three I develop this argument in detail and introduce the concept of desire, especially in reference to the films *Short Eyes* (Robert M. Young, 1977) and *Scum* (Alan Clarke, 1977 and 1979) which is further expanded upon in chapter four.

In *Coming Out* (1977) Jeffrey Weeks takes the concept of situational sex further and shifts it beyond the situational, hypothesizing that its presence within same-sex institutions presupposes a prevalence and constancy of homosexuality (Weeks 1979, p.35). He states it is the lessening of social constraints alongside a restriction of access to normative heterosexual means of sexual outlet that enables such

homosexuality to occur. Weeks' reading of situational sex differs from other commentators in that he places homosexuality within the individual as a dormant potential, as opposed to a situational momentary aberration or sexual anomaly. Weeks' theory fits more with the universalisation model of homosexuality which will be discussed in chapter four over the purely situational model outlined earlier.

The occurrence of heterosexual men and homosexual sex in prison is not easily dismissed and categorised through the seeming simplicity of the situational model. Sex in prison is much more complex through negotiations of desire, power, emotional connection and even love, all of which challenge the simplistic concept of situational sex and the resultant rejection of the relevance and importance of sex in prison as a means for reassessing sex between men. The displacement of sex in prison as only situational ignores the range of means for sexual interaction between previously heterosexual men and how they are able to reframe that sexuality beyond a prior ascribed refutation of homosexuality. This research project through popular cultural representation linked to contemporary academic and theoretical models aims to draw out the implications of these situations as not so easily dismissed.

The literature that surrounds the subject of sex in prison spans a number of fields, from sociology to queer theory, literary criticism and television studies, alongside historical works on prison and sexuality. The area of my research study focuses on representations of sexual practice and identity in men's prisons. The project begins with a look at historical texts on prison formation and on sexuality and what they reveal about

the grounding and arrival of both. My arguments are based on theories of sexuality and their interconnection with an understanding of sex in prison. My critical analysis examines how the hidden world of the prison is culturally recognised and socially understood. By intersecting different disciplines this research project reaches for an understanding of the discourse around representations of sexual practice and identity in men's prisons.

### Foucault on Prison and Sexuality

My starting point is the writing of Foucault on the subject of prisons and sexuality, especially his texts *Discipline and Punish* (1975) and the *History of Sexuality: Volume 1* (1976), as a way to conceptually draw my study together. These texts show how Foucault represents the prison and sexuality. Further, a look at literature on the history of the prison, sexuality, and sex in prison, gives a foundation for an analysis of representation of sexuality and prison.

Is it surprising that the prison resembles factories, schools, barracks, which all resemble prisons? (Foucault 1991, p.228)

Foucault's *Discipline and Punish: The Birth of the Prison* (1975) charted the origin of prison within society, from the visual feast of punishment to an understanding of the modern day form and style of the prison and the prisoner. From the idea of the penal within all disciplinary forms, Foucault

outlines the birth and rise of the prison as the primary form of punishment within western society, highlighting the novelty of penalty at the turn of the eighteenth and nineteenth centuries (Foucault 1991, p.231).

Foucault outlines a journey through the penal system, focussing on the means and forms of punitive measures therein. He shows how, through the levying on the time of the prisoner, the prison expresses in concrete terms the idea that the offence has injured, beyond the victim, society as a whole (Foucault 1991, p.232). The uniformity of the experience within a set recognition for incarceration gives the judicial and legal system an equation for punishment: severity of crime committed against 'society' manifests in a direct relationship to the amount of time spent in isolation from that injured society. The means for that control is further manifested within the institution through observation and enacted through the restriction of movement and the power of the institution over the prisoner. Foucault's study of the prison draws on historical contexts and extrapolates from prison experience a wider societal expectation of uniformity and, of greater concern to him, conformity, which is replicated by factories, schools, and barracks, as quoted above. This leads to an idea of the disciplinary power of observation towards conformity within society, which is encapsulated by the prison. Foucault redraws the prison as a physical manifestation of society's drive for control of the individual. My research will show that the observational aspect of control in Foucault's disciplinary power is undermined by the way in which prisons are represented and the subsequent conflicting understanding of the

institution.

Building on texts such as *Behind Bars: Surviving Prison* by Jeffrey Ian Ross and Stephen C. Richards (2002), *Maximum Security* by Karen Farrington (2007) and *Prison Rape: An American Institution?* by Michael Singer (2013) my research project highlights beyond the restrictive form of the prison the ways and means in which the individuals represented transgress against that observational institution. The prison's disciplinary power to observe is ultimately undermined by the individual's represented circumvention of the means of that observation. The prison as a represented form within literature, film, television, as well as in historical and sociological texts, utilises the unobserved, the moment beyond such discipline and observation, to characterise the individuality of the prisoner. This research gives examples of an emphasis on the *lack* of observance, the drives and moves away and beyond that observational moment of discipline and control as highlighted by Foucault, the point at which the transgressive individual re(in)states himself within and outside the regulation or conformity.

Foucault's *The History of Sexuality: Volume 1* (1975) also represents concepts of observation and control, this time through discourse and disclosure. Foucault states, "[T]he objective is to analyze a certain form of knowledge regarding sex, not in terms of repression or law, but in terms of power" (Foucault 1990, p.92). Utilising the concept of sex and sexuality as actually hidden and constricted by discourses of it, Foucault looks to the relationship of power inherent therein. He illustrates the way in which discourses of sexuality became boundaried by a morally presumptuous

heterosexuality that privileges the heterosexual, and legitimises the procreative couple. He writes, “The couple imposed itself as model, enforced the norm, safeguarded the truth, and reserved the right to speak while retaining the principle of secrecy” (Foucault 1990, p.3). This idea of restrictive discourse of sex is picked up in chapter two and addressed throughout this thesis.

With Foucault in mind, more recent historians discuss his ideas and outline how the concept of a drawn and defined sexuality presupposes levels of control and constraint. As H.G. Cocks and Matt Houlbrook put it in their introduction to *The Modern History of Sexuality* (2006), sexuality itself is a product of modernity rather than simply documenting changes in the meaning and reading of sexuality (Cocks and Houlbrook 2006, p.6). They state that the organisational systems of sexuality are not solely biological but have a “discernible historical development” intent on defining sexual normalcy (Cocks and Houlbrook 2006, p.7). Such discussions of sexuality in themselves draw together the limitations of the potentiality for sex, desire, the body and bodily pleasure. This is done by questioning and challenging how the concept of ‘a sexuality’ was born from a prior “mass of desires and practices licit or illicit” (Cocks and Houlbrook 2006, p.7). I aim to conversely re-open the potentiality of sex through the discussion of sex in prison as a confounder of categories, labels and constrictive codes of definition.

Foucault positions the formation of sexuality as a constrictive means of control and observation, conceptually aligning that understanding of sex within the observational controlling institution of the prison. Cocks and

Houlbrook state:

Foucault's work documents the rise of what he calls 'biopower', that is the abandonment of coercive instruments like capital punishment or coercive laws in favour of more insidious techniques of rule and control, many of which focussed on sexuality, morality and reproduction (Cocks and Houlbrook 2006, p.7).

These restrictions work in direct correlation to, indeed are exemplified by, the prison as a manifestation of those “insidious techniques of rule and control”. The prison becomes the site within which control is made openly manifest, with such observation redrawing the sex that occurs therein. Yet it is, paradoxically, within the cultural representation of the prison that sex can become reframed towards the previously acknowledged potentiality for sex and bodily desire. The institution by reason of its contained form is represented as, literally and figuratively, a world away from the constrictive expectations of socially controlled and controlling sexuality.

Chris Waters highlights Foucault's concern that the early sexologists instead of liberating sex created the means and vocabulary for the containment and constraint of sex (Waters 2006, p.54). Additionally, Matt Cook explains that the use of the law works towards a characteristic normalcy for sexuality. He writes:

Foucault argued that the law was not just simply a series of institutions dispensing 'justice' but a powerful discourse which shaped understandings and experiences of sex and desire. It helped to propagate a series of apparently incontestable 'norms' and

encouraged people to internalize them (Cook 2006, p.65).

These norms, internalised and institutionally wrought, inform not only the understanding of sex and sexuality, the conceptualisation of it for the individual and the state, but also the means of enforcing and policing that perceived normalcy. This correlation of sex and law, which I will discuss in chapter one, enables the further commingling of sex and prison as a means to reinstate the individual sense of a sexual self as beyond that conscripted by sexology and the law. The law as a (failed) means of constraint creates a site through the punitive measure of serving time, namely the prison, where we shall see that hitherto controlled and criminalised (homo)sexuality is made manifest. Sex in prison becomes a means by which sex can be reconstituted beyond societal control even whilst purportedly under the totalistic means of observational control and discipline exemplified by the prison itself.

By drawing on Foucault's ideas of sex, discipline, observation and power, alongside other discussions of sexuality, and aligning these within the forms in which prisons are represented, it is possible to disentangle the representation of sex and its potentiality away from heteronormative associations. Furthermore, Foucault, by highlighting that, "[s]exuality is not the most intractable element in power relations, but rather one of those endowed with the greatest instrumentality" (Foucault 1990, p.103) provides a model by which sex in prison and sex as power can be read through an understanding of power. The historical grounding in the following chapters will illustrate the development of the ideas and forms of sex and their shift over time. Although theorists and writers of prison



sex repeatedly represent a static conceptualisation of that sex (as a constant and fixed model of the roles men play as well as the forms that sex can take) there is a noticeable change in *perceptions* of sex, through a wider understanding of how sexuality and gender are recognised and conceptualised. It is the aim of this research project to draw out these changes of understanding and the cultural acknowledgement of sex through the representation of the prison.

### Writings of Prison and Sex

Following on from the conceptual drawing together of Foucault's texts on sex and prison, there are a number of other texts that relate directly to the subject of sex in prison. Writings on this subject focus either on sociological texts framing theoretical discussions, for example *Sex in Prison* by Joseph Fishman (1934), *Rape in Prison* by Anthony Scacco (1975) and *Prison Masculinities* edited by Sabo, Kupers and London (2001), or analytical studies of behaviour, found in books such as *Sexual Behaviour in the Human Male* by Kinsey, Pomeroy and Martin (1948) and *Men Behind Bars: Sexual Exploitation in Prison* by Wooden and Parker (1983). There is also one text that focuses on a historical framework, *Criminal Intimacy* by Regina Kunzel (2008). Each of these forms of writing adds to an understanding of the issues surrounding sex in prison as well as a historiography of the subject through their point of intersection in time and place. Each text presents an authorial

representation of the subject and a conception of what the author expects from sex in prison: From Alfred Kinsey's use of prisoner responses to renegotiate the norms of sexual behaviour through to Mark S. Fleischer and Jessie L. Krienert's apologist *The Myth of Prison Rape: Sexual Culture in American Prisons* (2009) which uses language and semantics to undermine the reported prevalence of rape in prison.

Texts such as *Sex in Prison* (Fishman, 1934) and *Rape in Prison* (Scacco, 1975) represent sexual activity within the prison as a problem to be dealt with, an issue to be addressed and, ideally, eradicated. They place a corrective value on their studies as a way of highlighting an issue with a mind to removing that issue. Therein such a directive of intent informs the work itself, through the language, scope and expectation of the form. A good example is this quote from Joseph Fishman's *Sex in Prison*, written in 1934, which states:

Homosexuality, to the average person, is the obtaining of sex gratification from one's own instead of the opposite sex. It is considered to be something that is so degraded that even its very existence should never be openly acknowledged. The candid discussion of it, and what to do about it is almost equally unspeakable (Fishman 1934, p.57).

This 'unspeakable' nature of homosexuality is a reflection of Fishman's moral engagement with the subject and shapes the subsequent formation of his analysis. Fishman worked as an Inspector of Prisons (Fishman 1934, p.13) and as such was in regular contact with the prison institution, but from a perspective of how to regulate and improve that

institution. Fishman's employment "brought him into intimate contact with thousands upon thousands of prisoners where he had an opportunity to study them, listen to their stories and to obtain an understanding of prisoner psychology" (Fishman 1934, p.14). However, this is informed by his professional association with the establishment and his stated disapproval of homosexuality, characterised in how he represents the 'problem' of sex in prison. The scope of his text is predominantly anecdotal and experiential with no systematic use of prisoner response, interview or account, other than the incidental, and he borrows heavily from the sixth chapter, "Men Without Women", of a prior first hand account of incarceration, in a book called *Prison Days and Nights* by Victor F. Nelson written in 1932. Although *Sex in Prison* was the first major treatise on the subject it is grounded in its era with its sense of disgust and disapprobation of the subject.

Likewise, Anthony Scacco's text is informed by the growing interest and focus on rape in prison as the primary means for sexual expression within prison at that time, the 1970s. Regina Kunzel highlights in *Criminal Intimacy* (2008), the historical overview of sex in prison, that the 1960s and 1970s marked a period where texts and representations of prison focus on rape (Kunzel 2008, p.150). Scacco's text is on rape and race and the abuse of power by dominant inmates over subordinate(d) ones. He frames his discussion within terms of savagery and animalism, restating the viewpoint throughout of the prisoner as caged beast, beyond the humanitarian expectations of society. The assumptive standpoint that prefigures sex in prison through rape reduces the scope

and the interpretive quality of Scacco's work (through its locale in time). In chapter three this timeliness of visions of rape in prison is explored further alongside representations that use scenes of rape within their sexual coding. Scacco's text is associated through time with the later study *Men Behind Bars* (1983), which is sub-titled *Sexual Exploitation in Prison* to again frame sexual activity within the prison through the gaze of exploitation, and ultimately coercion and force.

Wooden and Parker's study *Men Behind Bars* (1983) relates directly to sex in prison using survey/interview methods and the more general study *The Sexual Behaviour of the Human Male* (Kinsey, Pomeroy and Martin 1948) includes prisoner responses to surveys on sexual behaviour in order to focus more on behaviour and sexual acts than on identity and sex. The limits of both studies are their scope and frames of reference, the former through a singular (homosexually preponderant) institution and the latter through a focus on sexual behaviour over psychological or emotional engagement with sex or sexual identity. Both studies offer in depth representations of sexual activity in men's prisons and as such provide a useful resource for understanding sexual activity therein. They break down the proselytizing of prior accounts into represented behaviours of sex between prisoners. Through such versions of sex, practices can be seen to enmesh with identity and form, as well as to contradict them. These studies provide a foundation for understanding sex between men, including those heterosexually prefigured who are engaging in acts of (homo)sex in the prison. They make it possible to look at the conflict between activity and identity and how visions and

versions of formerly heterosexually identified men reconfigure their sense of that heterosexual self whilst engaging in acts of homosexuality. The cultural representation of prison thus enables that reconfiguring through a societal recognition of sex in prison.

To build on the above points, Kunzel's *Criminal Intimacy* (2008) as a historical text frames the work on sex in prison alongside wider interrelations with sexuality and the correlation between the two over time. Kunzel's text collects issues and ideas relating to sex in prison throughout their co-joined history, beginning in the 1800s through to the present day. Drawing links between the history of sex in prison with the wider societal understanding and awareness of homosexuality Kunzel's work seeks to frame the discussion within that historicity. My research applies the historical grounding that Kunzel provides on my research topic in order to assess its impact on and cultural understandings of representative forms of sex in prison.

## **Overview of the Thesis**

This thesis looks at specific representations of sexual practice and identity in men's prisons since the 1950s. The era is defined by the texts used, from Peter Wildeblood's *Against The Law* (1957) through to the television series *Oz* (HOB 1997-2003). As the birth of the prison coincided with the arrival of terminology demarking homosexuality there is a historical grounding from the 1800s and thus a link to Oscar Wilde.

Earlier work on women's prison highlights that a comparative study between these and male representations would be illuminating, but the scope and size of this thesis unfortunately prohibits such a direction. Therefore, when discussing issues of sex, sexuality and gender it is done within the concept of male prisons, male terms and male frames of reference.

The thesis is broadly chronological which enables an understanding of the texts in terms of continuity and change. Each chapter takes historical, theoretical and academic texts relating to sex and prison, analyses them in context and relates them to contemporary popular culture representations of the prison in literature, film and television.

Although using film, this study is situated in the field of Cultural Studies rather than Film Studies so as to draw in popular cultural representations to highlight the cross-cultural and historical significances of the texts in context. The focus is on the themes and narratives of the texts and their resonance within a cultural context rather than the aesthetic and formalist qualities of film. This focuses the work on the subject, the narrative and the continuity that runs through the themes of the sociological texts, as well as the cultural representations, enabling an interpretive reading of each.

What it is not, is a sociological study of sex in prison, involving interviews conducted with inmates, and does not seek to expose moments of sex in prison between prisoners current or past. Through the use of a variety of textual evidence the study looks at how sex in prison is presented and represented therein, with an awareness of the author's voice, subjective

placement and representative form. Each text from fiction through to sociological study has a subjectivity and bias implicit therein, through that subjectivity and its association with other representations it is possible to gain an understanding of how sex in prison is envisaged.

### Choice of Texts

Before moving to a structural overview of the thesis it is worth outlining the motivation for the choice of primary texts used in the thesis as they each have a specific reason for inclusion and also stand against more obvious or commonly recognised cultural texts on the subject of sex in prison. The primary texts selected are:

*Against the Law*, biographical novel by Peter Wildeblood (1957)

*Birdman of Alcatraz*, biographical novel by Thomas E. Gaddis (1955) and film directed by John Frankenheimer (1962)

*Short Eyes*, play by Miguel Pinero (1974) and film directed by Robert M. Young (1977)

*Scum*, TV play (1977) and film (1979) both directed by Alan Clarke

*Oz*, TV Series written by Tom Fontana, HBO (1997-2003)

Each text includes some form of reference to sex in prison and/or the queering of the prison space but each do so very differently. One of the

grounds for the selection of these texts (other than their correlative geographical situation within the area of the study that of the UK and the US and within the chronological context of the study) is that each comment upon and critique the institution of the prison. This criticism of the prison sometimes is in direct relation to sex in prison sometimes to the circumstance of the institution as a whole. As a result of this critical response to the prison they carry with them what I refer to as a 'myth of power', the seeming power to enable change within the institution or situation being critiqued by the popular cultural representation.

To give an example, *Against the Law* was Peter Wildeblood's unapologetic entrance into the world of homosexual law reform and his way into testifying openly and in name (one of only three to do so without anonymity) to the Wolfenden Committee. As a result Wildeblood's involvement with the Wolfenden committee and the sea-change of public opinion, outlined later with regards to the Lord Montagu, Pitt-Rivers and Wildeblood case, *Against the Law* has become part of the narrative of the decriminalisation of homosexuality, and can be read as a contributing factor in that historical change. Mr F.J. Bellinger, MP for Bassetlaw, opposing the decriminalisation of homosexuality is reported as supposing that every MP had been furnished with a copy of *Against the Law* as a way of eliciting sympathy for the recommendations of the Wolfenden report and to direct them towards a favourable vote (Camp, Ronald *Why Vice Law Won't Be Changed*, Daily Mail, 27<sup>th</sup> November 1958, p.9). Whatever the veracity of this claim or comment, the association between the text *Against the Law* and the homosexual law



reform as recommended by the Wolfenden committee is compounded.

The other texts chosen each have a similar resonance with the 'myth of power', but as with most cultural representations it is hard, if not impossible, to draw a direct line of affect between a popular cultural representation and a historical, political or social occurrence. However, the list below illustrates how the above texts can be associated with that 'myth of power', the power to cause change.

*Birdman of Alcatraz* was released in 1962 spurring hundreds of thousands of members of the public to petition for the release of Robert Stroud and to criticise the facility of Alcatraz, a facility Burt Lancaster's Stroud directly tells the San Francisco people they should be ashamed to have in their bay at the closing of the film. Alcatraz closed one year later in 1963 as a result of excessive running costs but the damage to its reputation caused by *Birdman of Alcatraz* would not have been negligible.

*Short Eyes* the play was a hit in New York in 1974 and criticises the institution of The Tombs detention centre in New York, with its mix of barbarity, inter-racial violence, sexual exploitation and murder. The represented section of The Tombs closed in December of 1974.

*Scum* was released in 1979 and was a direct attack on the brutality endemic within the Borstal institution, highlighting recurrent staff abuse of inmates, as well as corruption, vice and rape. The Borstal as an institution was abolished by the British Government in 1982.

Lastly *Oz* was a popular HBO television series running for six seasons from 1997 to 2003, also depicting the failings of the institution of the

prison but with a strong focus on rape and prisoner sexual exploitation. The Prison Rape Elimination Act came into being in 2003 and was referred to as 'the Oz Bill' by Martin Horn, Commissioner of the New York City Department of Probation and former Secretary of the Pennsylvania Department of Corrections<sup>15</sup>. Lara Stemple also draws parallels between the publicly accessible portrayals of rape and sexual assault in *Oz* and the Prison Rape Elimination Act of 2003 (Stemple, 2007 p.185).

The texts chosen thus carry a sense of the 'myth of power' of cultural representation affecting change within society and whether or not there is a direct causal link (as is more evident with *Against the Law*) or a less clear association the placement of these texts alongside their contextual societal reform makes for an interesting juxtaposition. This 'myth of power' is what draws together these otherwise disparate texts within a single conceptual framework.

There are other texts that were considered for inclusion that are worthy of note here but were rejected for either not fitting into the essential criteria or for not working within the framework of this particular study and the reading of text in context. Firstly, the texts most likely expected to be present are those by Jean Genet such as *Miracle of the Rose* (1946 biographical novel), *The Thief's Journal* (1949 biographical novel) and *Un Chant D'Amour* (1950 film). As well as sitting outside of the geographical location of the study (in France as opposed to the UK and the US) Genet's texts, although beguiling for their richness of

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<sup>15</sup> <http://www.corrections.com/articles/12407-reviewing-the-prison-rape-reduction-act->  
(accessed 07/07/2014)

representation, inhabit a queer space wherein all characters can be read as queer. His texts represent the idealisation of the queering of the prison rather than the complex negotiation of the queering of a space inhabited by erstwhile 'heterosexual' men. There are no 'heterosexual' men, signified or identified, within Genet's texts, and the resultant complex negotiation of practice and identity is lost. However, Genet's opulence of representation affords a queer-utopia of prison existence and illustrates a form of (homo)sexual potential which can be aligned to a post-gay reading of queer identity and an amorphous sexuality which would be interesting to address another time.

*Fortune and Men's Eyes* by John Herbert (1967 play and 1971 film directed by Harvey Hart and Jules Schwerin) is the 'classic' representation of homosexuality in prison, but again sits outside of the geographical location of this study as it is Canadian. However the complex relationships between the characters who each illustrate some aspect of homosexuality whilst evidencing various signifiers for masculinity and femininity would have been a welcome addition had the context fitted. *Short Eyes* is in some way a replacement for this film and ultimately proved more interesting in the way Miguel Pinero wrote the sexuality of his characters.

The following texts are all recognised for moments of same-sex sexuality but those moments are fleeting, isolated or problematic. *Porridge* (1973-1977 BBC television series), for example, has an interesting episode called *Men Without Women* (10<sup>th</sup> October 1974) which revolves around the inmates' wives visiting the prison, and uses the homosexual

relationship of Lukewarm (played by Christopher Biggins) as a comedic reference when his partner is shown as the sole male on the visitors' bus. *Porridge*, through such devices, neatly places homosexuality away from the other inmates and locates it within the character of Lukewarm, portrayed with the archetypal sexless effeminacy attributed to homosexuals within British television of the 1970s. This sidelining of homosexuality enables the subject of sex and homosexuality to be safely removed from the series, posited within the sexless Lukewarm and at a distance to the other incarcerated (heterosexual) characters. Although it highlights an aspect of the discussion of homosexuality in prison it does not evidence enough variety to be of value here.

*Midnight Express* (1977 biographical novel and 1978 film directed by Alan Parker) is also geographically located outside of the area of study, but with an American protagonist could be felt to be of relevance. However, the single moment of queer refusal in the film which was re-written from a long term sexual relationship in the book illustrates a simplistic re-writing and eradication of the homosexual from Hollywood film. The known bisexuality of the lead actor, Brad Davis, adds an interesting twist to the tale, but not enough to warrant inclusion.

Lastly, another text referred to with regard to the subject of representations of prison is the popular *Shawshank Redemption* (1994 film directed by Frank Darabont). Although this film is geographically located within the context of the study, the US and the time period, its representation of sex in prison is less interesting and relevant in that the rapists of Andy Dufresne (played by Tim Robbins) are portrayed as 'fags'

or 'gay men' as opposed to heterosexually signified men acting aberrantly or sexually ambiguous men acting with machismo for control or power. This portrayal has more to do with a sense of institutionalised homophobia and the demonising of 'gay' than it does with complex representations of sexuality and men having sex with men in prison present in those cultural forms selected above.

Each of the chosen primary texts aligned to the 'myth of power', outlined in more detail shortly, have complex and complicated relationships to the theme of sex in prison. Beyond isolated incidents or a generic queering, the primary texts question and challenge understanding of sexual identification and sexual practice. As well as this complexity they each offer a hint at the potential for that critical representation to affect the wider societal understanding, attitudes and even the physical or legal structure of prison by drawing the hidden world of the prison back into the public realm.

## 1. Prison (1800s to 1960s)

This chapter will trace the development of the modern prison as it is recognised today. By situating the prison within its historical context I will demonstrate the extent to which the origination and form of the prison recognises homosexual activity between heterosexually identified males. I will examine the systems and styles of prison and how they control the prisoner, looking specifically for areas of control designed to remove the

potential for sex between prisoners and see if this relates to an understanding of the potential for sex between the inmates. This section will culminate in discussing the first text dedicated to the subject of sex in prison between men, *Sex in Prison* by Joseph F. Fishman (1934).

I will use the case study, *Against the Law* (1957) by Wildeblood, to examine the potentiality of homosexuality within the prison. I will uncover the space that the prison creates to see how that may inform the author's sense of a homosexual self. Through the criminalisation of homosexuality the prison becomes populated by homosexual men, although not just those arrested for homosexual offences but also others identifying as homosexual and imprisoned for other offences. I will look at what such a knowing population enables within the prison environment. In this chapter I will examine whether the prison constitutes a site for visibility and viability within the otherwise criminalised and isolated existence of homosexuality in society. I will investigate the prison as the ultimate sanction against the visibility of homosexuality in society through imprisonment and what that confers upon that population when held within the institution who are in essence beyond the law (excepting institutional means of punishment). From this base, I will discuss whether the potential acceptability and visibility of homosexuality within the institution enables the formation of a homosexual identity beyond the act. I aim to map the complex circle, wherein the identity that informed a homosexuality (Wildeblood's homosexual self), which assisted in the decriminalisation of that homosexuality, had its founding in the prison through its criminalisation, which enabled the space for that

identity to be formed.

## 2. Homosexuality (1890s to 1960s)

The background of this chapter focuses on earlier ideas of homosexuality and how this is envisaged within the prison. How it is that heterosexually identified males can variously engage in acts of homosexuality. What was understood about sexuality from the arrival of the terms homosexual and heterosexual in the 1890s and theories that discuss a movement in sexual object choice from Freud to Ellis. Further a return to Fishman's text (*Sex in Prison* 1934) to understand how sex in prison was contextually understood to be able to appear within the institution. The format of this chapter forms a broad chronological base for the understanding of theories on homosexuality which leads up to and includes Kinsey's study of the *Sexual Behavior in the Human Male* (1948). Through the analyses of non-conformative sexual behaviour within the Kinsey's study I will open up the discussion on sex and sexual behaviour as well as reframing the continuum from heterosexuality to homosexuality characterised by the transformative association of the prison.

I will use the case study of the film *Birdman of Alcatraz* (John Frankenheimer, 1962) here to illustrate a point of construction of the representative form creating a sense of discontinuity from an expected model of representations of prison in line with the previously outlined sexual expectation. The film portrays the character, Robert Stroud, within

a standardised heterosexist model of innate heterosexuality, whereas other accounts of the prisoner rewrite him as sexually complex and homosexually associative. This case study can be used to recognise the means for that compulsory heterosexuality to be constructed in a film representation of the avowedly homosocial and implicitly homosexual environment of the prison (as outlined in chapter one). Where the prisoner Robert Stroud, characterises aspects of what can be called a 'Kinseyan',<sup>16</sup> fluidity of sexual behaviour and homosexual engagement, the film (and the earlier book of the same name by Thomas E. Gaddis (1955)) reframes the character away from any such potentiality. In this case study I will look to representations of an individual and how the focus of the form presupposes a telling that implies but simultaneously denies an innate 'truth'.

These first two chapters illustrate the background of the study prior to decriminalisation and form a historical grounding of the subject up to the 1960s. The following two chapters take on the more theoretical representation of sex and sexuality that emerged from the 1970s onwards, it continues the thesis' loose chronological structure and contextual analysis of key theoretical and popular texts. This is in order to demonstrate how together these sources illuminate and challenge representations and understandings of sex in the prison.

### 3. Rape (1970s to 1980s)

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<sup>16</sup> The idea of 'kinseyan' fluidity is outlined in chapter two, and illustrate the flexibility of sexual behaviour.



This chapter will look at the body and rape as acting on that body. It will begin with a discussion of sex as bonding and intimacy followed by an assessment of the body within the institution and the act of rape as represented therein. It will then look to the way the institution and a resultant homosexuality act upon the body. With an outline of the shift in focus to rape in prison as the predominant representation of sex in prison in the texts of the 1970 and 1980s, as mentioned earlier, the chapter examines how they place rape within the context of the prison and the resultant understanding of power and control. In this time period rape is shown to become the (only or predominant) culturally acknowledged form of sex in prison, foregrounding a continual reading of sex in prison as rape that is still recognised to the current day as shown by the opening Home Office advertisement. This section situates the focus on rape and how key texts, such *Rape in Prison* (1975) by Anthony M. Scacco Jr. and *Men Behind Bars: Sexual Exploitation in Prison* (1983) by Wayne S. Wooden and Jay Parker, maintain that focus.

The case studies here are the films *Short Eyes* (Robert M. Young, 1977) and the two versions of *Scum* (Alan Clarke, television play 1977 and film 1979) that deal with the issue of rape within the institution of prison. *Short Eyes* looks at the sexual compulsiveness and prevalence of (homo)sex and desire within the representation of the prison form through the interaction of the inmates with the ever-present threat of rape and how that text re-writes rape as either retribution or as permissible. *Scum* will be used to outline different messages that the two versions illustrate with regard to sex in prison, where the first, banned television

play version has scenes of homosexual domesticity which are removed from the latter version, and that the latter version has a rape scene more graphically portrayed. This section looks to how that change in focus from the original to the 'remake' represents notions of sex in prison and permissibility.

#### 4. Queer (1990s to 2000s)

This chapter leads into the 1990s and brings together seminal theorists and concepts on gender and sexuality and places the studies alongside the representation of the prison. This is done in order to illuminate a model for sexual permissibility and potentiality within the prison form. I will be looking at Eve Kosofsky Sedgwick's homosocial to homosexual continuum from 1985<sup>17</sup> and minoritisation and universalisation models from 1990; Judith Butler's performativity of gender from 1993; Leo Bersani's homos from 1995; Martine Rothblatt's utopian de-categorising of sex from 1996 and Alan Sinfield's post-gay from 1998. I will map each of these theorists against the realm of the prison's representation to create a theoretical model for the analysis of that form. This is to utilise the theories and ideas herein outlined to open up the understanding and discussion of represented sex in prison.

The case study I use here is focussed on the television series *Oz* (HBO 1997-2003). Examples from this text are used to illustrate the way that

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<sup>17</sup> Sedgwick's homosocial continuum marks a point of entry into queer theory for this thesis, and although sits before time period of the 1990s and 2000s for the simplistic chronology of this thesis is brought into the queer theory that follows as opposed to situated in the discussions of rape that preceded this chapter.

representations of prisons can open up the potentiality for same-sex relationships. This will explore how the renditions of homosexuality within these forms enable a complexity of representation less visible or viable within popular culture. This chapter will discuss whether or not representations of sex in prison in turn open up the potential to re-imagine male sexuality beyond the normative, dichotomised and discordant.

#### Location of the study

This research study is situated in representations of UK and US prisons by nature of the selected primary texts. This enables an incidental comparison of the two, but that is not the main focus of this project or the reason for my choice of texts. Generally speaking in counterpoint to the differences in form, the predominant US representations of prison life are often large scale, gang dominated enclaves of racial segregation, whereas UK representations are more often situated within old style Victorian prisons of isolated solid door cells but open central 'social' spaces where prisoners mingle more interracially and within defined groups coded through association less than race. A significant exception is the new form of the borstal as represented in *Scum*, as a representative of the modern prison system which was filmed in a school rather than a prison setting. Racial segregation, separatism and grouping is often shown as a motivating factor for the characters and plot within

the American representation of the prison, and is only more notionally visible within the British form, such as the interracial fight in *Scum* (1977 and 1979).

The historical basis of the thesis is articulated through the formation of a penitentiary system in the US and the prison in the UK, articulating the arrival of that institution in each. The latter theorisations on sex in prison are used to place the representations within a theoretical framework and understanding of the subject within that context.

There are similarities between the UK and the US with regard to this topic, as initially generally pointed out by Robert P. Weiss and Nigel South in *Comparing Prison Systems* (1998). They state:

In most Western nations, the benign, communitarian bases for informal control, such as family, school and community networks have been eroded by forces of commercialization, privatization and withdrawal of state financial support (Weiss and South 1998, p.3).

Illustrating commonalities within western capitalist societies they extrapolate commonalities within the representative form of the prison as a means for control within those societies. Weiss and South point to a comparative penology within the UK and the US through comparative ideational systems of control wherein political proselytising of being tough on crime undermines good sense and expert advice on crime prevention. The authors highlight that in the trans-atlantic West, especially in the UK and the US, “harsher criminal legislation, expanded police forces and burgeoning prison populations have done little to

change the reality of crime or victimization in any country” (Weiss and South 1998, p3). This is not to say that there is a direct correlation between the representation of prisons in the US and the UK, but that there is an ideological basis for the penal forms therein. The representative forms are coded in the societal expectations therein and mapped along recognised and recognisable forms of the institutions in the UK and the US as outlined above

## **Terms of Reference**

### **The Prison**

One difficulty with a discussion of ‘the prison’ is initially in understanding what it means as a term: ranging from small town holding cells or jails to the ‘Supermax’ (a prison in permanent lockdown) (Farrington 2009, p.17). As a result, is it possible to discuss the prison without citing a singular institution as the site of discourse? The overwhelming complexity of the prison’s possible meanings can be mitigated against by identifying it instead through its popular cultural representations, rather than trying to map each and every possible type of institution. Although there are many shapes, colours and forms within the prison world, *representations* of the prison colour it uniformly grey. Schauer states,

Prison films frequently include shots of long, dark hallways or of cells and bars. Regimenting of the prisoners’ time and activity...often

symbolized through lunch-room scenes, manual labour, and lock-down or lights-out sequences. All of these symbolic tropes establish the prisons as oppressive regimes (Schauer 2004, p.33).

Representational tropes of a contained and containing world form the basis for recognising representations of the prison in the UK and the US. This standardisation of the representative form of prisons appears as a running motif throughout representations of prison existence. Where there are notable exceptions, these come in the form of the exotic or 'foreign' as exemplified by the chaotic bar-less structure of the Turkish prison within the film *Midnight Express* (Alan Parker, 1978) and the nostalgic pre-war locale of the open, almost boys school residence, of *Borstal Boy* (Peter Sheridan, 2010). In this thesis 'the prison' is that which is represented within the material addressed, those knowingly stylised representative forms in the world of fiction, and those less consciously representative sociological, historical, theoretical texts which address a 'reality' of prison. Rather than being focussed on the intricacies of what does or does not constitute an 'actual' prison, I take my lead from the representations across the variety of sources.

Each manifestation of the 'prison' carries with it an understanding and recognition of what it (the prison) means. By drawing together cultural representations of 'prison' in this thesis, I seek to underscore the complexity of the notion of what the prison is alongside opening up and clarifying discussions around the circumstance of 'the prison'. That the 'prison' can mean all sorts of things, is not the problem but is the point of why it is so important to bring together a variety of sources: as Alan

Clarke's version of the prison in *Scum* varies from T.J. Parsell's in *Fish* which varies from Fishman's in *Sex in Prison*. These ways of telling the tale of the prison use different points of reference and context in their telling. As Sinfield states:

These stories don't just occur naturally; their composition is shared by a number of people, partly in collaboration, taking particular forms in particular historical circumstances. Even the one storyteller gives different versions at different times. These devices effect and comment upon the transformation of experiences, not just into writing but into subcultural myth. As we tell our story, it tells us. (Sinfield 1998, p.97)

Writing of the formative quality of stories and myths told, Sinfield outlines the complex composition of such tellings. The versions of telling used throughout this thesis to represent the 'prison' are attempts to elucidate an understanding of the 'prison', and of the transformative experience of the prison through its action on the individual, the prisoner.

The use of representative forms to open up and discuss aspects of sexuality within the prison environment is enabled in part by the removed nature of the prisons and the prisoners themselves, and also in the way that such representations reinforce and challenge ideas of sexuality (inside and outside of the prison). As Sinfield states, "...fiction, film and song are regarded not as documentary evidence or as vehicles for transcendent truths, but as reservoirs of significant and complex representations through which we think ourselves" (Sinfield 1998, p.5). It is the significance and complexity of such representations that render

them valuable for my research as repositories of thought, understanding and complex negotiations, in this case with regard to sexuality as manifested within the prison's representation.

Similarly 'documentary' evidence examined in this research is also taken as a subjective form of "significant and complex representation" through the means of inclusion and exclusion, viewpoint and focus, which inculcate the theoretical texts as well as the fictional ones with that subjectivity, as mentioned earlier. The representative form of the prison experience in literature, film and television introduces wider society to the enclosed, hidden and removed site of the prison and the experience of prisoners therein. Yousman states, "Media representations play a key role in influencing our perception of prisons, and those who inhabit them" (Yousman 2009, p.1), rendering accessible a world removed from the public gaze. Within this world and these sites of punishment and incarceration, the representation introduces the reader, audience or viewer to the prisoner inside.

What is a prisoner?

*Convict*, when the term is used today, has lost its precise meaning and is usually an emphatic form of *prisoner*, which is the term most used in Britain. The squeamish, on both sides of the Atlantic, prefer *inmate* to *prisoner* and may even urge the use of the thoroughly evasive *resident* (Morris and Rothman (eds) 1998, p118).

Representations of the prison (following an initial arrival of the 'new' or



subject inmate) will often fix the prisoner within the confines of the prison experience alone, creating a false sense of the permanently contained and socially removed individual(s) where the subject inmate exists only within the prison context. In the case of *Oz*, Tom Fontana, writer and producer of the show, explains that he wanted to keep all of the action inside and never leave the prison to create a sense of claustrophobia<sup>18</sup>. Similarly Channel 4's *Buried* (2003), and *Scum* (1977 and 1979), *Short Eyes* (1977) and *Birdman of Alcatraz* (1962) all fix the prisoner in totality within the institution. In *Oz*, each new inmate within the drama of the ensemble cast is introduced via their offence: the point at which they depart from society, and its laws, the transmutational moment from man to prisoner. From that moment on *Oz* clearly moulds the inmate protagonists without their wider context other than in oblique past-tense references (such as "I used to be a ...") or through visitation. This adds to the removal of an outside/exterior self, and disregards the human or humanity beyond the 'crime'. Few prisoners leave *Oz* in anything other than a body-bag, reiterating the sense of the isolated and removed world of the prison, and the 'safety' this provides for the wider society. Those who leave (through parole or escape) often return, the subsequent sense of their engagement or lack thereof with the rest of society is lost or undermined, and instead confirms the notions of a fixed prison population, populated solely by 'guilty' re-offenders, removed from the rest of the world. Apart from the recognised half-way house of the visiting room, no-one sets foot, literally or figuratively, outside the prison.

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<sup>18</sup> Commentary on DVD *Oz: Season One Episode One* by Tom Fontana (2002) HBO:USA

The shorthand of incarceration, undressing the individual and redressing as inmate cauterizes the moment of fracture between the outside and the inside. Scacco describes in *Rape in Prison* how inmates are made to strip, shower and be checked whilst naked for venereal disease and contraband:

He is made to bend over and grab his ankles...This part of the examination is often drawn out by the guards to humiliate the inmate and let him know who his keepers are (Scacco 1975, p.16).

The dehumanising process of the naked reception reinforces the idea of the owned individual and sets the base acknowledgement for the prisoner as 'property' with no independence of self, no access to privacy (or dignity) or even rights to their own body. The process of stripping the inmate seems as much about the removal of dignity and identity as it is about security.

### What is Sex?

My discussion of sex and sexuality necessitates an understanding of what is being referred to as sex in this research, especially when engaging with theoretical material over six decades of development. As Liz Stanley outlines in *Sex Surveyed* (1995) definitions and meanings of what sex is can change over time and place. There are varied understandings of what sex is and how it is coded and enacted between individuals, wherein culturally penetrative heterosexual sex may

constitute the sole legitimate form of sex in the West while in other cultures and times such sexual behaviour might be representative of sexual inadequacy (Stanley 1995a, p.28). Stanley explains:

[I]n Britain now 'it' is conventionally done in private, by adults of 'opposite' sexes, without onlookers, and in bed usually at night; while in the early Victorian era social investigators could tut-tut at 'it' being done in public, by children, in varying combinations of the sexes, with onlookers, in the streets, and at a range of times (Stanley 1995a, p.28).

As Stanley shows, the cultural acknowledgement of what sex is and how it is manifested will change throughout the time. My research illustrates such changes as it covers the time period from the early nineteenth through to the twenty-first century. Within this timespan sex is re-imagined, rewritten, re-categorised and re-evaluated by sexologists, medical practitioners, queer theorists and the law. Each informs a space or a definition of not just what sex is, but moreover what is understood as 'permissible sex'. Within each different context there are very clearly defined codes and roles of who is permitted to engage in sex as well as what sex consists of and how sex is perceived as a variant or 'normal' and how 'it' informs relationships (Stanley 1995a, p.28). My research considers that sexuality and sexual activity changes over time, and that through a familiarity with the literature on the subject and the value of bringing the different sources together, I can understand the chronological sense of sex as it impacts upon the subject area of sex in prison.

Rather than define sexual activity I am focussed on the distinction between activity/behaviour and identity. As such sex herein will mostly be referencing same-sex sex or (homo)sex to differentiate the act from an identity such as homosexuality. My research will underline that it is important to understand the difference between how individuals are identified sexually and what they are represented as doing. Although homosexuality is permissible as means for describing a sexual activity, it has become too enmeshed within identity to stand beyond such, even within a 'Kinseyesque' focus on behaviour (which will be discussed in chapter two).

By the nature of prison as a site of observation towards control, sex in prison loses its predisposition towards privacy, wherein privacy is unavailable so that "much sexual behaviour actually takes place in, and very much more is represented in, a highly public context" (Stanley 1995a, p.28). All sex in prison is against the rules and regulations of the establishment and is in itself illegal through the statutes against public sex within the US and the UK. It is this public context that my thesis addresses through an examination of the coding and understanding of sex in prison as evidenced within the representations of the prison.

In summary

The main aim of the following chapters is to frame representations of sexual practice and identity within an understanding of the subject

through writings about prison and sexuality. In this thesis I will ground the subject within its representative form in order to draw out the means for association and recognition of sex in prison as produced therein. This will be done through an understanding of how representations of the institution elicit homosexuality from previously heterosexually ascribed prisoners and how that homosexuality is made manifest in time within the period of homosexual criminality.

Also, within this thesis I will seek to understand the impact of the institution upon the body in the form of rape and its acceptance within the institution. Lastly, how readings with queer theory open up the potentiality for representations of sex in prison as a way of uncovering the non-heterosexist potential for men beyond the normative and the dichotomous hetero/homo binary in the cultural representation of the prison. Throughout I will show how such representations form a recognition of sex in prison, most notably rape, within popular culture through trivialisation and humour. This will lead to an understanding of how the Home Office advertisement can be recognised as a representation of that problematic association between prison and rape. Ultimately, I will aim to show how you can put a middle-aged man on a bunk bed and tell the world he is a potential rapist of young men aged eighteen to twenty-four without saying the word.

Glossary of Terms

The list below outlines some of the prison slang terms that are used to denote sexual roles and engagement as seen within the prison<sup>19</sup>. Not all terms are used throughout this thesis but they provide an insight into the representation of sex in prison and neatly illustrate some of the hierarchies and power inherent therein.

- *Booty Bandit*: predatory 'heterosexual' men who are forceful in their pursuit of sex with other males
- *Boss*: the dominant active partner, like a *Daddy* but less totalitarian.
- *Catcher*: only passive in sex
- *Daddy*: Like a *Jocker* or *Booty bandit*, 'heterosexually' identified, active sexual partner, but with a sense of protectiveness (and sometimes care) of their sexually submissive partner and other subordinates. Hierarchically superior through power and force, the dominant male.
- *Fish*: a new inmate, uncharacterised and awaiting demarcation by the prison system
- *Flip-flop*: reciprocal sexual activity between prisoners where both take turns in and active and passive roles
- *Gay* (or *homosexual*) (when used in the of prison slang) men who are more diverse in their sexual activity, who may assume both active and passive roles, and who display few if any effeminate mannerisms.
- *Jocker*: men who have sex with homosexuals or punks. Since these men assume only the "masculine" role in the sexual encounter

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<sup>19</sup> Entries are taken from *Men Behind Bars: Sexual Exploitation in Prison* by Wooden and Parker (1982) and *Short Eyes* by Miguel Pinero (1975).

(active in anal intercourse and passive in fellatio) they do not define themselves as homosexual, nor as engaging in a homosexual act.

- *Kid*: heterosexual (and bisexual) men who have been “turned out” or forced to assume a sexually submissive role, usually through rape.
- *Pimp*: exploits sexually submissive males for personal gain, either monetary or in commissary or favours.
- *Pitcher*: only active in sex
- *Punk*: same as *Kid*
- *Queen*: homosexual (or transsexual) males who adopt stereotyped effeminate mannerisms and play predominantly the submissive sexual role.
- *Queer*: (when used in the context of prison slang) same as *queen*.
- *Sissy*: same as *queen*
- *Squeeze*: sexually available, blatant homosexual male.
- *Stud*: same as *Jocker*.
- *Stuff*: sexually available, passive male, either previously heterosexually identified or homosexual.
- *Turn-out*: same as a kid or a punk
- *Wolf*: same as *Booty Bandit*, with a *Wolverine*, a young vicious version of a *Wolf*.

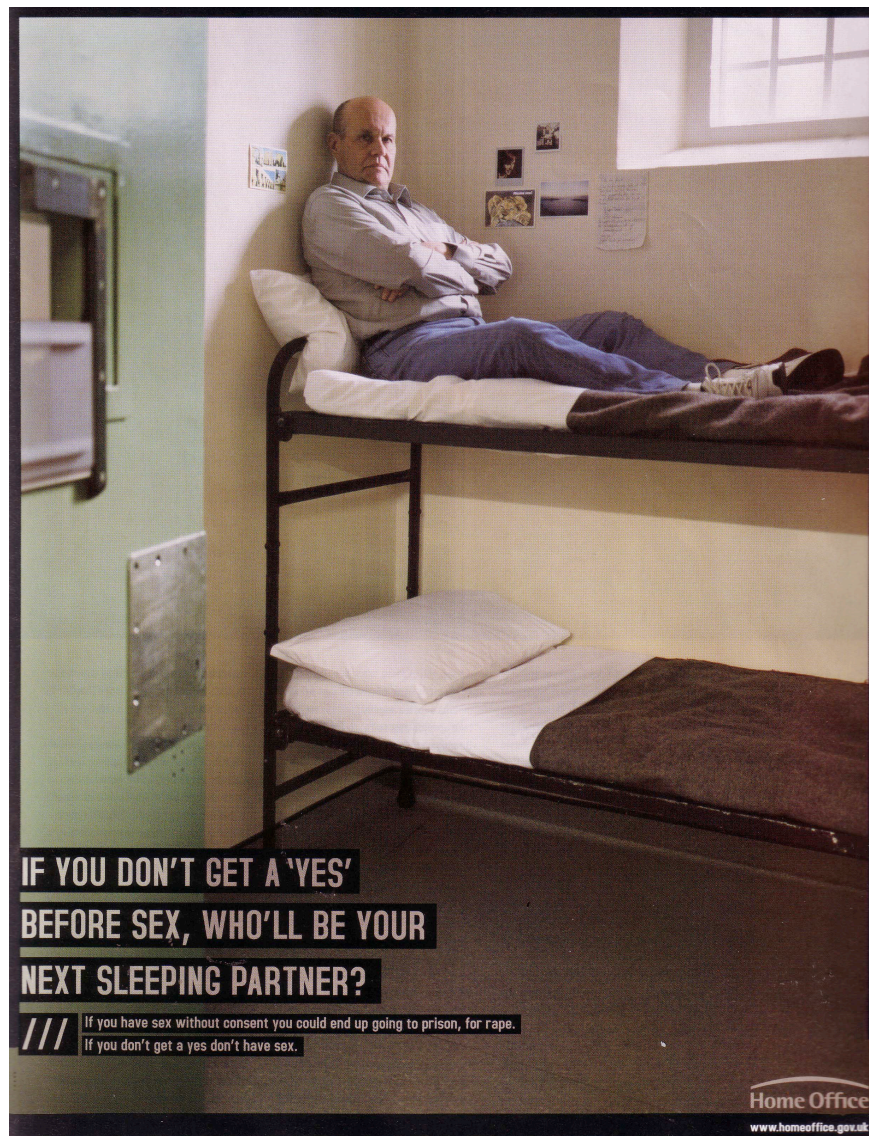


figure. 1



## 1.

**Prison****(1800s to 1960s)**

I have been studying how I may compare

This prison where I live unto the world

(Richard II, Act V, Scene V, Lines 1-2

Shakespeare, 2002, pp.460-461)

In his book, *Prison Days And Nights* (1932), Victor F. Nelson asks: does prison manifest homosexuality or does homosexuality enter the prison through the prisoner? (Nelson 1932, p.146) This is with regard to the causal road of sexual divergence or, as he puts it “abnormality” within the prison setting. His question is the essence of what foregrounds my first two chapters. This chapter looks at the ways in which the prison environment, the institution, is understood to have been created amidst paranoia about sexual aberration and non-conformity in pre-legalisation society<sup>20</sup>. It examines how this underground environment and the criminalising of homosexuality make the prison a unique site for variant sexualities. The following chapter picks up the argument from the side of looking at how homosexuality is manifested, categorised and formed as a sexual type and considers how this is able to manifest itself within the all-male environment of the prison.

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<sup>20</sup> In 1967 Britain decriminalised homosexuality between consenting adults over the age of twenty-one and in private, defined as no more than two present and in 1961 Illinois became the first state in the Union to decriminalise homosexuality that took place in private, although ‘public’ sex was still illegal. .

This chapter aims to set out the argument that the prison has been represented as an ideal environment to foster men having sex with men, specifically previously heterosexually identified men having sex with other predominantly previously heterosexually identified men. This is done so through the prison's structure and form, as well as through the criminalisation of homosexuality and further deviation from normative societal expectations by those convicted as criminal. The paranoia over sexual deviancy and alarm over consequent inter-inmate corruption, physically as well as ideologically informed aspects of the prison structure and routine. A historical examination of prisons will uncover the construction of the homosexual as criminal and subsequently as prisoner. In pre-legalisation society, with its covert societal<sup>21</sup> reality of homosexuality, this criminalisation and consequent arrest of men engaging in acts of/towards same-sex sex manifested in a unique homosexual visibility within the prison.

In the latter part of this chapter I will examine these ideas through the case study of Wildeblood's book *Against the Law* written in 1955, as a way of comparing and contrasting a general understanding of prison and homosexuality. Wildeblood's outspoken account on the formation of his homosexual identity was written at a time when few others were expressing alternate points of view.

This section illustrates the way in which punishment shifted in focus from public spectacle to its removed and hidden form behind closed doors and high walls. The formation of the prison as punishment created a

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<sup>21</sup> 'Societal' throughout this thesis refers to wider society that exists outside of the prison, unless specified as 'prison society'.

move from public identification of transgression to a hidden society of transgressors accommodated together. The drive to remove the punished, punishment and the offender from the public gaze predisposed the prison to become a site for deviancy and 'corruption', enabling the shift in sexual object choice discussed further on. The nature of the prison as a homosocial environment in which inmates are incarcerated for long periods of time with no (or limited) directed heterosexual outlet prefigured the development of same-sex sexual activity of the prisoner.

### **Historical Context of the Modern Prison**

The prison has been around since the earliest times but only comparatively recently has it become the end-point of punishment; where imprisonment itself is the punishment (Southerton 1975, p.1). Looking back through time society has found ways and means to incarcerate offenders against the legal, moral or ethical code of a civilisation from the ancient Greeks to the Chinese and to the Romans, although the ancient world tended more towards jail than prison. The distinction according to Pieter Spierenburg is that "jails largely consisted of...people under provisional detention (for example, awaiting trial), together with an occasional sentenced offender [whereas] prisons primarily housed offenders sentenced by a court or committed there by another authority for purposes of chastisement or correction"

(Spierenburg 1998, p.61). Essentially the jail is a holding place for individuals awaiting further instruction to try or punish where that punishment takes on an exemplary form designed (if not realised) to deter further transgressors. The prison on the other hand is the end-stage of the punishment process, punishment by confinement.

Prior to the arrival of the prison as punishment there was a much more public aspect to dealing with offenders against society. As graphically and lengthily illustrated in the opening pages of Foucault's *Discipline & Punish: The Birth of the Prison* (1975), punishment was a brutal and visual feast for the spectator.<sup>22</sup> Punishment in early modern Europe was often more exemplary than vicious and would take the form of garb, branding or mutilation depending upon the severity of the crime, allowing the public to acknowledge and recognise the offender (Foucault 1991, p.5). It was through this marking and/or shaming that the punishment occurred, alongside the gallows as extreme public spectacle. A form of entertainment in its day drawing huge crowds, public executions were not without accompanied methods of attempted control of the populous. Often the condemned was given the chance to make a speech, as Spierenburg describes:

Each speech outlined a familiar pattern of vices in the condemned's earliest youth, vices that inevitably led to a grave misdeed or a

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<sup>22</sup> (Citing the *Pieces originales...*, 372-4): "The flesh will be torn from his breasts, arms, thighs and calves with red-hot pincers, his right hand, holding the knife with which he committed the said parricide, burnt with sulphur, and, on those places where the flesh will be torn away, poured molten lead, boiling oils, burning resin, wax and sulphur melted together and then his body drawn and quartered by four horses and his limbs and body consumed by fire, reduced to ashes and his ashes thrown to the winds" (Foucault 1991, p.3)

criminal existence. For the public the lesson was plain: every child who disobeyed his or her parents, every adolescent who refused to go to church, and every husband who spent his time in an alehouse stood the chance of ending up at the gallows. (Spierenburg 1998, p.51)

The path of recognisable criminality was one of a causal development from earlier transgression to irredeemable criminal justifying the punishment they were due to receive. Not victims of circumstance, or unfortunates caught in the wrong place, or even wrongly accused, criminals were a blight on society and needed to be removed or shown up for what they were. The presentation of the associative link between crime and transgression places the criminal beyond the realm of normative society as irredeemable, a model that is maintained during later punitive systems of imprisonment.

The performative nature of punishment changed in the eighteenth century as the journey to the scaffold became more of a celebratory spectacle, which undermined the primary motive for the public nature of the execution as a supposed deterrence of crime. As George Bernard Shaw put it in his article "The Crime of Imprisonment" written in 1926:

We have to find some form of torment which can give no sensual satisfaction to the tormentor and which is hidden from public view. That is how imprisonment, being just such a torment, became the normal penalty. The fact that it may be worse for the criminal is not taken into account. The public is seeking its own salvation, not that of the lawbreakers (Shaw 1975, p.22).

The removal of the prisoner from public gaze manifested as the removal of the “sensual” pleasure of the executioner/punisher, in an effort to take away the gaudiness of the spectacle. That the subsequent choice of punishment is in fact more problematic and ultimately more corrosive for the criminal was not taken into account and has not been considered since (Shaw 1975, p.22). As Shaw’s statement implies, the ‘salvation’ of the lawbreaker is not the focus of such punishment, only the removal of transgression from society is, in order to make society ‘safe’.

Early in the nineteenth century it became necessary to remove the transgressor from the public gaze, to isolate these ‘anti-heroes’ from public acclaim to somewhere hidden and secret, therein abolishing most corporal punishments and shifting capital punishment inside of the prison (Spierenburg 1998, p.55). Executions, like the majority of physical punishment, moved into the hidden world of the jail and prison workhouse, as a notional deterrent to the other offenders and less as a warning to the curious and ‘innocent’, which were the perceived majority of the populous<sup>23</sup>. However, by creating the prison as the ultimate means of punishment, those prisons became “warehouses of human degradation” (Trupin 1975, p.xxiv), where those who transgress can and do associate, learn from, share ideas and experiences with each other and seek to reframe their sense of selves within this new environment. This sharing in isolation from society away from the authorities of the establishment, enables the creation of a prison code, a world within a

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<sup>23</sup> The last public hanging in Britain was of Michael Barret was on the 26<sup>th</sup> of May 1868, for the bombing of Clerkenwell Prison on December 12<sup>th</sup> 1867 (as noted in *The Bottled Wasp Pocket Diary* 2013, Active Distribution (2013) a not-for-profit pocket diary project to raise awareness of the issue of political and class imprisonment)

world, of prisoner engagement beyond the observational (Foucauldian) discipline of the institution. I will show how this prisoner code ultimately leads to a permissibility and viability of same-sex sexual activity, including rape and sexual coercion, within the prison environment.

### The Prison in the US (1800 to 1870)

The prison as it is understood today began to appear in the early eighteenth hundreds in the US with the formation of the penitentiary. The US aimed to address the challenges of an increasing criminal population in a large, open and relatively untamed country through the formation of the prison which “was envisioned as an enlightened, humane, and progressive alternative to capital and corporal punishments and shaming practices common in colonial America” (Kunzel 2008, p.17). It was based primarily on two revolutionary and strongly constricting types of incarceration known as the Auburn and the Pennsylvania<sup>24</sup> penitentiary systems.<sup>25</sup> Both championed ideas of extreme regimentation and discipline in an attempt to reform wayward characters in the relatively newly independent US. The two systems were similar in ethos, but with one notable difference. The Pennsylvania system ensured full-time solitary confinement throughout the period of incarceration, whereas in the Auburn system prisoners worked together in total silence during the day but were housed in isolation at night (Davis 2001, p.40). The

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<sup>24</sup> Also known as the Philadelphia system.

<sup>25</sup> “the term “penitentiary” originated from a plan in England to incarcerate “penitent” prostitutes.” (Davis 2001, p.37) and sets the tone of penitence over punishment.

institutions' role was to remove prisoners from society against which they had transgressed as punishment. Whilst incarcerated the penitentiaries then had the near impossible task of isolating the prisoners from each other, physically, verbally and emotionally, to ensure that they did not become or create a cohabitation of crime and criminality leading to the prisoner code mentioned above. The penitentiaries were isolated spaces within which an individual was expected to reflect (in silence) and be penitent. The societal nature of the prison, the grouping of prisoners together, was a necessary convenience, but both the Auburn and Pennsylvania systems desired to minimise the corrupting potential of interaction between prisoners: The prison was designed to be as non-communicative in all forms as possible and to avoid a prison culture of a prison society. The restrictive nature of both the Pennsylvania and Auburn models envisioned a purity of existence, penitence, reflection, and, ultimately, reformation that went beyond the mere act of safeguarding society from transgressors.

Although the primary issue addressed by the different institutional systems was the corrupting potential of prisoner to prisoner contact in regard to crime, criminality and expressions of transgression, significantly this was not the only factor influencing the formation of the systems, the design of the prisons and the codes controlling prisoners within the penitentiary. As Regina Kunzel states, "Concern about the sexual possibilities of sex-segregated institutions was in large part responsible for fuelling the...obsession with isolating prisoners from each other" (Kunzel 2008, p.21). The isolationist prison structure, was



driven by the desire to reduce or remove the potential for same-sex sexual interaction between prisoners. There is an inherent paradox in a system that on the one hand considers homosexuality “something that is so degraded that even its very existence should never be openly acknowledged” (Fishman 1934, p.57), and on the other hand, regards homosexuality to be so pervasive it must be guarded against within sites of male homosociality, especially restricted same-sex segregated institutions: Homosexuality is then represented as concurrently unimaginable and inevitable.

Through such strictly enforced isolation and solitary confinement the means for sexual interaction between prisoners was reduced and physically unviable. The systems removed (or sought to remove) the potential for same-sex sexual activity from within their walls. Such removal illustrates an attempt to maintain codes of expected behaviour for the ‘penitents’ and to remove opportunities for ‘corruption’ while incarcerated. This isolationist policy acknowledges the potentiality for a sexual movement from heteronormative expectations. The thinking behind it was based in part on the removal of sexual opportunity with the opposite sex and in part on the close proximity of male with male and the resultant intimacy such a space affords.

The strict enforcement of solitary confinement led to one notable form of sexual aberration or perversion, as it was acknowledged at the time, namely that of masturbation. In the nineteenth century this act carried almost as much censure as sex with members of the same sex. Taken as a physical and moral sapping of a man’s and society’s virtue, strength

and fibre, this kind of “self-abuse” was considered an insidious and pernicious form of sexual perversion, that additionally was almost impossible to control (Kunzel 2008, p.21). Although noted as a perversion in its own right, and a distraction or discordant move from the prevalent heterocentric course of heterosexual procreative coupling, masturbation was also envisaged as an associate of homosexuality: a fellow degrading moment within the aberration of a mis-formed, or corrupted and corrupting sexuality. As Kunzel states::

Masturbation was also often linked with sodomy, in a relationship that was posited sometimes as casually linked and occasionally as overlapping. A colonial New Haven law in 1646, for example, declared that public masturbation “tends to the sin of Sodomy, if it be not one kind of it.” That presumed link endured centuries later fueling (sic) concerns that prison life gave rise to these intertwined sins (Kunzel 2008, p.22).<sup>26</sup>

The prison itself creates an environment that fosters, in fact almost insists upon, the practice of masturbation through the absolute isolation of one individual from another, leaving masturbation as the primary form of sexual release. With the prevalence of masturbation and its then current understanding as a perversion formed of or leading towards sodomy, the institutions created a culturally determined link between sexual expression and homosexuality. The inevitability of the formation of homosexual activity with the prison environment is understood through the isolation of man from woman and the confinement of man

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<sup>26</sup> Here sodomy, viewed nowadays as solely aligned with anal sex, is associated with homosexuality and therefore could be seen as a signifier for perverted or non-procreative sex acts.

with man. The preponderance of masturbation and its associative link to sodomy ultimately in this single sex environment equates to male on male sexual penetration, and thus same-sex sex. Therefore, the prison stands not only as a site for the permissibility of same-sex sexual activity (though of course, not in the form of authorised acceptance), it is also inherently endowed with the means to propagate homosexuality. In the thinking of the day, the nineteenth century prison establishment was aware that its institution made men masturbators, that masturbators made sodomites, and sodomites (in an all-male environment) made homosexuals: a causal chain from institution to homosexuality.

It is this causal homosexual fear that Kunzel refers to above as being a decisive factor in the isolation of prisoner from prisoner. The corrupting potential of the prison experience, situation, form and circumstance was what the Pennsylvania and Auburn systems were attempting to guard against through their purist isolationist practices. This illustrates the ways in which the US penitentiary was a recognised (if contradictory) site of homosexual or queering potential. The enforced isolation of one prisoner from another reiterated the need to protect a rigidly enforced heterosexist code against the erring potential of prisoner contact and the pervasive reality of same-sex sexual activity.

The two systems were named after the flagship penitentiaries in Auburn (New York) and Philadelphia (Pennsylvania) and were great rivals in the debate about the rehabilitation of prisoners through labour: Those arguing for the Pennsylvania system highlighted the reduction of the purist ideals of complete isolation within the Auburn system. The Auburn

advocates raised the issue of extra costs of the Pennsylvania system of servicing and dealing with inmates in individual cells. Probably unsurprisingly, the lesser cost won out and most states adopted a form of the Auburn model as a cheaper facility (Rothman 1998, pp.106-7). However, the Auburn model enabled prisoner interaction through side-by-side contact during the work day and ultimately led to an erosion of the purist isolationist model of reformation through penitence and reflection.

Later into the nineteenth-century, prisons in America lost their ability to maintain the strict codes of Auburn or Pennsylvania systems and started to become as they are characterised today: overcrowded, brutal and disordered (Rothman 1998, p.112). One of the main problems with the prison systems was that they were originally designed with reformation in mind not for ongoing incarceration. As the type of inmate became more and more aligned with the concept of the habitual offender or 'hardened criminal' (as envisioned within the earlier spectacles performed around criminals) the methods of extreme discipline failed to have their desired impact. The failure of the systems was in part due to excess incarcerations propagated by the desire to destabilise the black American population, newly freed from slavery and to provide for the burgeoning convict labour market which filled the space left by the abolition of slavery (Davis 2001, p.40). The end of the nineteenth century marked a 'dark age' of the US prison system (Rothman 1998, p.152). It became clear that although the initial concept behind the formation of these systems may have been humanitarian, however inappropriately

rendered or understood, this sensibility was eroded by the changing demands on the system and the desire for a more cost effective design and method of incarceration.

As the enforced isolation of prisoner from prisoner eroded through overcrowding within institutions, the opportunities and practices of same-sex sexual activity and exploitation began to arise. With the mixing of prisoners the opportunity for seduction in all its forms became rife and of primary concern to prison officials. Kunzel states, "Hierarchical differences between prisoners were imbued with both dangerous and erotic potential and coercive sexual sway, and the association of unequals was understood to give rise to sexual seduction and predation as well as to criminal instruction" (Kunzel 2008, p.26). Prisons ceased to be houses of reform and personal progression and instead ensured what Foucault calls "the maintenance of delinquency, the encouragement of recidivism, the transformation of occasional offender into a habituated delinquent, the organization of a closed milieu of delinquency" (Foucault 1991, p.272). The concept of Trupin's "human warehouse of degradation" (Trupin 1975, p.xxiv) and the idea of a 'factory of delinquency' began to emerge, with the beginning of prisoner code. The prison lost its regimented strict silence, its isolationist and penitent form, and instead became a closed society of vice and 'corruption'. This identity of the corrupting potential of the prison, and the hidden world with its own rules and coding for behaviours, is an identity epitomised and reiterated by prison representations (found in mainstream media as well as in contemporary literature).

## The Prison in the UK (1865 to 1950)

The prison as it is recognised in Britain today came into existence about 1870 following the Prisons Act of 1865 (Spierenburg 1998, p.55). Prior to this there were other institutions that could be referenced as prisons within the UK, such as workhouses and Bridewells (houses of correction), but these were not prisons as understood in current times. The Prison Act of 1865 consolidated nineteenth century prison law bringing the jail and the house of correction together in order to form the resulting institution known as a prison (McConville 1998, p.119). This was followed by the lengthy and complicated process of universalising the prison experience within local prisons (Jails) and convict prisons (Bridewells or Houses of Correction). This was done in an Auburn-esque style of control through the isolation of prisoner from prisoner at night and for meals and silent association for those convicted of hard labour through repetitive, severe and unproductive work.

A common form of prison was the panopticon design by Jeremy Bentham, a building with a central control tower surrounded by tiers of individual cells. As Bentham describes it:

"In a panopticon prison...there ought not any where be a single foot square, on which man or boy shall be able to plant himself...under any assurance of not being observed." (quoted in: Perloff 1990, p.285)

The aim of this design was the maximum visibility of prisoners at all times from the central location. As Foucault states, “The prison...is to be resituated at the point where the codified power to punish turns into a disciplinary power to observe” (Foucault 1991, p.224). This method transforms the prior spectacle and exemplary form of corporal punishment into the observational, regulatory form of discipline. The guiding principle was that although an individual guard placed in the observatory tower may not be able to see all prisoners at all times, the potential to be under observation at all times was enough to constrain behaviour and profit discipline (Crowther and Green 2004, p.138; Bauer 2013, p.70). Prisons as large imposing buildings with an architecturally aligned regimentation of form and style meant it was not “surprising that the prison resembles factories, schools, barracks, which all resemble prisons” (Foucault 1991, p.228). The increasing regularisation of Victorian society through industrialisation was manifested within these structures as it was throughout Victorian life.

However Foucault’s idealism of the observational nature of this disciplinary model is undermined not only by the physical structure of the institution creating spaces away from that observation, but also by the inmates themselves. As Crowther and Green state, Foucault underestimates the potential agency of the individual within the totalising system, they write:

In *Discipline and Punish* there is a denial, or at any rate an obscuring

of, agency, which incidentally is at odds with many accounts of carceral life. This is perhaps the corollary of Foucault studying the plans, and not praxis, of a total institution (Crowther and Green 2004, p.140).

The representation of prisoner existence is a liturgy of such unobserved moments of agency and dissidence. Such variance is not manifest within the observational discipline characterised by Foucault.

Even though the design of the panopticon presupposes the ability to observe the means of control and constriction, such as iron bars and solid door, bring with them a removal of that power to observe 'at all times'. Although the prison ostensibly allows the prisoner no right to or ownership of privacy, it does afford fraught moments beyond observation, wherein "for individuals there is a zone of manoeuvre, a space for agency" (Crowther and Green 2004, p.140).

This manoeuvrability allows for dissident moments and disavowal of that observational affect on behaviour. In my research I found that representations of prison make use of these zones of agency in order to predominantly focus on points of disorder as opposed to versions of orderly observed behaviour.

This conflict enables the 'factory of deviancy' to flourish. As McConville outlines:

We continue to use Victorian prisons but have rejected their objects and methods; renouncing some of their prison-keeping axioms, we have put nothing adequate in their place. Victorian administrators, for example, had good reason to abhor the congregation and free movement of prisoners. Unthinking attempts to humanize prisons led



to an abandonment of this wisdom, even in some maximum-security prisons. In consequence, prison riots, all destructive and some murderous, have become a regular occurrence (McConville 1998, p.139).

The free movement of the prisoner initiated the failing of the institution by taking a specific tool, the prison, which was designed for the specific purpose of punishment and reformation through isolation, but using it otherwise, with free association. At the point of reformation from isolation to free association the prison changed from a collection of individuals removed from society and each other to a society of transgression. This dichotomy of the prison lies between the ideal of isolation and reality of free association, where the undermining of the disciplinary power to observe is what enables and permits moments of transgression to occur. This research study is situated within these transgressive moments specifically in the form of sexual 'transgression' between male inmates.

#### Parole as an Arbiter of Good Behaviour

As mentioned above, prisons ultimately became much more social entities than was originally intended through the Auburn/Pennsylvania systems in the US and the austere Victorian models of seclusion in the UK. They started to include social spaces for recreational activities, such as weight training facilities and exercise yards which eroded the 'complete silence' rule. The prison descended from its strictly enforced

disciplinary site of control to that of overcrowding, under-funding and as a society of 'vice'.<sup>27</sup> The increase in the means and forms of transgression and the loss of the prison as a space for rehabilitation through silent penitential reflection (albeit a misguided expectation), was followed by the introduction of a practice that carried a dual purpose. By shortening time served in the form of parole, the commutation of a prison sentence for good behaviour,<sup>28</sup> it aimed to regulate behaviour and reduce the ever-growing prison population. Parole's impact on the behaviour of inmates within prisons was praised by guards for making their jobs easier, but less favoured by the police and courts: The police did not have the means to track those on parole and the courts had their powers superseded by the parole board, who could reduce sentences without recourse to the courts (Rotman 1998, p.163).

The actions and behaviour of the prisoner within the institution affected their length of stay in said institution. Parole resituates observed good behaviour as the demarcation of reform and rehabilitation, whereby the inmate being seen to behave was more important than how they actually behaved. If Foucault's concept of the disciplinary power to observe was absolute then parole, as a manifestation of good behaviour would reduce or remove transgression. However, as moments of unobserved transgression exist (through inmate agency, as well as the prison structure) that disciplinary observation becomes rewritten as a *perception* to conform to discipline. What happens behind closed (cell)

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<sup>27</sup> Here vice is meant as immoral conduct.

<sup>28</sup> Probation was the other means to reduce the growing prison population through "the release of a convicted offender to the community under supervision without serving prison time" (Rotman 1998, p.162)

doors, as long as it remains undiscovered, does not necessarily reach the parole board. The arrival of parole would also have gone some way to create the removed and insular world of the inmate community. The consequences of denying someone their means of parole thus ensuring their longer stay in the same institution and ample means for revenge and retribution against the naming individual, works to ensure inmate silence on matters against which they could not be defended. This theme of inmates affecting each other's chance at parole is, for example, played out between the characters in *Oz*<sup>29</sup>.

### **Criminalisation of Homosexuality**

#### **The Criminal Law Amendment Act of 1885**

This section seeks to highlight how the Criminal Law Amendment Act of 1885 sought to criminalise homosexuality and created a space wherein homosexuality and the prison became aligned through that criminalisation. This section further introduces an overview of Oscar Wilde's case as a man who was infamously criminalised for homosexual acts and thus opens up the discussion of homosexuality and prison, which is further compounded in his texts *De Profundis* (1897) and *The Ballad of Reading Gaol* (1898). The chapter ends with Wildeblood, a

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<sup>29</sup> Tobias Beecher (played by Lee Tergesen) and Vern Schillinger (played by J.K. Simmons) do things to affect each other's parole and reap the consequences in *Oz* (HBO, Season Two, Episode Two (July 20<sup>th</sup> 1998) and Season Four, Episode Sixteen (February 25<sup>th</sup> 2001)).

man who ended up fighting against such criminalisation, and who reframes the discussion in identity for 'the homosexual'. These texts represent a move from the illegal excesses of Wilde's homosexual activity through to the legal conservatism, restraint and asexuality of Wildeblood's homosexual identity.

Within the prison and penal systems of the UK and the US there is an associative link between criminality and homosexuality, as witnessed by the criminal codes of each country against such sexual practices. In Britain this came specifically in the form of the Criminal Law Amendment Act of 1885. Section 11 of this Act, known as the Labouchere Amendment after the politician Henry Labouchere who proposed it, was a last minute inclusion (Cook 2006, p.72) which ensured that "*all* male homosexual acts short of buggery" (Weeks 1979, p.14) whether committed in public or in private, were made illegal.<sup>30</sup> Jeffrey Weeks outlines this act in critical analysis of the growth of homosexual law reform posited within its historicism. He states:

Any male person who, in public or private, commits, or is party to the commission of, or procures or attempts to procure the commission by any male person of any act of gross indecency with another male person, shall be guilty of a misdemeanour, and being convicted thereof shall be liable at the discretion of the court to be imprisoned for any term not exceeding two years, with or without hard labour (Weeks 1979, p.14).

This amendment assigned homosexual activity not only the label of

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<sup>30</sup> This does not mean buggery was excused, it carried a weightier sentence than this at a minimum of 10 years to life imprisonment, having been commuted from the death penalty in 1861 (Weeks 1979, p.14)

perverse, but also decreed it criminal and punishable, thereby placing consenting adults of 'victimless' crimes within the institution of prison. Matt Cook states that Section 11 "explicitly stated that gross indecency was illegal 'in public and private' and thus an offence to state and morality *wherever* it occurred" (Cook 2006, p.73). This issue of privacy is a recurrent intersection between the law and the prison through the removal of privacy in the institution rendering all sex within prison illegal, then and (still) now.

It was under this newly amended act that Oscar Wilde came to be prosecuted following his pursuit of a libel case against John Sholto Douglas, The Marquess of Queensbury, and father of his 'lover' Lord Alfred Douglas (Bosie). Between 1893 and 1895 there were the three trials of Oscar Wilde (Miller 1995, p.49) who was then charged with sodomy and indecent behaviour. According to Cook an analysis of the trial moved from the individual Oscar Wilde to an examination "of how trials shaped and reflected ideas of masculinity, nationality, class, and art, combining to create a concept of a new deviant archetype"(Cook 2006, p.65). In the 1890s however such a correlation would not necessarily be seen as an identifier of deviance.

Oscar Wilde was born in Ireland in 1854, schooled at Trinity College, Dublin and later attended Oxford University. He married and had two sons. He was a minor poet and playwright until his affair with Lord Alfred Douglas, which brought him into infamy and history. With such a high profile case so soon after the creation of the amendment, a mere eight years, homosexuality, crime and prison became conflated (Kunzel 2008,

p.47): at this point a trinity was formed within popular consciousness.

As a result of Wilde's imprisonment he wrote the two literary texts of his prison experience, outlining some of the sensibilities of imprisonment. *The Ballad of Reading Gaol* (published 1898) and *De Profundis* (Wilde's letter to Lord Alfred Douglas from within prison, published in 1905) create a conceptual literary representation of homosexuality in prison, as Wilde was a publicly acknowledged, though 'unspoken' representative of homosexuality. As a literary figure writing of his experience, Wilde opened up the prison to/for public consumption. Wilde's texts thus introduce the subject of representations of sexual practice and identity within the prison. He prefigures future representations by the fact of who he was, what he was perceived to be and how he ended up inside. Kunzel outlines how Wilde's name also enabled later prison writing to euphemistically use him and reference him to address the issue of same-sex sexual activity within the prison as the "love that dare not speak its name" (Kunzel 2008, p.47).

Although Wilde's texts themselves relate little to the subject of sex in prison, especially not *De Profundis*, a sense of the subject is embodied in the writing.<sup>31</sup> Wilde creates a conceptual foundation for this thesis, as he represents a conflation of the then recently culturally acknowledged category, homosexuality; that homosexuality as criminal and the prison

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<sup>31</sup> There is an allusion to male sexual activity within the prison itself, although obliquely in the *Ballad of Reading Gaol*:

Each narrow cell in which we dwell  
Is a foul and dark latrine,  
And the fetid breath of living Death  
Chokes up each grated screen,  
And all, but Lust, is turned to dust  
In Humanity's machine.

(Wilde 2002, p.24)<sup>31</sup>

representation as a means by which the reader/viewer can access the removed world of the prison. Through his flamboyance and fame he also founded a recognisable homosexual type, and the use of him here grounds the thesis in a queer heritage.

### **Representations of Prison**

Removed from public gaze and scrutiny, the prison was free to become a site of rumour and myth, whereby tales of incarceration carried as much of a warning against 'breaking the law' as the actuality of prison itself. Curiosity in the convict narrative grew, as historian Ann Fabian argues, when "the convicted and condemned were moved to locations increasingly further from the public eye" (Fabian 2000, p.53).

The removal of punishment as spectacle brought with it the silence of penal servitude. That silence was challenged initially through prison writings, then through film and later television. Fictional accounts of prison life raised an awareness of the nature of confinement within public consciousness. Their representation of the prison served as a warning and reminder of the existence of the penal system and illustrated the punishment of removal and isolation from society for those transgressing its laws and moral codes, something that was previously done publicly, directly and horrifically as outlined by Foucault earlier (Foucault 1991, pp.3-5). The representation of prison life re-opened the spectacle of punishment to an intrigued viewer. The prisoner as confessor, their

narrative voice giving the prison solidity and realism in the form of a beating, remorseful, punished heart. Through writing, the prisoner acquired a voice and a means of telling their story, a story of the harsh reality of prison life. This is exemplified by Wilde, who wrote in *De Profundis*:

The paralysing immobility of a life, every circumstance of which is regulated after an unchangeable pattern, so that we eat and drink and walk and lie down and pray, or kneel at least for prayer, according to the inflexible laws of an iron formula – this immobile quality that makes each dreadful day in the very minutest detail like its brother...the light that creeps down through the thickly-muffled glass of the small iron-barred window beneath which one sits is grey and niggard. It is always twilight in one's cell, as it is always midnight in one's heart (Wilde 2002, p.45).

Fleshed out with emotion the prison became known as a thing of grind and horror, a place no man would care or dare to enter. This re-imagining of the prison space through the prison representation added colour to the grey of the silent, removed institution.

The early works of literary representation of the prison system through memoir and account sought to legitimise the reformatory power of the prison through a pervading sense of judgement and confession. At that time the prison account matched the public expectation of contrition, loss of freedom and worked towards a spiritual enlightenment aligned with the sensibilities of that time. Kunzel gives a clear sense of the form and style of accounts by outlining the satisfaction afforded readers through inmate writers of prison experience:



By recording daily prison schedules, as well as by evoking the disorienting and disempowering experience of the loss of liberty and chronicling prison boredom, brutality, and fear. Depending on their personal proclivities, political agendas and literary talents, inmate-authors reflected on a range of features of prison life, from the most mundane aspects the daily regimented routine of waking, working and eating, to weightier quandaries about personal freedom, submission to authority, and the legitimacy of state power. Some penned vignettes introducing their fellow inmates, offering a kind of “rogues gallery” from the rogue’s perspective. (Kunzel 2008, p.34)

These rogues galleries moulded the spectre of the hidden prison for the reading public, and enabled a reconnection between public and prison, society and punishment. By playing to the expectations of the readership the prison memoir sought to legitimise this ‘new’ form of punishment and, within such reasoning, illustrated the inmate writer self as a reformed product of such a successful system.

Between the nineteenth to the early twentieth century the representation of prison life from the inside switched from one of penitence to one of sensation making the inmate biography “a more congenial genre for discussing sexual practices among prisoners” (Kunzel 2008, p.37). The move from the reformed (penitent) to the unreformed (sensationalist) prisoner enabled representations of same-sex sexual practices between inmates to become visible. The prior penitential texts legitimating the system would have had little room for representations of the corruption of societal values or transgressions. With the shift to sensationalism the earlier rogues’ gallery was redrawn from reformed to depraved,

reinforcing notional expectations and fears of crime, criminality and the corruption of 'normalcy' within prison institutions. Such a more open sensibility afforded homosexuality the space to appear within the tale of the prison in prison writings.

### Representations of the Prison in the 1930s

This section looks at two representative prison experiences created/written in the US in the 1930s. Here, I will look at the first major Hollywood studio film based on the prison, *The Big House* (George Hill, 1930) starring Chester Morris and Robert Montgomery. The second text I examine is the first major theoretical publication on sex, sexuality and prison, mentioned earlier, namely *Sex in Prison: Revealing Sex Conditions in American Prisons* by Joseph F. Fishman (1934).

#### *The Big House*

The film, *The Big House*, was named after the newly instituted large-scale facilities, as the 1920s and 1930s saw the birth of what were known as 'The Big House' prisons of massive proportions holding on average 2,500 inmates. These were huge organisations of a size not previously imagined in the early systems of reformation. As Spierenburg states this new prison was focussed on stultifying routines and monotonous schedules, along with isolation and no means to prepare an

inmate for release (Spierenburg 1998, p.61). *The Big House* was the first Hollywood production to depict the inside of the prison, prisoners and their experience therein, and it set a precedent for prison films to come. The motifs that would become synonymous with prison film were outlined by Schauer earlier and included prisoner regimentation, uniform scenes and shots of long dark hallways, prison cells and bars (Schauer 2004, p.33). *The Big House* incorporated all of these symbolic tropes of oppression and set the path along which subsequent prison films were apt to follow. As the description on the DVD cover summarises:

Three thousand men are crammed into cells designed to hold 1800. And with the overcrowding come the hard-time toughness, the mess-hall ritual, the dark agony of the hole, the cigarettes as currency, the hidden shivs, the hushed voices in the yard, the scheming, the desperation of men with nothing to lose – all the conventions of prison films to come were set with Hollywood's first major men-behind-bars picture.<sup>32</sup>

The association between overcrowding and the degeneration of the institution is noteworthy, as the prison's failure to contain the 'scheming', the 'hidden shivs' and the desperation of men. Each point of failure and fault represented within the establishment is placed as the fault of overfilling the prison not on any failings of the institution itself. Within later representations of prison life aspects of this list appear in many forms. The regimentation of the prison experience reiterated in a regimentation of the representative form, the commonality of type: a

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<sup>32</sup> DVD Cover of *The Big House*, 2009 Turner Entertainment Co. and Warner Bros. Entertainment Inc.

prison genre.

The key focus of *The Big House* was not to illustrate the dehumanising effect of prisoner or the corrupting influence of the system on the inmate, themes which will be repeatedly picked up later. Instead this film sat squarely behind the reformatory and rehabilitative potentiality of the prison. The corruption and double-crossing of the inmates was founded on their own corrupted and double-crossing criminal characters. Although the site of a riot and a gun fight (including tanks) *The Big House* prison is shown as a legitimate institution for punishment and correction<sup>33</sup>. The message that is consistently reiterated through prison representations is that the system's failings are either beyond its control, such as overcrowding, low funding, etc. or due to individual failure, such as despotic wardens or corrupt guards. Few examples take on the institution as a whole, with *Scum* (Alan Clarke, 1977) being one notable exception, which resulted in it being banned.<sup>34</sup>

### *Sex in Prison*

One of the first full treatises on the subject of sexual activity and behaviour within prison is the book *Sex in Prison: Revealing Sex Conditions in American Prisons* (1934) by Joseph F. Fishman. As mentioned earlier, this former inspector of prisons and worker within the industry for many years, through his travels and discussions with

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<sup>33</sup> The Laurel and Hardy short film '*Pardon Us*' (1931) almost instantly lampooned this film through having the pair travelling the same path as that outlined for the central character of *The Big House* but with expectedly farcical consequences.

<sup>34</sup> This is expanded on this further in chapter three.

individual institutions was able to draw together theories and ideas to inform his text. He hoped his text would open up the hitherto silent response to the issue of sex in prison and serve as instruction to prison administrators and policy makers (Fishman 1934, pp. 18-19 and 188-9). As author of this text he faced the difficulty of maintaining the balance between the perceived abhorrence within mainstream society of homosexuality and the problem of writing candidly about it and its proliferation within the prison system. Opening a chapter specifically on homosexuality called "Homosexuals Who come to Prison" Fishman outlines his sense of the degrading impulse of homosexuality and its "unspeakable" nature, which seems to be an allusion to Wilde's love that dare not speak its name. He then goes on to discuss homosexuality candidly and explicitly without recourse to earlier concerns for propriety and of disgust. Fishman acknowledges the public consumption of homosexuality as difficult, and his own relationship with the subject is strange and strained, as well as conflicted. He goes on to say:

Some of the world's leading psychiatrists, psychologists, physicians, and sociologists contend that it is possible for love between two men and two women to be just as pure and on just as lofty a plane as it sometimes is between a man and a woman (Fishman 1934, p.105).

This is quite a reversal of sensibility from that of the earlier statement and represents Fishman's fluctuating standpoint for and against homosexuality, his understanding of its proliferation within the institution and the impossibility of the prison's task in eradicating it. But writing in

1930s America he is also aware of his role as voice for a concerned morality and the demonstration of disavowal of homosexuality that must underpin his text. It is this styling of text that makes Fishman's historical rendering of sex in prison formative as a representational text. With his barely hidden sense of 'loathing' of the subject Fishman highlights the subjective nature of the purportedly authoritative study. Although the noticeable bias may have been less obvious to readers at the time, viewed from current attitudes and ideologies around sexuality Fishman's language is archaic and the subject compromised by his vocal bias. However, the text is not diminished by its historical context but in fact provides insights into the subject beyond a singular authoritative autonomy.

It is also noteworthy that Fishman's stated distaste of the subject at hand is much more measured than other commentators of that period, such as for example Eugene V. Debs who wrote in 1926 on the same subject using more extreme language. Debs states:

I shall conclude this chapter with a brief statement of the foulest and most abhorrent and destructive evil of which the prison is the most pestilential breeding place. I shrink from the loathsome and repellent task of bringing this hidden horror to light... Every prison of which I have any knowledge, either of my own or through my observation and study, reeks with sodomy (Debs 1975, p.19).

The theme is the same as Fishman's, the reluctant disclosure of something vile, but the sensibility is more enmeshed with a religiosity of notions of pestilence and 'evil'. Debs pleaded for tolerance and humanity

for the poor who must necessarily end up in the prison institution and yet his sense of humanity stops at poverty and would shrink from including homosexuality in any of its 'evil' forms.

Fishman's *Sex in Prison* is a text that I use in this chapter to foreground homosexuality being apparent within prison through the set-up of the institution. I will also use it in the next chapter to address the ways in which male sexuality manifests in homosexuality, expressly within the environment of the prison. As Kunzel highlights, Fishman along with other writers on sex of the period utilised the conceptual categories of the sexologists to illuminate their subject with an authoritative air and vocabulary, especially the distinction between congenital and learned homosexuality (Kunzel 2008, p.58).

Fishman gets caught between reproving his subject and illuminating it in detail. He begins by admonishing the prison authorities and commentators for their silence on the subject (Fishman 1934, p.5), before he condemns the discussion of it as unspeakable, which, as mentioned, seems to be an oblique reference back to the Wilde trials and the unspeakable nature of homosexuality coded thereafter. He quotes Dr. Harry Elmer Barnes as saying, "If one were consciously to plan an institution perfectly designed to promote sexual degeneracy he would create the modern prison" (Fishman 1934, p.15). This quote illustrates his concerns about the pervasion of sexual degeneracy, specifically homosexuality, not just within the institution, but actually propagated by it. This concern repeats that of the early administrators and their desire for complete segregation of prisoner from prisoner. It

also illustrates his overriding feeling that prison promotes degeneracy. The idea that the institution in design and concept is at fault for the manifest degeneracy of its inmates, a fear and criticism born out by earlier attempts to eradicate such corrupting potential through the strict isolation of prisoner from prisoner which I outlined earlier, illustrates the fears of the authority about the homosexual potential of the prison environment.

As Fishman lists in his understanding of the problem faced by the prison administration, thus:

the unrestrained sexual gratification which had been experienced by prisoners on the outside; the total or partial absence of work which gives them plenty of time to discuss sex in all its phases; the greater percentage of homosexuals in prisons than on the outside; the fact that prison inmates spend several hours each day confined to their cells during which they can day-dream and indulge in sexual fantasy; and finally the youth of the prisoners, the magnitude of the problem which every prison administration must face becomes apparent (Fishman 1934, p.26).

With this list Fishman sets out his belief in the difficulty of the administration to be able to deal with the issue of sexual 'degeneracy' (homosexuality) within the institution. He also illustrates his sensibilities towards the prisoners themselves, through three different elements of homosociality in such statements as "unrestrained sexual gratification", "indulge in sexual fantasy", "plenty of time to discuss sex". The first relates to external pre-prison experience, the second to an isolated, idle existence within the prison, and the last phrase suggests homosocial



engagement with the topic of sex with other prisoners. In this way he highlights the prisoner's preoccupation with sex and an inability to reign in their baser instincts and control themselves. He reiterates later on the associative link between the prisoner and the unrefined, baser, animalistic side of humanity by stating: "They are men who have never learned how, and have no desire to suppress their animal instincts" (Fishman 1934, p.153). Although Fishman quotes extensive passages and scenarios from Victor F. Nelson's *Prison Days And Nights* (1932), he does not accredit his source but happily plunders phrases. In a direct comparison between the two texts we can see striking similarities, for example the Fishman quote above and this paragraph in Nelson's book:

Having shown, however, briefly and summarily, that because of (a) lack of self-control and years of self-indulgence in the pre-prison years on the part of the convict, and (b) because of the presence within the prison of constitutional and environmentally created homosexuals who spread their virus among the other inmates, and (c) because herd opinion and behaviour within the prison are distinctly favourable to unsocial opinion and behaviour in general, and (d) because, finally, the prisoners all suffer in varying degrees of intensity from the sexual starvation – having shown, in a word, that the prison environment is distinctly favourable to the rise and growth of sexual abnormalities among the prisoners (Nelson 1936, p.160)

The similarity in form and content point to Fishman's use of Nelson's first-hand account of prison existence. Although written in a distancing and authoritative voice, Nelson's text is situated in his account of an experience of twelve years of incarceration, whereas Fishman's use of

this text re-conceptualises the authority of *Sex in Prison* within a subjectivity of representation.

Within his text Fishman also illustrates the associative link between homosexuality and crime. This link, outlined earlier, is represented in the UK with regard to Wilde and the Criminal Law Amendment Act and in the US with all States having had laws prohibiting forms of homosexual sexual activity known as sodomy laws<sup>35</sup>. Fishman writes:

The mere practice of homosexuality constitutes a crime for which the offender may be arrested and sentenced to prison. The prisons in cities where men are arrested for homosexuality, or for some offense growing out of their perversion, have a greater problem to combat because of the presence of such a large number of these homosexuals... In the Penitentiary at Welfare Island, New York, are confined a daily average of seventy-five members of this "third sex" who have been arrested for some offense arising from it (Fishman 1934, p.59).

Here the author draws a parallel between the homosexual and the city. Houlbrook (2006a) maintains this correlation and places the city as a centre of permissible and permeable sexuality through visibility, viability and sites of known sexual activity (Houlbrook 2006a, p.139). Exposure to homosexuality was taken as a means to influence young inmates to a previously unknown or unseen form of sexuality, a point Kinsey's study refutes as I will explain in the next chapter. With his fears of the pervasiveness as well as the degradation of homosexuality Fishman states that: "Every year large numbers of boys, adolescent youths, and

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<sup>35</sup> The Sodomy Laws were first repealed by Illinois in 1961 and then further states through to the last thirteen states had their laws overridden in 2003 when federal intervention ruled sodomy laws unconstitutional (through the case *Lawrence v Texas*, 2003).

young men are made homosexuals, either temporarily or permanently, in the prisons of America” (Fishman 1934, p.83). Fishman’s recognition of temporary homosexuality in prison can be read as aligned to the earlier concept of situational sex and a simplistic sense of the prisoner’s ‘changed’ sexual self temporarily whilst incarcerated, a change reverting upon release. However, the temporary or permanent transition of hitherto supposedly healthy heterosexual males into homosexuals underscores the cornerstone of the text *Sex in Prison* and Fishman’s fears.

Regardless of his professed wish to disavow the instances of homosexuality and ‘perversion’ within the prison, Fishman also recourses to sexual curiosity and sensationalism by outlining incidents for the potential titillation of a readership, fuelling a fantasy of what prisoners actually do. He writes quoting an inmate called C.S.:

When we got inside he put his arms around me and began to fondle me and asked me to do the same to him which I did. I enjoyed it more than I did masturbation by myself.... After that he satisfied himself with me in another way. This hurt me very much at first but he told me that afterwards it would not hurt me but would be pleasant. We did the same thing afterwards and I liked him doing this to me. I have done that ever since with this man or with other men. Sometimes I have had two or three at the same time but usually only one (Fishman 1934, p.89).

This description of sex is at odds with the rest of the text, and draws us from Fishman’s distancing of the subject to being caught in the moment of prisoners having sex. By bringing the text to this sexualised moment

Fishman undermines his earlier stated reluctance to speak of the subject.

He then goes on to describe methods for the reduction of homosexuality that also elucidate the understanding of homosexuality of the day. These include the removal of the open shower block to install instead partitions to obscure the prisoners' genitals, as the sight of fully naked men was thought to inflame homosexual desire (Fishman 1934, p.109); and removing the Lockstep<sup>36</sup>, a means of moving around the prison with close physical contact, where the men as they walked could rub against each other and thus promote homosexuality (Fishman 1934, p.90). But ultimately he concludes that all designs of the institution would be outweighed by the desires of the inmates. He writes:

A deputy warden of one of the large prisons in the Middle West once showed me a remarkable collection of notes which he had received in one day from various inmates. Each note stated that the undersigned was a relative of a boyish-looking prisoner who had arrived the day before, and requested that for this reason he be placed in the same cell with him. *There were thirty-nine notes in all* (Fishman 1934, p.85 original emphasis).

Fishman's text is illuminating in the way in which it deals with the issue of sex in prison and exposure of the sensibility of those ascribed the task to do so in the US in the 1930s. It sets a tone between out and out disapproval and disgust and honest resignation towards the impossibility of the curtailing of the 'perversion' of men within the institution. Later in

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<sup>36</sup> A version(image) of the the Lockstep is represented in the painting by Vincent Van Gogh's 'La Ronde des Prisonniers' on the cover of editions of *Discipline and Punish* (1991) and *The Oxford History of the Prison* (1998).

chapter three I will analyse a scenario Fishman describes where a new inmate is tricked into sexual subservience in the same way as in a scene in *Oz*<sup>37</sup> was written and presented some sixty plus years later, which highlights the static nature of sexual representations of prison mentioned in the introduction. Also, that the request for conjugal visits as the only means to potentially address the issue of sex within the institution is a topic that is still being debated and denied today, nearly eighty years on<sup>38</sup>.

Lastly, it is also relevant that Fishman highlights the fact that not all those inside have a committed a crime to be there:

The usual reaction of unthinking people when told of the sexual as well as other evils existing in prisons is that if men didn't do things which got them into prison they wouldn't be subjected to such evils... For jails are used not only to confine those convicted of misdemeanors or minor felonies but also those who are merely charged with crime and are awaiting trial. Thousands of these men, who are subsequently acquitted, or who are never even brought to trial because the evidence against them is too flimsy, remain in jail from three to four weeks to eight to ten months. (Fishman 1934, pp.120-1)

Fishman redraws the boundary of the prison experience, refuting the idea of the carnal incarcerated animal represented by the mainstream as outlined in the introduction to the section 'what is a prisoner?'. He reminds the reader of the permeable status of the prison and that although they are hidden behind closed walls, those walls are thinner

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<sup>37</sup> Again involving Tobias Beecher and Vern Schillinger, season one episode one (July 12<sup>th</sup> 1997)

<sup>38</sup> The Howard League for Penal Reform has just opened a two years research project (starting in 2012) into the issues surrounding conjugal visits within British prisons (as referenced in footnote 8).

than is generally thought, for any individual unlucky enough to be accused of a crime and arrested. Within that site all are professed guilty and subjected to the rigours and rituals of the prison. Shaun Attwood reiterates this theme in his contemporary book *Hard Time: A Brit in America's Toughest Jail* (2010), where he describes his experience of being a British drug dealer arrested in Arizona and held in the notorious jail system run by Sheriff Joe Arpaio whilst awaiting trial. The whole of his account occurs in jail rather than prison, but reads as an expected (stereotypical) representation of prison life, complete with gang affiliations, beatings, drugs, and sexual assaults. Yet by being pre-trial he was, like all such 'inmates', ostensibly innocent until proven guilty.

This section of the chapter has provided a historical and conceptual foundation from which to look at the following case study, that of Peter Wildeblood, his case, trial and subsequent imprisonment. This background informs a re-reading of Wildeblood's *Against the Law* in order to understand how homosexuality within the institution of the prison, through its then criminalisation, enables Wildeblood to reach an understanding of his own sexuality and subsequent homosexual identity.

## Case Study

*Against the Law:*

*The Classic Account of a Homosexual in 1950s Britain*

by Peter Wildeblood

In this section I will examine one particular instance within the history of homosexuality, as represented in *Against the Law*. In this account the prison was a facilitator for same-sex sexual interaction, identity and the formation of a sense of a homosexualised self. This is crystallised around the landmark trial that lead in/directly to the decriminalisation of homosexuality in 1967. The case is that of the arrests of Lord Montagu, Michael Pitt-Rivers and Peter Wildeblood for homosexual offences and the primary source is taken from *Against the Law*, Peter Wildeblood's autobiographical account of the instances around this case. His account of prison life lends itself to the discussions of homosexuality within the establishment and the formation of the homosexual as a self identified individual beyond that of an individual who engages in homosexual acts. It is within the prison environment that Wildeblood learns and sees what it means to be a homosexual and his book carries the weight and importance of such an individualised account. Chris Waters states, "It was perhaps the first book ever published in Britain by a male homosexual who openly used his name, who offered a frank story of his life and who argued forcefully for rights for other men like himself" (Waters 1999, p.150).

This section will start with an introduction to the period and London at this time, in part through Jeffrey Weeks' *Coming Out: Homosexual Politics in Britain from the Nineteenth Century to the Present*, as a way of drawing themes of identity and form into the period of criminality and the movement towards law reform. I will also use his later text with Kevin Porter, *Between the Acts: Lives of Homosexual men 1885 – 1967*, which utilises first person accounts of the period. This historical background aims to give a sense of the pervading attitude to homosexuality and then lead into a specific assessment of Peter Wildeblood himself, and what he tells us about the subject of how prison enables homosexuality.

### **The time and the trial**

In 1950s Britain homosexuality between men was illegal, through the aforementioned Criminal Law Amendment Act of 1885, and by adding buggery to the prior list of offences with regard to sexual activity between men ensured that all male homosexual acts in public or private were illegal between 1885 and 1967 (Weeks 1977, p.11). Homosexual offences could be categorised into “four main groups namely (1) indecent assaults on boys under the age of 16, (2) importunity [sic], (3) buggery, and (4) gross indecency” (Moran 1995, p.11). As a result, homosexuality was clandestine and hidden, furtive and cautious, as recounted through the interviews and accounts of gay men in *Between The Acts* (1995). Weeks and Porter quote one of their interviewed



subjects as stating:

You learnt very quickly to cover up any activity. This applies everywhere...; you can have sex with somebody, and then someone else comes into the room, and with enormous expertise you immediately behave as if nothing has happened. And nobody thinks that anything has happened. (Weeks and Porter 1998, p.57).

Weeks and Porter use the accounts to represent an interaction with the subjectivity of the individual, and the conceptualisation of a sense of self. They state, "All life stories are reconstructions, attempts to make sense of a complex reality, to provide a narrative structure for oneself as well as for others" (Weeks and Porter 1995, p.2). It is this complexity of a narrative structure of oneself that is manifest in representational forms (in all my case studies), and notably here that of Peter Wildeblood in this section. Each representation has a subjectivity of form, as seen for example in Fishman's account of sex in prison earlier and exemplified through this case study. It is as a means of presenting (that) complexity in a readable form: a form that endeavours to make sense of circumstance, situation and subject. The accounts are illuminating of an ideology, an understanding of the situation and the circumstance from a singular point of view.

Such accounts were limited at the time due to the hidden nature of homosexuality. Meetings between men were shown as short, surreptitious and anonymous, to maintain a safe distance and reduce the chance of blackmail or criminal conviction. Cottaging (the process of eliciting sexual contact with or the procuring of another male in a public

toilet for the purposes of sex) and cruising (similar to cottaging but in the open air, such as a park, woodland, dunes, bushes, etc.) were ways of meeting men with similar requirements. The illegality and necessary secrecy surrounding sexual contact between men meant it was difficult to find and maintain a relationship. This was also due to the need for anonymity. This anonymity, and the need to distance oneself from other men, as well as oneself from (homo)sex, created a sense of homosexuality and the subsequent lifestyle as isolated and fleeting, snatched moments of sparse connection such as sex in the dark, the park and the cottage. The prison challenged and provided a counter point to this fleetingness, this removal and isolation, and the inability to connect over time with another individual.

In 1950s Britain there was a historical and cultural drive away from any domestic form of homosexual relationship due to the risk of imprisonment and the potential ruin of name, reputation, livelihood and life, as was the case outlined earlier for Oscar Wilde. However (Wildeblood attests that) some men did take the risk to live together as a couple (Wildeblood 2000, p.34). This might account for, among other reasons, an increase in homosexual arrests as around this time “the number of indictable homosexual offences increased five-fold...for ‘gross indecency...the rise went from 316 in 1938 to 2,322 in 1955”<sup>39</sup> (Weeks 1977, p.158). One outcome of the rise in criminal prosecutions for homosexual offences meant that the number of men incarcerated in UK

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<sup>39</sup> Upon arrest it was not unusual for men who lost everything (reputation, livelihood and family) to commit suicide. Weeks emotionally writes, “I pay tribute to all those who suffered and died with us during the dark years” (Weeks 1979, p.128). A memoriam poem quoted by Jeffrey Weeks in *Coming Out* gives a good sense of what the time was like.

prisons for acts of homosexuality was also increasing. With the confidence in numbers the homosexual as personally identified or the male prisoner incarcerated for homosexual offences, as they were legally understood at that time, had the potential to gain a sense of space and place within the prison establishment.

In the UK the two world wars in the early half of the twentieth-century left little room for development within the prison system, and following the end of the Second World War funding for the regeneration or expansion of prisons in the new hope of the post war era was almost considered unpatriotic and a betrayal of much needed hope. McConville points out, “Caught between inadequate funding and increased demands, British prisons inevitably declined to levels of sordidness that would have appalled and shamed Victorian administrators, politicians and public alike” (McConville 1998, p.139).<sup>40</sup> Wilde’s damning indictment of the prison with its drudgery, dankness and despair, which was then follow by depravation of funding and natural decay over half a century, would indicate that the post-war prison experience must have been very grim indeed.

### 1950s London at Large and Underground Permissibility

London at the time of the 1950s publicly presented a need to protect and enhance the burgeoning role of the family and family life in the post-war

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<sup>40</sup> People in British prisons, numbered in 1927 11,000, in 1945 15,000, rising further to 42,000 by 1978 (McConville 1998, p.139).

Welfare State. This need excluded homosexuals, except as problems or aberrations of this family model and something to be warned against. However there was also an increased shift of focus towards sexuality and sexual pleasure and where sexual pleasure was concerned it would be hard to exclude the homosexual (Weeks 1979, pp.156-8) An underground scene developed where men could meet, congregate and recognise each other in clubs. Peter Wildeblood explains that at these clubs “most of the men did not go there primarily to drink, but to relax in an atmosphere where it was not necessary to keep up any pretences” (Wildeblood 2000, p.35). He mentions a selection of public-houses which were however subject to raids and warnings from the police through being less discreet and thus more dangerous (Wildeblood 2000, p.35).

This environment provided a space for the recognition of a homosexual existence, in the social space of the club or pub, and yet by nature of the potentiality for arrest and the ruin of reputation was secretive and fleeting. As Houlbrook states, “Queer sociability was increasingly discreet and separate from “normal” urban life, the ongoing negotiations between official regulation, individual proprietors, and men’s own demands for a secure “home” structuring what might be termed a commercial closet, outside of which it was dangerous to step” (Houlbrook 2006b, p.91). That step could lead to the potential ruin of name, career and arrest. It is this uncertainty, this lack of safety and the imminent ruin of the individual that the prison conversely removes. Although the prison exists as a result of the machinations of the law (the end stage of that law) homosexual activity in the prison could be read as

beyond the law. The status as prisoner paradoxically enables a degree of homosexual freedom and permissibility as those arrested for homosexual offences have been found guilty. The worst that can happen to them, such as arrest, public disclosure and incarceration, has already occurred therefore the law holds no more control over them. The disapproving world of the 1950s is locked outside the gates to be dealt with upon release, but for the time inside, the homosexual 'criminal' is afforded a moments 'reprieve'.

It is in the underground homosexual scene of 1950s London that Peter Wildeblood and Lord Montagu met and socialised forming a friendship that would result in their imprisonment. However, their names have become associated less with scandal and moral outrage than with the reformation of the law and the arrival of the amended Sexual Offences Act of 1967. Through such a current reconfiguration, Peter Wildeblood, Lord Montagu and Michael Pitt-Rivers have come to reframe the context of homosexuality from potential ruin and criminality to a historical acknowledgement of emancipation, something that was obviously not evident at the time.

The change in the law in 1967 essentially meant the decriminalisation of homosexual acts between consenting adults over the age of twenty-one in the privacy of their own homes, although with some state intervention in the form of a directed monogamy enforced through the notion of privacy meaning no more than two persons present (Cook 2006, p.73), a monogamy that Peter Wildeblood sought and represented through his own account. As a proponent for a non-sexual or asexual form of

homosexuality, a monogamy that aped heterosexual coupling and engaged with the law as it was to be realised, Wildeblood positioned himself to become a key figure in the call for reform and in campaigns for equality for homosexuals.

### The Trial

Peter Wildeblood was born in 1923 in Italy, and was thirty-one years old at the time of the trial with Lord Edward Montagu and Michael Pitt-Rivers, where he was charged with gross indecency, sexual offences and conspiracy. The case, as outlined by Wildeblood himself, revolved around the testimony of airman Edward McNally, Wildeblood's 'friend' (a euphemistic term to denote partner or lover) at the time, and John Reynolds, a friend of McNally's (actual not euphemistic), who was more directly associated with Lord Montagu and Michael Pitt-Rivers. As a result of letters written between McNally and Wildeblood the airmen McNally and Reynolds were arrested and persuaded to turn Queen's evidence against Wildeblood, Pitt-Rivers and Lord Montagu<sup>41</sup>. The whole trial rested on the airmen's testimony and the letters. None of the letters written by Wildeblood attested to any sexual activity occurring between Wildeblood and McNally, and yet were written as from one partner in a relationship to another, and spoke of love and longing (Wildeblood 2000, p.80). The only reference to any sexual activity came from the testimony of the two airmen, McNally and Reynolds: Peter Wildeblood, Lord

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<sup>41</sup> Lord Montagu had previously been tried for a similar 'offence' and had been acquitted. There is an underlying sense that the only point at which the police became really interested in the case was when Lord Montagu's name was mentioned.

Edward Montagu and Michael Pitt-Rivers denied all the charges made against them. This is a more contemporary example of the same methods that had been used against Wilde, where lack of 'physical' or corroborated evidence led to coerced or sworn testimonies. During the course of the trial Peter Wildeblood acknowledged that he was an 'invert'<sup>42</sup>. As a result of the testimony of the two airmen, the accused were found guilty and sentenced.<sup>43</sup>

### **A Homosexual identified and named**

Weeks states, "There was no concept of the homosexual in law, and homosexuality was regarded not as a particular attribute of a certain type of person but as a potential in all sinful creatures" (Weeks 1979, p.12). Weeks' characterisation of homosexuality at this time presupposes the acknowledgement of divergence from the norm, of erring into "sin". Sexual aberration in the form of homosexuality carried no direct and personal signifier other than a failure to maintain the standards of society, a loss of moral sense and standing. This rhetoric evinces an association with a 'Kinseyan'<sup>44</sup> sensibility that all men who strayed from the path of normative heterosexuality are potentially capable of

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<sup>42</sup> An invert was a term for an innate homosexual, someone who could not be other than they are whereas a pervert was someone who sought sexual activity outside of the standardised notions of heterosexual coupling.

<sup>43</sup> Wildeblood and Pitt-Rivers were each sentenced to 18 months' imprisonment, and Lord Montagu to 12 months' imprisonment. p.5 'Three Men Sent to Prison' article in The Times, printed March 25<sup>th</sup> 1954

<sup>44</sup> I explain Kinsey in detail in chapter two, but his findings as relates to here were essentially that homosexuality was much more in evidence throughout the male population than previously expected with greater numbers of men having had homosexual experience.

homosexuality. It was in this respect that Wildeblood changed the parameters of the discussion. Though it is possible that there were other individuals at the time naming themselves homosexual, Matthew Parris has argued regarding Wildeblood that, “Amazingly, this makes him one of the first men in history to do so” (quoted in Wildeblood 2000, pp.v-vi). Wildeblood’s identity initiating text opens up the potential interpretation of how sex in prison is able to manifest through a homosexual identity. As a result of his declaration during the trial and the subsequent publication of his autobiographical text, Waters argues that, “Wildeblood rewrote his life for public consumption; in so doing he gave rise to a uniquely modern homosexual persona” (Waters 1999, p.136). This self-identification impacted the attitudes and social understanding of the issues regarding sexuality at that time. Amidst variant interpretations of the origin of homosexual inclinations within an individual - from psychoanalysis, Ellis’s object and Kinsey’s continuum (Waters 1999, p.141) - the homosexual as represented by Wildeblood (male, slightly effeminate and yet not knowingly recognisably other than any man on the street) presented for the first time with the potential of a transition from an act to an identity, to an individual and personality ‘type’. Once such an identity was claimed so too could a call for equality. Homosexuality could no longer be a problem to be treated but an individual to be understood and accepted, a person to be given rights or support (or indeed depending on the viewpoint, to be reviled and removed).

Interestingly, Wildeblood’s statement of being “an invert” was



premeditated:

I was determined to admit that I was a homosexual. This was not bravado; it was deliberate planning for the future. There were several signs that a full-scale inquiry into the problems of homosexuality would one day take place, and I meant to play a part in it. This I could not have done if I had taken the obvious line of defence and denied everything (Wildeblood 2000, p.64).

This quote illustrates Wildeblood's awareness of how he represents himself and the potential impact of that representation. This interpretation leads directly into the reading of his autobiographical text as an account with a purpose in mind.

Waters questions however, "What, for Wildeblood, was a homosexual? At his trial the language of 'perverts' and 'inverts' was ubiquitous while 'homosexual' was a term rarely used" (Waters 1999, p.147). I would argue that Wildeblood developed an understanding of his sexual self through his recognition of the visible state of homosexuality within the prison. Due to his career as a journalist and Royal correspondent for 'The Daily Mail', Wildeblood was aware of the potential shift in opinion of the law and an impending enquiry into its efficacy (Wildeblood 2000, p.64). Faced with the end of his career he rewrote himself into an individual who could work within this end. His autobiography was written as a "developmental narrative which orders both time and the personality according to a purpose or goal" (Anderson 2007, p.8). Wildeblood instates and insists upon the identity over the act in order to gain a stronger sense of self, an identity around which to form his newly

conceptualised sense of self, which he takes up further in his follow up autobiographical text *A Way of Life* (1956). It was this identity, reframed from 'invert' to 'homosexual,' that can be traced in the text of his autobiography, which describes his (pre-writing) experience of prison.

### Prison tolerance of homosexuality

Initially concerned with the reaction he was likely to receive in prison due to the high profile nature of his case and consequent inability to hide the reason for his incarceration, Wildeblood is pleasantly surprised at the attitude of his fellow prisoners. In Wildeblood's account there is an acknowledgement and even sympathy for his situation amongst the prisoners he encounters, with a lack of discrimination and a sense that, "If someone wants to do that sort of thing, it's their own business" (Wildeblood 2000, p.107). This hints at a sense of privacy, an appreciation of privacy, from inside the observational institution of the prison. The prison setting is shown as a space of tolerance and acceptance for Wildeblood and his 'situation'. Similarly the British public outside directed their hostility more against the witnesses for the prosecution than the accused themselves,<sup>45</sup> with a strong sense of the injustice of the case. Wildeblood quoted one of the inmates as saying, "What I'd like to see," remarked one of the burglars, 'is them two airmen

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<sup>45</sup>Wildeblood Writes, "[A] rising chorus of boos and jeers...was not directed at us [Wildeblood, Montagu and Pitt-Rivers]...but at the two prosecution witnesses...McNally and Reynolds...The British public, in whose name all this had been done, was showing what it thought of the case" (Wildeblood 2000, p.95).

coming in here. They wouldn't half get a good hiding” (Wildeblood 2000, p.103). This infers the prisoner code of silence before authority that links McNally and Reynolds alongside those who ‘rat’ in the prison. The greater crime in the eyes of the prisoner is to ‘rat’ than be a homosexual.

### **Prison identifies the Homosexual**

The context of the case - the sensational trial, the conviction, the resultant change of public opinion, and the Wolfenden Committee – is less relevant here than Wildeblood’s formation of an identity and his ability to gain such a strong sense of self within an era of uncertainty and unknowing with regard to homosexuality. His individual realisation came as a result of his prison experience and his reading and understanding of such. Wildeblood’s understanding of the homosexual and their inter-connection in a wider context was as follows:

For the most part they [homosexuals] are isolated, not only from the rest of the community, but from each other. The fear under which they live creates no freemasonry among them; the problem of homosexuality is not the problem of a group, but of hundreds of thousands of individuals – each of whom, according to the laws of Britain, is a criminal (Wildeblood 2000, p.25).

It is as a criminal, marked and punished by the legal system and consequently placed in prison that for Wildeblood, homosexuals show a truer sense of self than that of the type of individuals he outlines above.

This demonstrates that he was able to find the “freemasonry” of homosexuality that did not exist for him on the outside. The relative security of the prison space removed from wider society, that for Wildeblood revealed variant forms of (homo)sexuality. Without his prison experience it is unlikely that Wildeblood would have become the ‘homosexual’ that he did. *Against the Law* was written after his period of imprisonment and in it we can recognise the attitudes and understanding Wildeblood gained therein, and which informed his later model of homosexuality and shaped the persona he created. Take his categories of homosexuals as outlined in the text. Wildeblood explains:

There were three distinct types of homosexuals in the prison. First there were the genuine glandular cases, the men who were in fact women in everything but body... Secondly, there were the men who had been sent to prison for seducing small boys...Thirdly, there were the men like myself, who had been convicted of crimes with other adults (Wildeblood 2000, p.106).

Here he represented forms of homosexuality derived from his observation of other prisoners specifically incarcerated for offences with a homosexual basis. He contested established definitions of ‘the homosexual’ and articulated a relatively new kind of selfhood, which shaped his own identity (Waters 1999, p.136). We see this sense of his own sexuality in the way Wildeblood is aware how he fits into the categories above, “men like myself” (Wildeblood 2000, p.106). It is the men like himself that Fishman earlier and Kinsey later are interested in, in regard to the concept of pre-prison homosexuals and prison-made

homosexuals. Wildeblood loosely alludes to this concept:

[T]here was quite a large number of men of the same type [as Wildeblood] who were in prison for other kinds of crimes. Some of them had homosexuals experience 'outside'; others had become homosexual, or given way to homosexual feelings for the first time, in the all-male environment in which they had been placed...for every homosexual who goes into gaol, two come out...A chance homosexual act, induced by the absence of women does not make a man a homosexual for the rest of his life. What may do so is a deep emotional attachment...with another man. The real danger in sending homosexuals to gaol lies in the fact that other prisoners may adopt their outlook, rather than their habits (Wildeblood 2000, pp.107-108).

Here Wildeblood places the temptation of previously ascribed heterosexual men towards homosexuality not on the absence of women or the close and total proximity of other men, but on the attractive potential of the homosexual desire for male-to-male love. He outlines an emotional bond and attachment. As part of his autobiographical goal of discrediting the law, he places the issue of homosexuality within the prison as a direct consequence of the law that places homosexuals there. If you do not arrest homosexuals, you will not have men falling in love with each other in prison. The last chapter of this research study deals in detail with this concept. Although problematic with regards to other evidence of the consequences of all-male and segregated societies of men and their potential towards homosexuality, it underscores the emotional nature of same-sex attachments that cause consternation within prison settings such as represented in *Oz* and other

fictionalisations of the prison. Wildeblood's feelings are echoed by another inmate's story:

[A]s time went on I became more deeply and significantly involved, and the concept of homosexual love as a complete and stable experience, was revealed to me in this way. I no longer stood in no-man's land, and henceforth my imagination and sexuality became geared to a homosexual aim and an individual object (Prison and After 1989, p.55, unknown author).

This quote exemplifies the stability of identity illustrated by Wildeblood through his experience, and the concept of homosexual love enabled by the institution. Wildeblood distances himself and his account from the sexual, no doubt as this was his defence during the trial. Thus he redraws the prison existence as well as his own life as asexual. He attributes the sexual experience of men within the prison to one of marked intimacy of love and emotion. He writes:

There was very little physical contact, because there were so few opportunities for it. What did happen – and I saw it happen again and again – was that two men became drawn together in a relationship, so deep, happy and lasting that it can only be described as love...Two such men would take little trouble to disguise their relationship, because, in prison, no stigma attached to it...It was, in fact, regarded by prisoners and warders alike as perfectly normal (Wildeblood 2000, p.107).

That such relationships are cited as “perfectly normal” goes some way to illustrate the degree of complicity and acceptance of homosexuality

within the all-male environment of the prison. The lack of need or desire to hide such a relationship reiterates the counterpoint between inside the prison and outside society, where the same kind of relationship would have had to be hidden from the law. For the expediency of his autobiographical goal there was a need to normalise and remove from censure or disapproval these relationships, to paint them “normal”, but even so, the fact of their quiet existence within the prison setting illustrates its permissiveness. There must have been a freedom of expression this would give to an individual who has had to spend their life hiding and being duplicitous and covert, having had to enmesh their sexual (and romantic) activity in a world of secrecy away from the disapproving eye of authority, society and the law. The seemingly throw-away comment, “Two such men would take little trouble to disguise their relationship, because, in prison, no stigma attached to it”, runs in direct contrast to the environment represented outside the prison in which these men existed. Wildeblood’s prison provided a haven compared to the counterpoint as illustrated in a poem Weeks’ quotes which was dedicated to “those who suffered and died with us during the dark years” (Weeks 1979, p.128).

However, the lack of physical contact between prisoners is refuted by Frank Norman, a petty criminal turned novelist and playwright, following the publication of his autobiographical account of prison, *Bang to Rights* (1958) at the end of twelve years of incarceration for various offences and at various institutions. Norman, who wrote around the same period, states:

I am often asked what one does for women. The answer, you don't. There is of course plenty of queers who are always willing to accomadate you, but this is a very dodgy business indeed as if you get captured at it you can lose half a streatch remishion and no messing about. So it is'nt worth the trouble, although quite a lot of that sort of thing goes on (Norman 1958, p.32 - original spelling).

Two points here are relevant to my argument. One is that the 'queers' are willing to accommodate 'heterosexuals' with sex, following the logic of the transformative power of the prison where men have no 'women'. The other is the detail about the punitive measure within the prison itself, that of a loss of remission or time earned off a sentence for good behaviour. This illustrates that despite Wildeblood's account of perceived permissibility of homosexual love there was still state censure against homosexuality.

Frank Norman as a self-declared heterosexual is free to express that which Wildeblood and his necessitated sex free (asexual) homosexuality cannot, namely that sex can and does happen between men in prison. Wildeblood has an end goal of the 'purity' of homosexual love removed from the immoral and degenerate act of (homo)sex, but Norman has no such concerns in his representation. He does however concur with Wildeblood's rendering of the permissibility and the visibility of the 'queer' within the prison environment. He writes:

I went past this geezers peter [cell] and looked inside, inside there was this queer standing naked in front of him... You see in the nick they [queers] perform much worse than they do on the outside the



reason being they don't have to worry about getting arrested as that as happened already so what have they got to lose. As a matter of fact they are in their element, as there are nothing but men around and no women to queer their pitch. (Norman 1958, p.87 – original spelling)

Norman describes clearly the way in which 'the queer' is not only visible but brazen in their visibility, as well as sexually active. If the worst that can happen to a "queer" for being queer and engaging in acts of homosexuality is that they are arrested and locked up in prison, once in prison, other than internal disciplinary methods they have nothing left to lose. The man in the next cell is earlier written as heteronormatively identified by Norman but with a weakness for the "queers" as his only failing. This Norman writes as a perceived failing of type, like any sense of addiction but does not queer his neighbour, merely represents him as weak of the desires for sex (Norman 1958, p.87).

Wildeblood agrees with Norman that there are many homosexuals inside and that the prison itself "is packed with gay people who are in for something else. Most of the screaming pansies are in for receiving" (Wildeblood 2000, p.105). My argument in this thesis is that prison as a space is, and has been, queered by the overpopulation of homosexuals due to homosexual criminalisation and the all-male environment of prisons, and that the merging and meshing of these two factors created a uniquely queer space within 1950s British society.

This continuum of sexual types from the ostensibly 'straight,' identified through to Wildeblood's "screaming pansies" or Norman's "queers," illustrate the range and expression of homosexual identities and

identifiers from which Wildeblood could gain a strong sense of personal place and perspective. The prison afforded him a unique window into a world of opportunities, hinted at by the permissive underworld of the pubs and clubs of London's hidden homosexual scene, but without the cloak and dagger necessity of anonymity and caution caused by the law and the clamp down on vice at that time.

It is within the confines of the prison world that Wildeblood and other homosexuals found a form of haven, a place that enabled personal expression where their sexuality was accepted. Wildeblood highlights the natural tolerance of the working classes (the majority of those imprisoned) and their lack of disapproval of him and other forms of homosexuality. In fact Wildeblood partners up with one of them in the end (Wildeblood 2000, p.187). Wildeblood chooses a young burglar called Danny as his friend, and builds a (non-sexual, or so it is represented) relationship with him. Wildeblood creates a sense of the normalcy of this quite revolutionary and new state of affairs and the seeming ease with which they assimilate into an openly queer existence within the prison society.

However, Norman outlines an account of an interchange between a "queer" and a new screw (slang for prison guard), wherein the screw puts the "queer" on report for referring to him as "Dear" (Norman 1958, p.157). This scene illustrates the point where standard disapproval (or expected societal disavowal) of the homosexual meets prison permissiveness: as that permissiveness is not innate but is developed through familiarity with the form. The scene illustrates what happens

when the two worlds - inside permissive/outside repressive - collide. The scenario illustrates the point of intersection between an external judging social norm (represented by the guard) and the permissiveness of the prison environment in the casual nature of the queen's use of "dear" for a man (moreover, a man representing authority, the guard). This casual permissiveness is further reiterated by Norman's own use of the pronoun she for the queen, who is of course male, it being a men's prison.

In this chapter I explained how the prison's initial strict containment rules were eroded as the population grew, and how without enforced isolation the prison became a society of prisoners, where same-sex sexual activity was bound to occur. I showed how the illegality of homosexuality ensured a steady growth in the prison population of men acknowledged as having engaged in acts of homosexuality, which led to a permissibility that did not exist in society outside of prison. I used the example of Wildeblood to show how this homosexualised prison population was able to form and recognise a homosexual self within that environment, and how he constructed a homosexual love to replace the social concept of homosexuality as base and vile.

In the next chapter I will look at how sex and sexuality in prison can be understood within a change from a heterosexually signified self to a homosexual object choice, and same-sex sexual interaction therein.

**2.****Homosexuality****(1890s to 1960s)**

Reality, too, has many facets – some too readily disputed or  
denied by those who rely on their own experience

(Gregg 1948, p.v)

This chapter addresses Victor F. Nelson's question of whether or not prisoners bring homosexuality into the prison with them (Nelson 1936, p.146), the other half of that outlined at the start of chapter one. I will examine what is represented as homosexuality and how that homosexuality is able to manifest itself within the prison. I will start with a foregrounding of the arrival of homosexuality as a term, and within such definitions its positioning as 'other'. I will show how that position was recalibrated a generation later with the arrival of Kinsey's study of the sexual behaviour of the human male (1948). The second half of the chapter then uses the specified text of *Birdman of Alcatraz* (1962), a film that redraws a sexually complex character, Robert Stroud who can be seen to represent a notion of amorphous male sexual behaviour, into a heterosexist and normative 'hero' portrayed by Burt Lancaster. I will analyse how the coded means of that representation shifts the focus and the gaze from a queering potential of the character and the queering potential of the prison to a manifest and secure heterosexuality.

## **(The) Homosexual: history and theory**

This section looks to ground the discussion of representations of sexual practice and identity in prison within early popular theories on sex and sexuality. There were three main proponents of this common understanding, Ellis, Freud and Kinsey,<sup>46</sup>, as outlined by Waters:

In 1952, there were three commonly held views of homosexuality in circulation... Kinsey's 'model of a continuum between homosexuality and heterosexuality'; various theories of 'congenital anomaly' put forward by Ellis and Magnus Hirschfeld; and Freud's theory of the 'distorting influence of early unresolved complexes on psychological development' (Waters 1999, p.141).

These “commonly held views” defined the representation of sexuality at the time of the Wildeblood trial and the production of the film *Birdman of Alcatraz*. I would draw a historic chronology that begins with John Addington Symonds (author of the first treatise on homosexuality in the UK in 1896<sup>47</sup>), who informed Ellis<sup>48</sup> who informed Freud (who in return further informed Ellis) who informed Kinsey. In this context I will return to the work of Joseph Fishman and its role in unpicking sexuality specifically in the prison. Although Fishman was also informed by the preceding influential thinkers I mention here, his writing's specific placement within the prison sets it apart from other wider theorists on

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<sup>46</sup> I leave out Hirschfeld's third sex, which presupposes a fixity of sexual form that although evident within the prison, mentioned by Fishman and co. is not so resonant for a discussion on the changing and changeable nature of sexuality that the other theorists enable. The nature of that change within the institution has the power to contradict aspects of Hirschfeld's representation of sexuality.

<sup>47</sup> *A Problem of Modern Ethics Being an Inquiry Into the Phenomenon of Sexual...* (Symonds, 1896)

<sup>48</sup> Ellis and Symonds co-authored a work entitled *Sexual Inversions* in 1897 a precursor to Ellis' *Studies in the Psychology of Sex* (1906).

sexuality within society. This research study aims to resituate the prison text back into a centrality of the study of sex and sexuality. Whereas the previous chapter set up the prison (within an awareness of homosexuality) this chapter will set up homosexuality (within an awareness of the prison).

I will start with an introduction of the term homosexual and then consider how Kinsey's study relates to the discussion of sex in prison. The term 'homosexual'<sup>49</sup> as an adjective to describe sexual activity between persons of the same sex was first coined by the Hungarian writer, Karoly Maria Benkert<sup>50</sup> in 1869 (Weeks 1979, p.3) and first used in English in print in Symonds' *A Problem of Modern Ethics* (1896), where he addressed theories and attitudes on sexuality such as those outlined by the clinician Krafft-Ebing in *Psycopathia Sexualis* (1890)<sup>51</sup>. Symonds challenged Krafft-Ebing's argument that homosexuality was as a result of an inherited neuropathy and sexual self abuse, primarily onanism or masturbation (Symonds 2008, p.46). Symonds represents his argument by highlighting sexual inversion within same-sex institutions, focussing on schools, but also referencing prisons in order to challenge the concept of a specificity of the otherness of sexuality. He states about the

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<sup>49</sup> Referring to the act, not the individual, as outlined in the previous chapter, the shift to the concept of 'a homosexual' occurred much later than 1896. Also used at the time was the term "invert", referring to an inversion of the natural or normative, and used by people such as Symonds (see footnote 5), who felt homosexual was an awkward term which denotes heterosexual/reproductive functions and not sexual encounters between the same sex/gender.

<sup>50</sup> Benkert later changed his name to Karl-Maria Kertbeny. He used the term homosexual to denote erotic acts of a man with a man and a woman with a woman, heterosexual to describe erotic acts between a man and a woman, monosexual for erotic acts on ones own (masturbation) and heterogenit for erotic acts between a human and an animal. [www.aglp.org/gap/1\\_history/](http://www.aglp.org/gap/1_history/) (accessed 30<sup>th</sup> May 2012)

<sup>51</sup> Symonds challenges the term homosexual stating, "The adjective *homosexual*, though ill-compounded of a Greek and a Latin word, is useful and has been adopted by medical writers on this topic. *Unisexual* would perhaps be better" (Symonds 1896, p. 44).

prevalence of homosexuality and masturbation:

The same may be said about convict establishments, military prisons, and the like. With such a body of facts staring us in the face, it cannot be contended that “only tainted individuals are capable of homosexual feelings” (Symonds 2008, p.46).

Here Symonds outlines the idea of homosexual activity by an otherwise ‘normal’ body, where the individual has not changed to a removed state of otherness and is still ascribed a sense of a normative self but with a variant sexual direction, in this case homosexuality.

Of not, in its first incarnation in the English language the term ‘homosexual’, as a signifier (a ‘pathologiser’) and demarcation of otherness, was challenged in relation to the single-sex institution, relevant for this study in the form of the prison. In the founding stages attempts to clearly categorise and label sexuality into a rigid structure of identification were destabilised and ameliorated by same-sex institutions, notably the prison. I would place it that Symonds argued that the public or private school was a site of growth and personal maturation from youth to adult and as such saw it as an almost ‘accepted’ space for the potential of a momentary diversion from a normatively ascribed heterosexual self, part of the curious development of the forming sexuality of the individual (Symonds 2008, p.46). The prison on the other hand was seen as acting upon the formed individual, men perceived to be in their maturity<sup>52</sup> and without the same redress to formation, experimentation and curiosity with regard to discussions of sexuality.

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<sup>52</sup> Taking this a referring to a simplistic notion of an adult prison.

Symonds took the newly presented category of homosexuality and explained how it was countermanded by the existence of homosexual activity within the prison and thus complicates from its very conception the notion of the fixity of a formed sexual identity with a pronounced normative heterosexuality and abnormal homosexuality (whether pathologised, misdirected or the result of self-abuse). His argument was against the pathology or neuropathy conceived as characterising homosexuality and challenged that idea through a universalisation model of sexuality. Through the happenings within the same-sex institution he succinctly undermined the categorisation of sexuality and instead showed how what happens in prison affected re-imaginings of sexuality. In 1897 Havelock Ellis and John Addington Symonds co-authored *Sexual Inversion*,<sup>53</sup> “a polemical piece written to challenge the existing law” (Crozier 2000, p.452) that was published in Germany having been banned in England following the scandal and publicity surrounding the Wilde trials. Ellis would expand upon this earlier work with the seven volumes of *Studies of the Psychology of Sex* (1906) and differed from other sexologists and commentators on sexuality at the time in seeing homosexuality as occurring throughout time and throughout the animal kingdom and not as something to be feared or reviled. Neil Miller states, “His finding redefined male homosexuality in narrow terms of sexual object choice, taking it out of the broader realm of gender inversion, transvestism, and “character”” (Miller 1995, p.19). This idea moves away from the concept of homosexuality as an inverted or problematic (yet

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<sup>53</sup> It was re-written in 1915 following Ellis’ intersection with Freud’s theories on sexuality, with one informing the other.



somehow fixed and unfixable) type of pathology to that of a misdirected or redirected sexual object. This representation re-imagines sexuality in a space where heterosexually identified males may be able to renegotiate that sexual object 'choice' through the confines of the prison towards another man as a same-sex sexual outlet. If homosexuality is represented as ceasing to be about transformed or ill-formed heterosexuality and directed towards an object of desire then Ellis' normative reading of homosexuality places it within a site of reconfiguration, a site, as outlined in chapter one, made permissible by the prison.

At around the same time, in 1905, Freud published his revolutionary theories on sexuality and introduced the psychoanalytic idea of nature and nurture as factors in the existence of homosexuality<sup>54</sup>. Freud's theory considered homosexuality as an arrested or immature stage of development for the otherwise ordinarily heterosexually inclined individual. In addition Freud argued that the individual is innately or initially polymorphously perverse, essentially sexually fluid or open, and that through natural and cultural signifiers and a specificity of nurturing, individuals attained heterosexuality as they matured and grew. Homosexuals failed to achieve this desired sexual maturity or never sexually grew up beyond the pathologised (in this instance immature)

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<sup>54</sup> A psychoanalytical view of homosexuality believes it is derived from an excessive attachment to a dominant mother figure and an absence of a father figure. Freud theorises that inversion is caused by the misplaced sexual identification and object choice based on some occurrence in the child's development from its innate polymorphous-perversity to normative heterosexuality. That "some experience of their [the inverts] early childhood would probably come to light which had a determining effect upon the direction taken by their libido" (Freud 1991, p.51). As such Freud questions and challenges the existence of the 'innate invert' as he calls it.

sexual object choice of their own sex. Although Freud himself argued against the idea that homosexuality could be 'cured', most of his followers took the more contrary view that such 'arrested development' could in fact be reversed or progressed towards a 'natural' or 'desired' heterosexuality. Here Miller states, "The era of stigmatization, of 'gay as sick', had arrived" (Miller 1995, p.19).

Freud's theories created a rendering of sexuality less bound by the prior categorised discourse of dichotomy and absolutes. His starting point imagines a more amorphous potentiality for human sexuality, and although he uses the language of pathology and stigma he renders the idea of 'perverted' as obsolete. Freud presents a sense of finality of heterosexuality gained, that there is an ultimate and desired endpoint to a normative (heterosexualised) sexuality. However, he acknowledged that "[a] periodic oscillation between a normal and an inverted sexual object has also sometimes been observed" (Freud 1991, p.48). He observed such a shift in sexual object as the result of some change in circumstance<sup>55</sup> or trauma. As prison is a notable change in circumstance or trauma this places sex in prison in that 'oscillating' category. Freud's theory relates a perversity of all individuals and shows how normative circumstances seek to inscribe a heteronormative sexuality,

In Freud's theorisation prison acts as a disruptive factor within that normative circumstance, enabling the resurgence of the prior, in Freud's words ideally sublimated, 'perversity'. The prison does undermines the concept of this acquired and fixed normative heterosexuality with regard

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<sup>55</sup> This again links back to the concept of 'situation sex' with the change in circumstance being a change in situation.

to Freud's representation of sexuality, as the prison experience rewrites sexuality within the shift from that normative heterosexuality to homosexuality. In other words, the nurturing and the nature of the heterosexual individual are renegotiated and rewritten through the all-male environment of the prison. In relation to Freud, Ellis revised and published *Psychology of Sex* in 1933 by condensing the work carried out from the turn of the century as a "concise introduction to Sex Psychology" (Ellis 1959, p.7). This overview of sex drew together and summarised the sexual theorisation of the time to create an accessible reference point for understanding sex.

In this section I briefly outlined the "commonly held" theories on sexuality noted by Waters quote (Waters 1999, p.141) from the 1890s through to the 1930s. I will next return to the prison-specific text introduced in chapter one, *Sex in Prison* by Joseph F. Fishman (1934) in order to examine it in light of the theories outlined above.

### **Homosexuality in Prison**

Homosexuality and jails go together. The former is the invariable concomitant of the latter (Fishman 1934, p.119).

In returning to Fishman's *Sex in Prison* I will move to how he represents questions surrounding sexuality and their application to the prison setting. Fishman acknowledged that his studies attempts to surmise on

the extent of sex in prison, would be conservative at best.<sup>56</sup> Fishman directly challenged Ellis's estimates that around eighty percent of inmates engage in same-sex activity (Fishman 1934, p.80), although he did acknowledge that if you include masturbation between eighty to one hundred percent obtain sexual satisfaction in some form or other. Fishman estimated a lower percentage of same-sex activity, stating, "Not more than thirty or forty per cent of inmates of any penal institution are homosexuals, or have homosexual propensities which lead them to indulge themselves at the first convenient opportunity" (Fishman 1934, pp.81-2).

Fishman highlighted the Navy and the boarding school as single-sex institutions that propagate homosexuality amongst otherwise heterosexually acknowledged males (Fishman 1934, p.19) and thereby reached a further conclusion for the prisons setting<sup>57</sup>. He argued:

If, then, it has been found impossible over the space of hundreds of years to prevent the sex instinct from expressing itself where men are deprived of association with the opposite sex for only comparatively short periods of time, how can any reasonable person expect to prevent it in penal institutions, in many of which men are out of contact with women for five, ten, twenty, or more years? If it is impossible "on the outside," it is doubly and trebly impossible behind prison bars (Fishman 1934, p.20).

Within a theorisation of the total removal and constraint evident within

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<sup>56</sup> This expected conservative aspect of the sexual survey and study of the prison is also acknowledged by Kinsey's study, and further surveys or studies of the sexual habits of inmates as such as in *Men Behind Bars* by Wooden and Parker (1983)

<sup>57</sup> Pertinent to my research study it is noteworthy that Fishman stated that those caught engaging in homosexuality within the Navy are sent to prison for such offences (Fishman 1934, p.19).

the prison setting, Fishman underscored his view of an inevitability regarding sex in prison. This draws out his view of the impossibility of curtailing sexual activity between men so totally constrained, leading to the insight and recommendations he later made in terms of means to address the situation, which involved his desire to remove the essence of homosexuality within the concomitant nature of prison and homosexuality.

With regard to youth offenders, initiating a view that Kinsey's study will draw upon later, Fishman seems to augment Freud's theory on the lack of fixity of the adolescent, and their potential 'distraction' from a normative heterosexual imperative through the constrictions of the institution and its rigid same-sex setting (Fishman 1934, p.25). Fishman conveyed his sense of the potential 'damage' done therein and reiterated the view of previously heterosexual males being turning into homosexuals. He argued, "Every year large numbers of boys, adolescent youths, and young men are made homosexuals, either temporarily or permanently, in the prisons of America" (Fishman 1934, p.83). This reiterates Wildeblood's view outlined in chapter one that "for every homosexual who goes into gaol, two come out" (Wildeblood 2000, p.107). Both men highlight the concern of prison as a 'manufacturer of deviance', a concept acknowledged and warned against by the earliest administrators and which they sought to prevent through practices of strict segregation, solitude and silence.

Fishman continues his see-sawing response to homosexuality, veering from a relatively permissive and aware form of referencing of

homosexuality to the more standard dogmatic and dismissive sensibilities of the time. Fishman's writing contradicts itself, as we can see in the following two quotes:

homosexuals possess as many differences in personality, character, and mentality as do normal people. The mere fact that they are homosexuals no more makes them all similar than the fact that men who smoke or play the piano are similar. Homosexuality is but one phase of their personalities just as heterosexuality is but one phase of the personality of the normal person. Many homosexuals are well educated, cultured persons who are perfectly at ease in any society, and are capable of holding responsible, high salaried positions in all walks of life. (Fishman 1934, p.57-8).

He had the homosexual characteristics of the narrow waist and the wide hips (Fishman 1934, p.61).

From the normalising and universalising sentiment of the first quote through to the disavowal as other in the second, Fishman attempts to grapple with an issue that he appears to be concurrently at ease with and yet also appalled by. It is worthwhile to bear in mind that he was writing for the prison authorities for whom the report would be of interest. I would argue that Fishman, in his progressive moments, was in step with the times in thinking about sexuality. This is in part based on the fact that he prefigured ideas later to be expanded upon by Kinsey's study, that of bisexuality manifest in most men, which can be influenced through circumstance. He wrote:

It is agreed by many of the most noted sexologists that there are inherent bi-sexual tendencies in every one, and that almost any one

could be converted into a homosexual if the proper circumstances were present at the right time...In other words, that every one in a certain period in his life is on the fence of bi-sexuality, where a little pressure either way may shape his future sexual self (Fishman 1934, p.66)

This shows an alignment to both Ellis and Freud, through their respective theories on the normalising of homosexuality and the potential shifting of sexual object. Although it carries it further to an innate 'bisexuality', which reconstitutes Freud's polymorphous perversity into that 'normalised' bisexuality. It also represents a marked shift from his earlier statement about the subject of homosexuality being something so degraded that it shouldn't even be openly acknowledged let alone talked about (Fishman 1934, p.57). He moves between positions of society's perceived 'right' to refuse to acknowledge homosexuality and ignoring it, through to the pervasiveness of homosexuality wherein everyone if not doing it, is in position to potentially engage with it. He highlights the pervasive attitude of a fluid morphing sexuality as that outlined by Freud. Fishman's concerns were that the institutional stamp embodies the pressure by which that innate bisexuality is configured towards homosexuality.

Fishman represents a societal disapprobation of the concept of sex within prison whilst also allowing for its manifestation, through his understanding that it must exist therein. Within such, Fishman can be seen as corroborative of the latter depiction of the heteronormative Stroud, the desire to re-imagine the prison and prisoner as heterosexually safe and inviolable beyond the queered form. Caught between the permissibility of sexologists such as Ellis (and Symonds)

and the theories of innate perversity of Freud, Fishman is confined within the antiquated establishment of the prison and its refusal to speak of sex and to acknowledge and see it within its walls.

### **Kinsey's study: Sexual diversity of the human male**

In 1948 all previous work on these lines was put in the shade by the publication of a monumental survey on the sexual behaviour of American men prepared by zoologist Dr A. C. Kinsey and his collaborators (West 1974, p.36).

Alfred Kinsey, Wardell Pomeroy and Clyde Martin brought together “thousands of anonymous cases which were subject to statistical analysis” (Crozier 2000, p.464) to hypothesise on the sexual behaviour of the human male. This text represented sex in an altogether new way, through a variety of categorized sexual behaviours. Ivan Dalley Crozier considers Ellis to be handing the baton of sexology to Kinsey. He states:

Kinsey took over Ellis's place in the “Freud wars,” employing the biological approach to sex which Ellis had championed to show once more that psychoanalysis failed to describe how ‘normal’ people behaved sexually...Like Ellis, Kinsey's position was sexual liberation; Like Ellis, Kinsey emphasized homosexual behaviour as a normal manifestation of the sexual instinct. (Crozier 2000, p.465)

Kinsey contrasted his work with Ellis's, which he felt had too small a sample size (Crozier 2000 p.464) and utilised his larger sample size to



represent the amorphously diverse nature of human sexuality. He did this, opposed to Freud's idea on a polymorphously perverse nature, with a lack of moral judgement and pre-ordained coded signifiers of normalcy. The study and its findings represented a previously unexpected diversity within sexual behaviour. This diversity enabled a rewriting of human sexuality away from notions of normativity and a homo-hetero dyad. It enabled a redefinition of concepts of sexual behaviour, identity and activity through a universalising diversification of sexual typing. The question "Am I normal?" was in Kinsey's study both confounded (as there was/could be no such thing as normal) and affirmed (through the removal of the 'normalising' categories, moralising and signifiers). This question 'Am I normal?' was illustrated as a montage of headshots of participants within the Kinsey research and study in the film *Kinsey* (Bill Condon, 2004) a representation of Kinsey, highlighting his bisexuality alongside a 'dispassionate' interest in sex, fluctuating between scientist and sexual being. The film implies his research was initiated from concerns of his own performance and his wife's sexual enjoyment in the marital bed, leading to his wish to help others in that area.

With regard to what is normal, but also the range of behaviours people are willing to declare, Liz Stanley states:

Kinsey argued that people are actually likely to engage in a wide variety of sexual behaviour, including behaviour that public mores or beliefs present as 'abnormal' and 'deviant'. He suggested that a researcher should assume 'everyone does everything', a stance closely related to his approach to interviewing: that when people are talked with in depth and in an open and accepting way, then they are

likely to confide not only their conforming but also their supposedly deviant sexual behaviour (Stanley 1995a, p.36).

This opening up of sexuality revealed the way in which males engaged with their sexuality in various and changing forms throughout their lives, dependent upon a number of factors, including but not limited to age, setting and status.<sup>58</sup> Vern Bullough states:

What he [Kinsey] did was to change American attitudes toward sex...it seems safe to say that sex before Kinsey was radically different than it was after...He changed sex for all of us (Bullough 2004, p.277 and p.285)

The study rewrote perceptions and understandings of sexuality within society and thus enabled a re-reading of the variant sexual activity that occurs within prison. The responses of prisoners in Kinsey's study illustrate the contribution that their changed and challenged sense of sexual selves have made to the debate on sexuality.

For my research project it is relevant to note that Kinsey's study utilised a significant number of prisoners' responses to questions on sexuality, sexual activity and identity. Approximately twenty-five per cent of the five thousand and three hundred participants in the study were prison inmates. Moreover, Kinsey especially sought out those prisoners who were sex offenders. Of this a large percentage of the individuals studied, forty-four per cent of these inmates had their homosexual experiences

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<sup>58</sup> This Kinsey's study later illustrated for females in *Sexual Behaviour in the Human Female* (1953)

while in prison<sup>59</sup> (Kinsey, Pomeroy and Martin 1948, p.129). The prisoner responses informed an understanding of the representation of a sexual ethos and attitude within those institutions, based on the recollections of the prisoners' sexual activity prior to and during their incarceration. From such views Kinsey and his associates formulated their understanding of the impact of the institution on the individual. We can conclude from the above that prisoners and prison experience actively shaped Kinsey overall conclusions about homosexuality and sexual diversity, and played a role in forming the understanding of male sexuality at large.

Importantly, it is of significance that the quantity of homosexual experiences uncovered by Kinsey's Study was able to reframe homosexuality within male sexuality, as opposed to sidelining it as a minority. Kinsey's study reported statistical findings that contradicted previous beliefs in insignificant occurrences of homosexuality within society. Kinsey's numbers were relatively high: "At least 37 per cent of the male population has some homosexual experience between the beginning of adolescence and old age" (Kinsey, Pomeroy and Martin 1948, p.623). Although some critics of Kinsey's study highlight the non-randomised selection of subjects as a possible reason for the high incidences of homosexuality (Bullough 2006, pp.20-1 and Archer 2002, p.116) and some go somewhat towards claiming out and out bias within Kinsey's work (Cochran, Mosteller, Tukey and Jenkins 1954, p.150, Archer 2002, p.116 and p.124,), the findings were of note for their

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<sup>59</sup> Some critics of Kinsey tried to highlight the number of prisoners within his sample as a way of undermining his findings as correlative of 'normal' Americans, again re-emphasising the association between the prisoner and otherness. He received thirty-five to eighty-five percent of inmates of every institution to which they petitioned

converse realisation of the commonly perceived acceptance of the invisibility and non-viability of homosexuality in the day and age of McCarthy era 1950s America.

Kinsey's study represented that alongside thirty-seven percent of homosexuality, some ninety-five percent of the total male population had been involved in sexual activity deemed illegal. As Kinsey states, "Only a relatively small proportion of the males who are sent to penal institutions for sex offences have been involved in behavior which is materially different from the behavior of most of the males of the population"<sup>60</sup> (Kinsey, Pomeroy and Martin 1948, p.392). Kinsey's study is, of course, not advocating the incarceration of ninety-five percent of the male population. Rather it illustrates that the conflation of law and sexuality cause a problematic rendering of normalcy and crime. Cook, taking up Ellis and Symonds' polemic argument in their book *Sexual Inversions* (1897), believes that the law would not seek to arrest all who are guilty of flouting its moralistic sex laws, nor would it wish to, as the numbers would flood the system and illustrate the hypocrisy of the laws themselves. Cook states:

It [the law] was one of the ways in which people came to know about the 'rights' and 'wrongs' of sex, and to understand their own desires and behaviour. It was also the primary means through which the state attempted to regulate 'morality' and people's supposedly private lives (Cook 2006, p.64).

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<sup>60</sup> Sex offences related to legal statutes against certain sexual activities, such as homosexuality, sodomy, prostitution, etc. and not solely aligned with paedophilia as is often the case today.

Kinsey's study undermined the efficacy of the law as a means of controlling behaviour, although not necessarily its efficacy as a means of visual, representative control and a designator of sexual normalcy.

Kinsey concluded:

The incidence and frequency of homosexual activity apply in varying degrees to every social level, to persons in every occupation, and of every age in the community. The police force and court officials who attempt to enforce the sex laws. The clergymen and business men and every other group in the city which periodically calls for the enforcement of the laws (Kinsey, Pomeroy and Martin 1948, p.665).

The report represents a sense of hypocrisy within the system: the associative means of homosexuality distanced through legal framing, censure and placing as other through the law and by its upholders. Cook points out:

The law, first of all, is multifaceted, internally contradictory, and – most crucially – not the simple, neutral arbiter of justice it purports to be. In its formulation and application in England and Wales, for example, it extends from the executive and parliament through the various levels of courts to a complex police bureaucracy. Decisions are made at each level, and whilst these institutions often appear faceless they are staffed (primarily) by men with different perspectives and preoccupations on the law's tenor and reach (Cook 2006, p.66).

I would argue that illegal sex in the establishment rewrites male homosexuality as within the 'normalising' coding of sexuality, as opposed to outside of it as the law (alongside the criminalisation of sexual

practices) would place it. Cook reminds us that the law has a face and that 'face' is embodied by men with various outlooks likely to have themselves committed 'sexual offences'. This represents not so much the hypocrisy of the individual as the hypocrisy of expecting a prescriptive and rigid heteronormativity of society. It presumes a society encompassed by a multitude of institutions of which the law is just one such means, designed to legitimise ascribed normalcy away from deviance of any kind and directive towards societal control.

The 'sex offender' or the societally condemned figure, is represented in Kinsey's report as following:

The sex offender is a marked individual in the penal institution to which he is sent. He is lectured on the heinous nature of his crime by the prison official who receives him, even though in many cases he is not involved in sex behavior which is fundamentally different from that of the institutional official himself. There is a mystery connected with the nature of the specific sexual activity for which the sex offender is convicted, and this brings emotional reaction from all persons concerned (Kinsey, Pomeroy and Martin 1948, p.392).

The sex offender here is drawn as fundamentally similar to the official as opposed to the idea of a man opposite to and distanced from the authority. The study re-imagines all men as variant sexual beings and eschews labelling individuals with pre-ascribed signifiers of deviance. Kinsey's study reconfigures the ground upon which sex in prison was written and draws it back into a realm of behavioural normalcy other than

that ascribed by societal norms of legality and crime.<sup>61</sup> Although Kinsey's study reconfigures the context of sex in prison I would argue that it does not address the 'mystery' of the sex offender and their removal and ostracism through a worst case reckoning (towards child molestation) within the prison.

Kinsey's study acknowledged that homo-sex plays a role within same-sex institutions and suggest that an understanding of how such a role aligns with society could make prison life more fathomable for the prison authorities. In other words that an understanding of homosexuality within the total male population can explain behaviours of those within its institutions – ranging from prisons, mental institutions, public and private schools, colleges and universities, the Army and the Navy, to the Y.M.C.A. and scouting activities (Kinsey, Pomeroy and Martin 1948, p.617). Males engaging in same-sex sexual activity within single-sex institutions are not going against type of the rigid male heterosexuality as previously perceived, but are acting on, or continuing, an eroticisation that may have occurred within their past. Herein single-sex institutions cease to be corrupting influencers of the individual, and instead are visible sites of the re-manifestation of that homosexual preponderance within the male population. These all-male spaces allow the hidden, sublimated (or continuing) homosexual history of the heterosexually identified prisoner to resurface.

With administrators of prisons meting out greater restrictions and severe treatment on those committing homosexual offences, including

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<sup>61</sup> This will be looked at further in the next chapter with regard to *Short Eyes* (Robert M. Young 1977)

segregation for the safety of the main ('normal') population, Kinsey's study represented that twenty-five to thirty per cent of all inmates had had homosexual experiences before arriving in the institution (Kinsey, Pomeroy and Martin 1948, p.664). Up to thirty per cent of those 'safeguarded' heterosexually ascribed prisoners reported having had some prior physical experience of homosexuality, a statistic that is not markedly different from that of the identified and corrupting homosexual prisoners. I would argue that the concept of the 'straight' prisoner turned 'bent' by the system with its lack of heterosexual sexual outlet, in other words a 'normal' male corrupted by the system (convict or establishment), is represented in Kinsey's study as a myth born of the heterosexualisation of society.

Kinsey's study presented a scale (later known as the Kinsey Scale) that places individuals as solely heterosexual at point zero through grades of bisexual to solely homosexual at point six. The scale places the majority of the male population between these two endpoints. With its focus on behaviour there are some issues with the categorisations used. Sell explains:

[I]t is difficult to determine the relative importance of the heterosexual and homosexual in a person's history when using the Kinsey scale... In fact, Kinsey himself took two dimensions of sexual orientation, "overt sexual experience" and "psychosexual reactions," into account when applying his scale (Sell 1997, p.652).

The narrowing to a simplistic scale, although attractive for its clarity and ease of recognition, underestimates the complexity of 'sex' and



'sexuality'<sup>62</sup>. This difficulty however does not undermine the concept of the scale and the drive to re-place sex within a continuum and fluidity. The continuum thinking destabilises the concept of a fixity of sexuality in extremity (Kinsey, Pomeroy and Martin 1948, p.637). Kinsey's study does not refute a relatively fixed or unmoving heterosexuality in some men and similarly a fixed homosexuality in others, but it shows that these are in the minority. Furthermore, people are not only seen as situated upon the continuum but, as moving along the scale over time and space. The descriptions of sex in prison highlighted so far in my research corroborate this representation as it can be applied to previously heterosexually identified males. I believe that Kinsey's scale would have fitted the theories on sexuality so far shown here as a means for understanding a placed moment or point of sexual identification, and also where and how that point moves in time and place.

Kinsey's study represented variances in perception and practice within individuals regarding their sense of their homosexual activity. The study allows us to look at sex as sex and identity as identity, where they intersect and where they diverge within the representation of men having sex with men in prison. Influenced by his zoologist background Kinsey is disinclined to move away from acts towards identifiers and thus draws sex back to the essential tenets of same-sex sexual activity. He stated:

There are other persons who insist that the active male in an anal relation is essentially heterosexual in his behaviour and that the passive male in the same relation is the only one who is homosexual.

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<sup>62</sup> See Liz Stanley quote in my introduction referring to the complication of understanding 'what is sex?',

These, however, are misapplications of terms (Kinsey Pomeroy and Martin 1948, p.616).

The misapplication of the term heterosexual arose in its shift from category to identity, wherein the act of homosexuality was sublimated to the identifier heterosexual. According to the continuum homosexual behaviour in prison assumed the shift as taking place within the act but not as presented in identity. The challenge of my research lies in drawing out the representation of the psychic responses to the physical act of sexual interaction between men, to uncover the complexity of the cultural representation that arise within prison sex, act and identity. Kinsey's study restated that sexual conduct between males, even and including mutual masturbation, was ultimately homosexual and that very few histories of males move beyond such homosexuality, wherein the identity of 'heterosexual' was perpetuated most often by those involved in the active role (Kinsey Pomeroy and Martin 1948, p.616). I would argue that this establishes a hierarchy of sexual types, with the representation of heterosexuality as the normative form to be maintained even whilst having homosexual sex.

As a state of acknowledged and accepted 'homosexuality' was undesirable, which we can see in the effeminised and disempowered position of homosexuality within society and within the prison, it was unlikely that the active participant would surrender their symbolic heterosexuality. In chapter four I will outline the complication of this debate in relation to love and personal engagement and discuss how emotional engagement with another male reaffirms sexual contact as a

signifier of sexual type.

The institutional representation of homosexuality in Kinsey's study is defined through acts. Whereas inmates may have distinguished themselves between active/passive and heterosexual/homosexual respectively, the establishment, guards and officials were represented as not seeing it that way. We can see as represented by Columbus B. Hopper's (1969), where, although he does refer to the different active/passive states of sexual activity within the prison, he makes no distinction of sexuality, labelling all homosexually participatory prisoners homosexual (Hopper 1969 pp.116-7). Kinsey found, "In penal and mental institutions a male is likely to be rated "homosexual" if he is discovered to have had a single contact with another male" (Kinsey, Pomeroy and Martin 1948, p.647). Evidence represents that within the prison population itself homosexual acts did not appear to challenge the active partner's sense of a heterosexual self whereas the authorities did not share this view. This representation of a heterosexualised self engaging in acts of homosexuality is the crux of my research and will be looked at further in the following two chapters.

With regard to the impact of the prison on the formation of a matured sense of self, Kinsey's study (alongside Fishman's account earlier) represented a concern for the sexual developmental patterns of younger inmates and adolescents. The concern was expressed that experiences of sex and sexuality during the formative period of adolescence, although not necessarily establishing a fixed model of sexuality, would create patterns and directional associations of sexuality (Kinsey Pomeroy and

Martin 1948, p.224). As West puts it:

The unfortunate youths who have spent the greater part of their unfortunate years in the institutions, with minimal opportunity to acquire either the sexual confidence or the social skills needed for heterosexual courtship, are also liable to be permanently affected. (West 1974, p.123)

The nature of a same sex institution which aligns to the “disciplinary power to observe” (Foucault 1991, p.224), removes the right of the individual incarcerated to privacy. Kinsey’s study states:

If these adolescent years are spent in an institution where there is little or no opportunity for the boy to develop his individuality, where there is essentially no privacy at any time in the day, and where all his companions are other males, his sexual life is very likely to become permanently stamped with the institutional pattern (Kinsey Pomeroy and Martin 1948, p.224).

This view assumed that the nature of the individual’s understanding of their sexual self would be interwoven with the institution’s encroachment on their (non)private self. Richard D. Mohr outlines the concept of privacy and sex in *Gays/Justice: A Study of Ethics, Society, and Law* (1988) and states:

[T]he sexual realm is inherently private. The sex act creates its own sanctuary which in turn is necessary for its success. The whole process and nature of sex is interrupted and destroyed if penetrated by the glance of an intruder – unless that glance itself

becomes incorporated in the process...To observe sex but not participate in it is to violate the sexual act. Sex is possible only in the realm of *presumed* privacy, and so is violated even by an unobserved observer (Mohr 1988, pp.103-4).

Mohr's argument is, that within prison, a space that affords no privacy, all sex is violated. Alongside Foucault's concept of observational power, the potential for a privately realised and self-defined sex, sexual activity, or sexual awakening is removed as it is consistently disturbed and disrupted by the controlling observation. It is further, this seeing of sex we witness in the prison representation as outlined by Norman earlier and further examples to follow. Sex becomes transformed by its institutional setting from a privacy of sex into a performativity of sex. This then creates the concept of a manifestation of a sexual type, an ethos of sex and its concurrent sensibility aligned to a prescribed masculinity. This understanding of the adolescent and the formation of a sexual self is particularly relevant to the next section, which looks at the representation of Robert Stroud in book and film, who was from seventeen years of age to his death at seventy-three stamped by the institution, which I will argue formed his sexual self.

By highlighting areas of significance within Kinsey's study it is possible to show how the perceived divergent sexual activity of men in prison is not that divergent, variant or transformative. His study shows that the individual is primarily acting on sexual impulses and instances often occurring in wider society, or is carrying on in the prison environment activities already begun in wider society. The representation of the

heterosexually signified male character fearing the prison shower, discredits a characteristically and representatively heteronormative and heterosexist existence prior to that visit to the shower. What Kinsey's study illustrates is that such an encounter may have occurred before or have been thought about prior to arrival. Moreover, the study shows that having been there, homosexually engaged (metaphorically, in the shower) does not necessarily undermine their previously ascribed sense of a masculine heterosexual self, not only because many others have been shown to have been there too, but also because the rendering of sexuality within the prison environment, as we shall see in the following chapters, ascribes a redrawing of male sexuality through the prison experience.

This section presented an overview of theories on sexuality that, when linked into the institution of the prison, represent sexuality as less dichotomous and fixed than realised by the categorisation of heterosexual in opposition to homosexual. That such a fluid sexuality can be read and represented as able to shift and reconstitute understandings of sex in prison. I showed that sex in prison need not be significantly other than sex in society, and that the notion of the changed heterosexual male within the institution may not have been accurately portrayed.

In the next section the breadth of homosexuality within the institution of the prison is examined through the case study of the film *Birdman of Alcatraz* (John Frankenheimer, 1962) and the book of the same name by Thomas E Gaddis about the fifty-four year long prison experience of

Robert Stroud. Alongside the biography *Birdman: The Many Faces of Robert Stroud* by Jolene Babyak (1994) I will show that the representation of Stroud as both a heteronormative and a queered character makes an ideal vehicle for unpicking the ways and means in which heteronormativity in characters is written and produced.

## Case Study

### *Birdman of Alcatraz*

the book written by Thomas E Gaddis

the film directed by John Frankenheimer

The first part of this chapter showed how homosexuality was originally characterised as other and how this otherness is undermined by representations of sex in prison, as seen in Fishman's account of the 'corrupting' potential of the prison environment in turning heterosexual men queered. This thinking was expanded by Kinsey's study which illustrated the variety of sexual behaviour among males alongside the potentiality and preponderance of homosexual activity amongst previously ascribed heterosexual males. This representation of sex helps us to read the men in the case studies within this wider understanding of the potentiality of sex.

These theories form the basis for my examination of a representative form of homosexuality that utilises codes and specificities of form to countermand the above outlined queering potential, not just of the institution of prison, but of the individual himself. The film *Birdman of Alcatraz* (1962) reconfigures a sexually diverse individual, Robert Stroud, as a prescriptively heterosexist persona. In the film, the queering context of the prison as outlined earlier, is redefined to remove sexual ambiguity or perversity in the pursuit of a simplistic tale of bad comes good. I will



argue that the sexually diverse character Stroud is reconfigured into a palatable pre- and post- Kinsey conformity of heterosexualisation and renders and reinforces the myth of the heterosexual for its audience. However, Stroud's sexuality was not simple to categorise and demark: he was not the heterosexually identified man in love with the Della May Jones in the *Birdman of Alcatraz* (1955) book written by Thomas Gaddis<sup>63</sup>, but then neither was he the predatory pederast of Jolene Babyak's biography *Birdman: the Many Faces of Robert Stroud* (1994). I believe his sexuality could be mapped somewhere in between (or to the side of) these extremes. This section will look at the representations of Robert Stroud and how he has been realised.

### **Representing Robert Stroud**

1962 saw the release of the film *Birdman of Alcatraz* directed by John Frankenheimer and starring Burt Lancaster, a linear account of one man's fight against the oppressions of an overbearing and inhumane system within which an angry young man becomes a rehabilitated old sage. As the tagline for the film puts it:

INSIDE THE ROCK CALLED ALCATRAZ THEY TRIED TO CHAIN  
A VOLCANO THEY CALLED 'THE BIRD MAN'!<sup>64</sup>

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<sup>63</sup> Della may in the book is the character called Stella in the *Birdman of Alcatraz* film.

<sup>64</sup> *Birdman of Alcatraz* US film poster, 1962, United Artists Corporation, printed in U.S.A.

The film shows the development of the young Robert Stroud from his arrival at Leavenworth Federal Penitentiary in 1912 through to his leaving Alcatraz in 1959, after forty-seven years of incarceration. The opening scenes of the film depict young Stroud as angry and malevolent, unrepentantly challenging authority and then culminates with the wise and ruminative old man of the closing comments, directing a finger of blame and shame to the American people and specifically the citizens of San Francisco for allowing “a monstrosity” like Alcatraz to remain in their bay. The film shows a clear rehabilitative arc for Stroud within the most challenging of circumstances. I will seek to address the corroboration between the versions of the man, his representation in the biopic made three years after his transfer from Alcatraz starring the actor Burt Lancaster, and other written representations of Stroud. My particular interest lies in how these narratives inform the representation of the prison and a recognition of sex in prison.

There had been much interest in making a film about Robert Stroud, the eponymous Birdman, since the late 1940s and originally Twentieth Century Fox were going to film Thomas E. Gaddis’ story, until, allegedly, pressure from the Federal Bureau of Prisons halted progress. Thomas E. Gaddis was directed to the story of Stroud by his literary agent, Bertha Klausner, and following a successful article on the subject published in *Cosmopolitan* in 1951, he embarked on the biography for the next three years (Gaddis 1989, p.253). Gaddis was a former probation worker, idealistic and emotionally involved in the release of Stroud, although accused by some of making a living out of Stroud, which through

royalties was in fact the case (Babyak 1994, p.6).

It was, however, when Burt Lancaster came on board and made Stroud's story a personal project that the film went into production with United Artists (Slater 2005, pp.48-49). Allowing for the large-scale machinations behind pictures made in Hollywood this was going to be a one-man show for one man's story. Burt Lancaster was not just the lead actor but also a strong presence in the adaptation, direction and editing of the film. This was his project. Robert Lieber notes, "Lancaster was the driving force behind the film, working daily, meticulously, and often contentiously<sup>65</sup> with director Frankenheimer to craft *Birdman* " (Lieber 2006, p.104) .

As Paul McDonald states "Whatever the status of stars in film production, their value is bargained through their representational power" (McDonald 2007, p194). Therefore, as the driving force behind the film, Burt Lancaster maintained the centre of the film, the focal point and his "enormous presence dominates every scene in *Birdman of Alcatraz* and his restrained portrayal (no matter how unlike the real Robert Stroud) earned him an Academy Award nomination and the best Actor Award at the Venice Film Festival" (Lieber 2006, p.104)<sup>66</sup>. This was as much a film for Burt Lancaster as it was about Robert Stroud. Biographer Kate Buford states in regards to Lancaster, "It was his masterwork, a creation out of the prison of his own self" (Buford 2008, p.208). As a consequence

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<sup>65</sup> The relationship between Lancaster and Frankenheimer, first forged on *The Young Savages* (1961), was fraught and tense. Kate Buford writes, "Frankenheimer claimed not to remember the notorious story...of the day Lancaster bodily lifted the tall director, acknowledged to be a master of the camera, and plonked him where he, the star, thought the camera should go. At the end of the shoot ...the star had decided he would never work with him again" (Buford 2008, p.206).

<sup>66</sup> Also nominated that year was Peter O'Toole for Lawrence of Arabia, another heterosexual account of an (at least) bisexual protagonist. (Craddock 2005, p.1118)

the focus of the film diverges from an autobiographical account to that of a biopic reconfiguring of the 'character' Stroud. Lieber states:

"Lancaster's enthusiasm for Stroud's humanity overwhelms the real Robert Stroud's deep psychosis" (Lieber 2006, p.104).

This indicates that Lancaster's desire for a specific representation of Stroud, as well as the larger than life character of Lancaster on and off screen, embodies a sensibility that is discordant with the reality of Robert Stroud himself. This reconfiguring of Stroud by/through Lancaster sets up the divergent way the film portrays the sexually complex Stroud for a mainstream telling of his story. Lancaster's drive for the film was not to present the sexually complicated Stroud others represented him to be, but moreover to set a political statement about the nature of the prison itself (Buford 2008, p.208). This is resonant for how the film reconfigures Stroud as a heterosexually normative rehabilitated individual.

### The Biopic genre

The biopic, or biographical film, is a form of cultural rendering of history and the life of 'historical' persons, a creative understanding and interpretation of an individual through a filmic representation of their life. *Birdman from Alcatraz* fits the biopic genre and I will examine how its filmic representation redefines the recognisable form of an individual in prison. There is the danger that the biopic is taken as 'the truth', or as

George Custen puts it, “The biopic provided many viewers with the version of a life they held to be the truth” (Custen 1992, p.2). With no or limited access to the subject of ‘the birdman’ the film-going public realised their understanding of this character through the film, often as the sole point of reference of the man, believing the film representation to be what ‘actually’ happened to Stroud. Custen outlines that although not necessarily claiming to be a definitive history “biopics are often the only source of information many people will ever have on a given historical subject” (Custen 1992, p.7). The formation of the biopic is drawn out by Marcia Landy, who described it as:

sensitive to and dependent on existing cultural lore, which in turn is dynamic, assimilating changing social conditions....it is a crude and stratified expression of motifs that are plundered from official history and memory as embedded in other literary forms, film genres, and artistic forms such as painting and music (Landy 1996, 151).

The biopic, like the documentary genre, often makes use of its claim to ‘truth’, hiding the constructed nature of the filmmaking process and the creative narrative arch created specifically in order to produce a populist text. In addition “the star personifies the concept of the film” (McDonald 2007, p198). The subject becomes endowed with the signifiers of the star portraying them, their reputation and acting ability – as can be seen in Lancaster’s defining role in playing Stroud. Dashka Slater comments on how the actor coloured the representation, stating:

Lancaster’s Stroud is a gentle soul and the author of a critique of the

penal system. The real Stroud was violent and unpredictable and the author of a large collection of pornography (Slater 2005, p.77).

The politics of Lancaster's form of Stroud - rehabilitated, reformed and the victim of an unjust system - circumscribe the reality of the prisoner and convicted murderer. For the vast majority of the film-going public, Stroud is Lancaster, in much the same way that Frank Morris, the man who escaped Alcatraz, is Clint Eastwood in *Escape from Alcatraz* (Donald Siegel, 1979) and Charles Bronson has recently become Tom Hardy in *Bronson* (Nicolas Winding Refn, 2008). This recognition of Lancaster as Stroud is countermanded through the complicated reality of Stroud. Jolene Babyak comments on an incident in the Kansas City, Missouri courthouse that took place in 1962 . She describes it:

As he [Stroud] walked into the courtroom surrounded by his entourage all eyes were drawn to them. For some it was difficult to pick him out; slowly it dawned on them that he was the old man in the ashen face and the big suit...Although some may have chuckled about it, others were genuinely disappointed: he didn't look like Burt Lancaster (Babyak 1994, p.5).

Stroud has been reconfigured through Lancaster. The biopic shaped other people's interpretation of him and he as himself now falls short of expectations to live up to the on-screen version of himself. Custer states:

Hollywood biographies are real not because they are believable. Rather, one must treat them as real because despite the obvious

distortions ranging from the minor to the outright camp, Hollywood films are believed to be real by many viewers (Custen 1992, p.7).

It is this belief that creates the new 'reality' of the individual. Lancaster reconfigures Stroud within his image, the form of the film and his interpretive portrayal. Stroud's identity and 'self' become lost to Lancaster's version of that 'self'.

The style of the film also played a part in grounding the representation of the prisoner in concepts of 'realism' and 'reality'. Lieber points out, the choice to return to black and white in the age of Technicolor had a marked and deliberate effect. He states:

In the 1960s, a number of filmmakers were making more socially conscious dramas about the harsh realities of life. Like *Birdman*, many were filmed in black-and-white to further emphasize the starkness of these difficult modern-day stories (Lieber 2006, p.101).

The monochrome styling of *Birdman* introduces a sense of gravitas and severity. The black and white of the film affect a sense of 'harsh reality', a story too raw and uncomfortable to be told in the frivolousness of Technicolor. This is further compounded by the opening narration in a 'news report' style, with narrator Thomas E. Gaddis (played by actor Edmund O'Brien) recounting straight to camera the introduction to the story of Robert Stroud and Alcatraz<sup>67</sup>. The problematised recognition of the real and living Stroud is countermanded by the filmic representation of him, foremost by the need to reframe Stroud as sexually normative

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<sup>67</sup> Ironically the 'real' Gaddis screen tested for the 'role' of himself in the film, but was not deemed "real" enough so the part was given to O'Brien (Gaddis 1989, p.258).

and 'safe' for popular consumption.

### **Introducing Robert Stroud**

As I mentioned earlier, there are many layers of representations of Robert Stroud, Lancaster's filmed version being only one and existing next to Gaddis's written account of his story, and there is Jolene Babyak's biography *Birdman: The Many Faces of Robert Stroud* (1994). Interestingly, her title prefiguring the multiple representative concepts of the man. These three accounts form the major works on Robert Stroud, other than incidental references within other bodies of work such as in Lieber's and Slater's studies of the films featuring Alcatraz. In addition it has been noted that Stroud himself wrote an autobiography of his early years called *Bobby*, which has never been published with the manuscript (and another written by Stroud on the prison system called *Looking Outward*) still held by his former solicitor Charles Dudley Martin (Babyak 1994, p.317)

Stroud, "the real and living man", was essentially too complex for a two hour and twenty-three minute biopic rendering: his crimes, his intellect and his sexuality confounded the standardised and simplified narrative of a filmic representation. Instead it mainly focused on the redeemed rehabilitated character. The life history of a man has been distilled into the book by Gaddis and further distilled into the film *Birdman* to become essentially a sound-bite. As the tagline of Gaddis' book states:



The triumphant story of the convict Robert Stroud who became a world renowned scientist while held in solitary confinement longer than any man in this century (Gaddis 1989, front cover)

To portray Stroud thus demanded a paring back of information, contradictions and attitudes that did not fit into the overlying sensibility of the created text. There is an inherent danger within such a censoring or removal in representation, that it has the potential to render the narrative nonsensical, as well as incomplete. However, there are always several versions of 'reality' in coexistence which make up a 'whole' or as Linda Anderson puts it, "a coherent self is a fiction" (Anderson 2007, p.72). Looking at the texts one of the overriding questions on the book *Birdman of Alcatraz* was why exactly was Stroud kept in solitary for so long? There is no legitimate explanation given for his continued and extended isolation within Gaddis' text other than a rather unusual request from Stroud himself to remain there, citing fear of being framed in some way by either guards or fellow prisoners (Gaddis 1989, pp.70-1). I felt through the redemptive character forming narrative of Gaddis' *Birdman* something was amiss. Jolene Babyak summarises and dismisses Gaddis' book thus:

Not a true biography, but a narrative using dramatized quotes, it left an indomitable impression of a Man Against The System. It was probably one of the most influential books on prison ever written (Babyak 1994, p.227).

Here Babyak is commenting as much on her perceived authenticity of her 'true' biography as she is dismissing Gaddis' account: This quote frames her text as much as it disavows his. The concept of a 'true' biography, however, is complex and complicated in itself through the subjective reasoning of fact and fiction. Further as Liz Stanley puts it, "Fictions often enable more of 'truth' about a life to be written than a strictly 'factual' account, and this is particularly true of 'deviant lives'" (Stanley 1995, p.67). I read it that Babyak places herself above Gaddis as an 'authentic voice of truth' within the discussion of versions of Stroud where no such innate or discoverable truth exists.

Babyak was based on Alcatraz as a resident, her father Arthur M. Dollison being an employee of the Bureau of Prisons and associate warden. Babyak lived there from 1954 (from the age of seven) during the time Stroud was incarcerated on the island. Her other text *Eyewitness on Alcatraz* (1988) reiterates her sense of self as a 'witness' of 'truth'.

Babyak's biography seems to clear up the question of why Stroud spent so much of his prison life in isolation. In the opening chapter she states that Stroud "was clearly, preferably homosexual" (Babyak 1994, p.15). She adds the following qualifying statement:

The U. S. Parole Board in 1962 viewed Stroud's homosexuality *second only* to the possibility of his getting involved in another serious crime as a reason why they wouldn't parole him...."He was just a homicidal homosexual," a prison officer once spat out, as if the two were equal. Worse, in the eyes of some of the personnel who only saw homosexuality in the context of heterosexual bonding, Stroud took the female role. He was a "catcher" in prison parlance;

not a pitcher, but a catcher (Babyak 1994, p.16).

Homosexuality itself was a crime at the time (as outlined in chapter one regarding the sodomy laws in the US) and here Stroud is represented by Babyak as an outspoken and unapologetic homosexual. In this way Stroud constituted a character who could not be reformed. Stroud embodied the character type that re-associates the link between the pathological and the homosexual (the link Symonds attempted to undermine at its inception). Stroud was moreover represented as the ultimate wrong: “a homicidal homosexual.” As such he was the homosexual threat to the other prisoners’ perceived heterosexuality - outlined by Fishman and refuted by Kinsey’s study - and therefore isolated for the sake/protection of the other prisoners.

In relation to Stroud and the concept of the homosexual threat that he posed within the prison institution, some of Kinsey’s study is relevant, for example where he states, “The problem of discipline does not depend upon the control of individuals who have some homosexual experience in their history, as much as it does upon the control of men who are particularly aggressive in forcing other individuals into homosexual relations” (Kinsey, Pomeroy and Martin 1948, p.664). According to him, coercion and pressure into variant sexual (or any sexual) acts is the issue. Stroud is represented by Babyak as aggressive in his pursuit of sexual contact with other prisoners even though he was passive within the sex act itself, thus conflating and contradicting previously ascribed roles of the prison sexual system, which can be termed as ‘wolves’ and ‘jockers’ actively forcing sex on passive recipients in the form of ‘punks’

and 'turn-outs'. Stroud's complex engagement with forms of sexuality, as others have represented about him, undermines the neatly categorised ways that sex and sexuality were considered to occur within the prison setting.

### **Is Stroud a homosexual?**

To say that a person is homosexual is a statement about an individual in a particular social context and at a particular point in that person's life (DeCecco and Elia 1993, p.1).

I will argue that Babyak's statement on Stroud's homosexuality should be read in the light of this quote, as a statement about him *from* a particular place and time and *at* a particular place and time. Babyak highlighted that Stroud's first sexual experience was with a much older man and that Stroud then "immediately sought out a boy of like tendency but more aggressive who had previously sought his cooperation on a number of occasions" (Babyak 1994, p.16). In this way she interpreted future interactions, in keeping with Kinsey's study, which highlighted the importance of initial adolescent experiences occurring during maximum physical capacity and greatest activity (Kinsey, Pomeroy and Martin 1948, p.224). Stroud was characterised as sexually passive over a specific proclivity for a 'type' from the earlier 'ravisher' of the older man to the teen of like age. Further Babyak states:

He [Stroud] had proven to be a predator. In a chilling passage describing sex with others when he was a teenager, he wrote, "...all boys on the road did as the writer suggested" (Babyak 1994, p.18).

Babyak's language illustrates more about her view on sex between teenage boys, and less about Stroud's sexuality itself. To add to the complexity of Stroud's sexual character there is also Babyak's suggestion of mother-son incest (Babyak 1994, p.36). This incestuous relationship could explain his relationship with Kitty O'Brien, aged 36 when Stroud was 18, and other women he had slept with prior to her. Babyak queers the teenage Stroud thus:

Sex with boys was apparently easy; with girls there had to be a condition. He wrote that he was "unable to function normally with a member of the other sex unless she became the aggressor" and he later testified that he began having sex with older women at the age of thirteen" (Babyak 1994, p.40).

Again Babyak presents a directed interpretation of Stroud, citing that he found it easy to have sex with 'boys' but more problematic and 'conditional' with 'girls', hereby rendering a juvenile representation on his sexual partners. Yet there is no corroboration that Stroud ever had sex with 'girls', only with older women. The youth of the sexual partners, boys and girls, embeds a notion of paedophilic tendencies within Stroud, which Babyak later draws upon and says that Stroud "proudly called himself a "pederast,' a man who prefers sex with boys" (Babyak 1994, p.16). This does not square with the outline of Stroud's sexual encounters with older aggressive boys, men and women, as presented

by Babyak herself elsewhere within her biography. As a man removed from any sexual outlet with another person, and an imagination that is able to wander where the body is held captive, it is presented by Babyak that Stroud's sexual thoughts could grow and flourish. Babyak writes:

It was obvious to many that Stroud was writing pornography. In his writings he had a preference for "plump," "angelic" boys with bright smiles and flashing thighs...

"I read it," Carnes [a fellow inmate] said about one story, with a chuckle. "It was sick...Yates [a prison guard] began. "He wrote one about this family – brother, sister, dad and mom. And it wound up that each of 'em had a turn at the other, including father-son, son-mother, daughter-mother, brother-sister, the whole works. And I told him, 'Stroud, you're sick!'" Yates [the guard] laughed, "you're just sick" (Babyak 1994, p.195).

Here Babyak draws an imagined association between the adult Stroud and pederasty which is different from the represented teenage Stroud (the only physically sexual Stroud portrayed) and his sexual interaction with older aggressive sexual partners. Burt Lancaster voiced the concern of the authorities regarding Stroud's release years after the case and claimed, "The real fear was that, as a senile old man, the birdman 'might get involved in some sexual perversion with little children'" (Buford 2008, p.214). This could be based on the misguided associations between homosexuality and paedophilia still current today, or the authorities' knowledge of his pornographic writings.

Reports of motives for the murder of Charlie Dahmer, for which Stroud was incarcerated in the first place, also illustrate the various ways in

which Stroud, and to a degree his sexuality, are presented. Interpretations of his supposed motives are varied: Gaddis' has Kitty O'Brien, the woman he loves, demanding revenge for a beating and Stroud complying; Babyak writes it that Stroud was Kitty's pimp and Dahmer had refused to pay so Stroud was collecting the debt; Stroud himself reportedly describes it as self-defense. He states he was protecting the woman he was sleeping with and says, "My mother always taught me that a woman who is good enough to sleep with is good enough to protect" (Babyak 1994, p.46)<sup>68</sup>

All of this contradictory representation queers Stroud. Babyak ties herself into knots in her simplified homosexual characterisation of Stroud, with the issue of mother-son incest, his relationships with older women and his passive role with men and other 'boys'. As much as Gaddis and Lancaster's neatly heterosexual Birdman is a misrepresentation, so too is Babyak's "clearly homosexual" Stroud (Babyak 1994, p.15).

Babyak's biography is not just setting the 'facts' of Stroud's life to rights, but further more highlights its wrongs. As if to set the record of the portrayal of Stroud within the book and film straight, Babyak over-emphasises the manipulative and the queer within the biographical detail of Robert Stroud to contrast him from Gaddis' and Lancaster's representations. Babyak creates distance from the Stroud viewed by the movie-going public in the guise of the handsome and heroic Burt Lancaster to the man she perceived Stroud to be. As Babyak prefigures in the introduction to her book:

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<sup>68</sup> Which could be re-read with the idea of mother-son incest in mind

Somehow Stroud had collected more enemies among men who knew him and more admirers among those who didn't than any prisoner I ever heard about. ... It was as if he wore a different face for each person (Babyak 1994, p.3).

Although Babyak acknowledges the complexity of Stroud's character through the concept of different faces (reflected in the title of her book), she places the onus on 'deception' on Stroud, as if he is deliberately misrepresenting himself. She ignores the point that the many faces referenced were created by others, and more tellingly others who had never met him (such as Gaddis and Lancaster). Babyak places her eyewitness self amongst those who 'knew' Stroud and was thus, implicitly, an enemy of him, as opposed to those who idolised from afar, such as Gaddis, Lancaster and the public petitioning for his release (Babyak 1994, p.264).

This reading of the multiplicity of Stroud is necessary for Babyak's contradictory text to hold and is not an unusual way of representing the complexity of an individual in biographies. Kate Buford in her biography on Burt Lancaster uses a similar model for the star and writes:

[Screenwriter, Clifford] Odets eventually decided there was not one Lancaster but at least seven: Inscrutable Burt who, even when he was there seemed not to be; Cocky Burt, utterly confident and maybe contemptuous; Wild Man Burt, with an overpowering voltage of energy and enthusiasm; Big daddy Burt, the paternal caregiver who took over when weaker persons needed him; Monster Golem Burt who could instantly transform into a cruelty machine; "Marquis de



Lancaster” Burt, the grand old courtier of precious gestures and mincing words, a caricature of nobility; and, juggling life with grace and mischief, Hustler Burt, the con man who revealed nothing to no one (Buford 2008, p.177).

This is but one example of an idealised framework within the works of biography, autobiography, memoir, etc. in that “all biographies like all autobiographies like all narratives tell one story in place of another (Calle-Gruber 1997, p.177). In as much as Babyak’s Stroud needs to have many faces for her biography to ‘ring true’, Gaddis’ Birdman needs to be simplistically heterosexual so as not to detract from the rehabilitative arc of the prisoner against all odds. As a narrative contrivance to enable the mainstream reader to identify with Stroud, Gaddis opens with him kissing his last woman in 1916 (Gaddis 1989, p.7). Furthermore, Lancaster’s portrayal of a “real and living man” must include circumspection to show intelligence, caring and rehabilitation creating yet another version of the Birdman.

Stroud’s unpublished manuscripts, *Bobby* (the autobiographical account of his early years) and *Looking Outward* (the treatise on the failings of the prison service), should they surface or be published, would hold more insight into the life of the man, or at least the imagination of the man. As Ken Plummer outlines it, autobiography shows “the ways in which a particular person constructs and makes sense of his or her life at a given moment” (Plummer 1983, p.105). Of course such autobiographical texts would still be “coherent fictions” (Anderson 2007, p.72). Stroud’s own writings (*Bobby* and *Looking Outward*) are

complicated in that, as Babyak tells us earlier, Stroud entertained himself and other inmates with pornographic stories. These are written involving young boys or families, one in particular involving the incestuous relationship of two young brother's that was used against him by the Federal Bureau of Prison's when he was petitioning to get his manuscript, *Looking Outward* released. Stroud's pornographic writings in this case stopped his perceived 'legitimate' writing being released for potential publishing. I see in this a conflation of his 'deviant' self with his 'legitimate' self through the association of his writings. Babyak points to one of the "diabolical highlights" of his writing, where Stroud managed to get a slip past the Bureau of Prisons personnel reviewing and approving his manuscript (Babyak 1994, p.173): in the glossary to *Stroud's Digest on the Diseases of Birds* (1964) he managed to include the following:

**Sadism** (sa' dizm). Donatien Alphonse Francois Conte de Sadem, 1740-1814. A form of sex perversion in which pleasure is derived from inflicting pain upon another. Anyone who takes keen delight in the infliction of pain is designated a **sadist** (Stroud 1964, p460).

Babyak uses this as an example that even within the midst of his scientific discoveries the 'perverted' within Stroud comes through. It is of note that this 1964 edition of the book carried a photograph of Burt Lancaster as Stroud on the reverse cover and the summary text focuses on Robert Stroud the person rather than on the content of his writing. A quote from that book cover illustrates a neat summary of the coded representations of Stroud presented within *Birdman of Alcatraz*, book

and film. It reads:

In 1963, Robert F. Stroud, murderer of two men, died after spending 54 years in solitary confinement. No man in the history of the world spent more time alone. Were it not for his deep intelligence and love for birds, Stroud would have been converted to a human vegetable, but, instead, he became one of the world's greatest bird pathologists. In an article in the respected SCIENTIFIC AMERICAN, December, 1957, the author claims that Stroud learned more about bird diseases than any other amateur investigator. A book, "The Birdman of Alcatraz", and a movie of the same name, made Stroud's genius for curing birds world renowned... but still Stroud never gained his freedom. One of the men he killed happened to be a prison guard! (Stroud 1964, back cover).

Although Stroud was in segregation, not solitary confinement, and for a period forty-three not fifty-four years, this representation of Stroud focuses on his deep intelligence and genius rather than his killing a guard. Further rewriting the complexity of the individual into a compliant representation, that removes and ignores not only the queering state of the prison, but also the queered sense of the 'hero' Stroud. This reading of the multiple 'versions' of Stroud illustrates the complexity of representation, the lack of means of accessing a 'truth' and direct misrepresentations of an individual towards a normative end. Placing these specific representations alongside each other creates a comment on sex, prison and representations of sex in prison through its presentation (in Babyak) and removal (in *Birdman* film and book).

Purity over Sexuality

Stroud's representation by Gaddis and later Lancaster intended to legitimise a redemptive story against the odds as a means of pointing the finger of blame and shame at the institution of prison. Stroud's queer sexuality was a mis-colouring of that image and story which was by necessity black and white. Babyak comments on this:

The point is not Stroud's homosexuality per se. Stroud never tried to hide it. And once Stroud was dead, Gaddis was far more forthright about his homosexuality – and his preference for boys. The point was that it was necessary while Stroud was alive for Gaddis to keep the Birdman's story simple and pure so that it could be swallowed whole by the public (Babyak 1994, p.260).

Babyak infers Gaddis' knowingness with regard to his subject's homosexuality, and the deliberate disappearance of this from his text. Similar to the film later, this prefigures a desire for idealised coding that enable the telling of the Birdman's story. It is highly likely that Burt Lancaster was familiar with Stroud's sexuality through his research into the prisoner, reading everything he could in a desire to understand the man, including his letters (Buford 2008, p.208). Rather than acting as a deterrent it could have been another factor as to why he wished the story to be told. Alongside rumours of Lancaster's own bisexuality he was known to employ homosexual men as aids and personal assistants, citing their loyalty as the reason (Buford 2008, p.175). Lancaster was also a friend of Rock Hudson and a supporter of gay rights and the fight against AIDS at a time when neither was expedient for a career in

Hollywood. Politically liberal, the story of Stroud (homosexuality intact) would have appealed to Lancaster's sensibilities. Slater also notes:

For Lancaster, the lesson of *Birdman of Alcatraz* was that "the initial concept of prisons – to send men away to be punished – is not only inhuman but outdated and outmoded" (Slater 2005, p.49).

It seems that Stroud's sexuality, as the possible reason for his lengthy and complete segregation, appealed further to Lancaster's sense of the injustice of the prison system. Indeed there was an agenda behind the creation of the film, namely that "Lancaster came to believe the movie would be the vehicle to free the prisoner" (Buford 2008, p.208). For such an end, a simplified telling was essential in order to maintain the rehabilitative thrust without 'clouding' the issue for 1960s America with variant sexualities. However as Buford outlines, the campaign for the release of the prisoner was short lived for the very reasons that had been kept out of the telling, Stroud's sexuality (Buford 2008, p.214). In an attempt to ameliorate the issue and portray Stroud as harmless, Buford quotes his then lawyer, Stanley A. Furman as saying:

"[Stroud] never forced his attention on anyone" and that "any homosexual arrangements he indulges in are mutual...The man is seventy-two," he concluded, "the juices have simmered." That last comment, reported *Variety*, "got a laugh." (Buford 2008, p.214).

Although according to Babyak, they had not simmered enough to prevent him a couple of years earlier at the age of seventy from attempting to

initiate a sexual encounter with a much younger inmate at Springfield Federal Medical Center (Babyak 1994, p.17).

#### How Stroud is made heterosexual

What is relevant here to my research study is not how the homosexuality of Stroud is kept hidden – indeed Hollywood has a long and illustrious career in silencing the queer<sup>69</sup> but how Stroud is confirmed as heterosexual. I will now try to show how the character Stroud in the film is carefully reconfigured as heterosexual within the constraints of the homosociality and implicit homosexuality of the prison, whereby, as I have argued before, the prison itself is a site for the queering of the individual, even those previously heterosexually identified

In order to ensure a heterosexual rendering and reading of Stroud, it was necessary first of all to isolate him from queering and corrupting influences. This was easily done through his removal from the prison population by his long term segregation, one of the cornerstones of the Robert Stroud story. Prior to this there is a momentary evidence of his refutation of the queer in a fight scene between himself and his cellmate. The cellmate, blonde, young and handsome, is given a potentially queer representation as the possible ‘punk’<sup>70</sup> of the section’s ‘boss’. He is described as “good friends” with the boss (repeated as “good, good

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<sup>69</sup> See *The Celluloid Closet* (Russo 1987) for an exploration of the hidden (and visible) queer within Hollywood.

<sup>70</sup> Punk as outlined in the glossary of terms in the introduction refers to the sexually reconfigured heterosexual inmate, subjugated to a dominant inmate (wolf, jocker or daddy) for sex and protection.

friend” later) implying a relationship beyond that of mere friendship (which recalls the ‘euphemistic’ friendship as represented by Wildeblood and McNally during their trial). Although the fight between Stroud and his cellmate is as a result of him defending the sanctity of his mother and her image (the photo of her which the cellmate had picked up and was manhandling) from the corruption around him (represented by the other prisoners) Stroud is also defending his normalcy and his heterosexuality from the corrupting influence of the queer (represented by the cellmate). The challenge against the cellmate, and the subsequent fight against the boss, or ‘good friend’ of the cellmate, is Lancaster’s Stroud’s announcement of a figurative (and literal) ‘don’t fuck with me’. Within the newly acquired and heterosexual safe space of the single cell allocated to Lancaster’s Stroud following the fight with the ‘boss’, he is able to maintain a heterosexist normalcy as physically and sexually removed from other inmates. This is further enabled by the heteronormative reading of the sexuality of a character as default heterosexual until proven otherwise (Jenkins 2004, p.200).

Gaddis’ book goes a step further and makes Stroud’s heterosexuality explicit, as mentioned earlier with the opening statement reading, “This prisoner kissed his last woman (other than his mother) before the *Titanic* slid down the ways, and when Russia was still ruled by a Czar” (Gaddis 1989, p.7). In this way the author introduces the prisoner as a heterosexually denied man of a previously normative sexuality. Gaddis seems to imply, ‘If he were not inside he would be out kissing women’.

Although the film leaves out such heterosexual introductory positioning, it

draws us into a confirmed heterosexual realm for Stroud through the arrival of his future wife and fellow bird lover, Stella<sup>71</sup> Johnson played by Betty Field (Della May Jones in 'real' life). The moment of their meeting is loaded with markers of attraction and sexuality, within the constrained and restrained world and gaze of the prison. This scene, though essentially non-sexual, is full of sexual signifiers. It is pivotal in the alignment and identification of Stroud's heterosexuality and as such is worth deconstructing.

Arriving at visitation in the prison in the context of delivering a rare canary to Stroud, Stella Johnson introduces her interest in Stroud, the bird doctor, and then proposes (after some hesitation) the true premise for her visit: to set up in business with Stroud, selling his bird remedies under the name she has invented of *Stroud's Specifics*. Whereas Babyak bases the encounter, and subsequent business and marriage, solely upon Stroud's ability to manipulate the lonely woman to his own ends (Babyak 1994 p.108), Hollywood transforms the semi-literate, large and plain Della May Jones into the homely yet sharp-witted and desiring/desirable Stella Johnson. Babyak describes the woman as follows:

Unlike the movie heroine who was an appealing, but asexual, widow, Della was described by prison officers and her own son as a large plain woman who at one time weighed more than two hundred pounds. Poorly educated and unsophisticated (Babyak 1994, p.108).

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<sup>71</sup> The choice of renaming Della to Stella could have been to recall other famous cinematic Stellas as representative of domesticity and femininity such as in *Streetcar Named Desire* (Elia Kazan, 1951) and *Stella Dallas* (King Vidor, 1937).



In the film however the scene plays out as coy lovers meeting for the first time, hesitant, and unsure of each other. Both at some point gaze into the unknown, Stroud at the formation of the business and Stella at the leaving of her home town of Shelbyville. This way the film constructs the vision of a potential future together, momentarily taking the audience out of the prison walls into a harmonised, wishful future.

The most significant moment is Stroud's rummaging within Stella's purse, wherein as Richard Halpern states, "a purse symbolizes the female genitalia" (Halpern 2006, p.167). Stroud's request and subsequent act is one imbued with such deep intimacy and penetration as to be shocking. Even if not extrapolated to the extent outlined by Halpern the intimacy of the male Stroud penetrating the personally feminine signifier of Stella's purse would not have been lost on the audience. Christena Nippert-Eng characterises a woman's purse as truly representative of femininity:

The orientation toward others, the nurturing of others, the world-view of building and maintaining relationships that is part and parcel of a "feminine" self is thus clearly manifested in the purse (Nippert-Eng 2010, p.148).

Nippert-Eng conceptualises the purse, any purse, as the depository of femininity and nurturing. In this instance Stella's purse is representative of her femininity, her selfhood and her personal privacy. Allowing Stroud to open and inspect her private belongings visually suggests the notion of "building and maintaining relationships". Yet, Nippert-Eng states, "The

act of reaching into someone's purse is as unthinkable as reaching in their mouth to remove their false teeth" (Nippert-Eng 2010 p.99). Lancaster's Stroud does just that. The request, seemingly random, and yet intimately resonant, is made politely, submissively and immediately agreed to by Stella. Symbolically passing the purse to Stroud he fumbles at the clasp, and Stella helps him by opening the purse and directing it to him open, ready for penetration. Stroud reaches into this intimate space, as Stella watches with increasing pleasure the gentle man before her. Stroud draws out a lipstick, then a handkerchief, then a case that he mistakes as a cigarette case and is corrected as a powder compact. Each item is layered with a significance for their, Stella and Stroud's, entwining without the means of a physical manifestation of such an act: The lipstick symbolises a kiss/femininity; the handkerchief denotes refined lace/cleaning; the cigarette case could refer to the post-coital cigarette; the powder compact signifies the reapplication of propriety and 'face'. The items removed and displayed are no more random than the act itself, and play a significant role in representing the initial interaction between Stroud and Stella<sup>72</sup>. They emote intimacy where intimacy is disallowed by the physical setting of the prison visiting room and the subsequent restrictions of prisoner and visitor. We have been witness to coitus and love-making between the two where neither is allowed, not within the constraints of the film, society of the time, nor the prison setting.

The throw-away 'joke' that Stroud makes at the end of the scene, that he

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<sup>72</sup> These are no more random than the images on the wall behind the subject of the Home Office advertisement discussed at the start of this thesis

was looking for a hacksaw, is an illustrative return to his imprisonment. It lessens the tension built from the intimate act just witnessed, suggests that Stella may have brought him the means of escape (a role the viewer is lead to expect she may play later), and also implies that Stella has just released him sexually from the confines of the sexually stifling/perverting prison. When Stella leaves, Stroud finally turns to examine the rare canary prize, because now that the other obsession (woman) has left, the alternate obsession (canaries) can reassert itself. The bird rises into a cheerful and crescendoing song hailing the newly formed “partnership” of Stroud and Stella.

The film *Birdman of Alcatraz* illustrates the way in which the biopic can re-imagine the life and character of an individual within a preordained hierarchy of heterosexist imagining. Wider documented versions of the ‘real’ man, in the form of the writings I have mentioned, make it possible to identify the ways in which each narration manifests its own specific heterosexist context. For example we find yet another version of Robert Stroud in Ida Turner’s statements, the wife of the guard murdered by Stroud. She represents the man by saying, “ [Stroud’s] only reason for having birds was [to] destroy them and thereby in a small way satisfy his desire to kill,” (quoted in Buford 2008, p.215) .

In light of the above arguments it seems ironic that, according to Babyak, Gaddis himself used the queering potential of the prison system as an explanation for Stroud’s homosexuality. She writes:

By April '62, when news of it [Stroud’s homosexuality] had become so widespread that reporters were asking about it, Gaddis was

publicly blaming the prison system for its origin (Babyak 1994, p.260).

Gaddis seems to be utilising the very queering potentiality of the institution as another argument for the freeing of Stroud. He argues for the desire to remove Stroud from such a queering influence in order to reinstate his heterosexuality, that which has been undermined since 1916 when he should have been kissing women (Gaddis 1989, p.7). That self same queering force he had been safeguarded from throughout Gaddis' book and Lancaster's film, through isolation and segregation, the removal of the queer from Stroud's proximity (first cell-mate) and the arrival of Stella's sexually available purse.

This placement enables a clear example of how the film manufactures an 'innate' heterosexuality of its protagonist against the knowledge of: firstly, the queering prison form; secondly, the preponderance of homosexuality amongst heterosexually identified men (and its associative link to and rise within single-sex institutions); and thirdly the remodelling of a queerly represented character (Robert Stroud) as normatively heterosexual. One of these moments or situations would challenge the character's written sexuality, the three together illustrate the drive, strength and power of that representative form in its creation and maintenance of heterosexist notions of normativity.

In this chapter I have argued that (homo)sexual configurations linked to Kinsey's study of fluidity in sexual behaviour establish a conceptualisation of how homosexuality can be made manifest within the prison setting, a setting that systematically represents homosexuality. I

showed that this awareness of the potentiality for, or prior interaction with, homosexuality within heterosexually ascribed males illustrates the permeability and permissibility of same-sex sex in the prison. I argued that the likelihood of homosexuality represented as manifest is placed against the heterosexist rendering of the potentially queer character Robert Stroud as he was portrayed in the film *Birdman of Alcatraz* (1962). This chapter explained the means for making the 'Birdman' heterosexual through a juxtaposition of theories on homosexuality from Symonds through to Kinsey alongside Lancaster's and Gaddis' reconfiguring of Robert Stroud. A reconfiguration witnessed through the open, and often hostile, opposition of Babyak to that popular representation of Stroud as redeemable and 'straight'.

In the next chapter I will discuss how sex in prison came to be re-written as rape in the prison, and how this re-writing was further underscored through representations of rape in prison. This will be illustrated by a notable re-telling in a popular cultural representation which re-imagines the relationship of sex in prison towards rape alone. The next section leads to the correlative understanding of the prison shower as a site of rape and the statement "Don't drop the soap" referenced earlier.

## 3.

**Rape****(1970s and 1980s)**

This too I know – and wise it were  
 If each could know the same –  
 That every prison that men build  
 Is built with bricks of shame,  
 And bound with bars lest Christ should see  
 How men their brothers maim.

(Wilde 2002, p.135)

In this chapter I will be looking at representations of prisoner rape<sup>73</sup> in the period of the 1970s and 1980s shortly after homosexuality was decriminalised in the UK<sup>74</sup> and was in the process of state by state decriminalisation within the US. I will outline what effect the focus on prisoner rape has with regard to how sex in prison is understood and recognised, how it is represented and how this informs the statements “Don’t drop the soap” and “I’m too pretty to go to prison”, which I discussed in the introduction. Theoretical texts that place representational explanations and categorisation around prisoner rape and sex, as well as narrative forms of representation (found in the novels and films I discuss here), each inform the (wider social and cultural)

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<sup>73</sup> Prisoner rape in the context of my thesis is specifically rape between prisoners, as opposed to rape of prisoners by officials.

<sup>74</sup> Homosexuality in private between two men was decriminalised in England and Wales, 1967, in Scotland in 1980 and in Northern Ireland in 1982 (Miller 1995, pp.287-288).

understanding of rape in prison and, further, sex in prison.

Although the theoretical text and prison studies may be discussing moments and experiences that could be seen to 'have happened', they are choosing to present those findings within a culture fixated on rape and exploitation, searching for and pulling out findings that correlate to that understanding. They are representing a kind of sex in prison that confirms the coercive nature of sex in prison. This is not to say that rape in prison does not exist, or that the scenarios outlined in these studies do/did not exist, but that they have been selected and written to represent a particular form of sex in prison. The texts exhibit a way into the subject of sex in prison, a means of understanding aspects of what may or may not occur therein. However they are directed to show sex in prison in a particular light, in much the same way as Fishman's account does with its view of homosexuality as abhorrent. The language may be less colourfully illustrative of a bias than in Fishman's text but the direction of the texts is represented through their titles focussing on rape and exploitation. Therefore I will be looking at the information Scacco's *Rape in Prison* (1975) and Wooden and Parker's *Men Behind Bars: Sexual Exploitation in Prison* (1983) present and how this represents sex in prison.

The first section looks at themes of the body and rape with a focus on the body as a site of personal agency and selfhood. In this context it is recognised that the body is a complex and conflicted site of naturalism and social construction, (seeking to attest to) challenging ideas through and beyond the recognised structure/agency dichotomy (Blackman 2008,

p.29). My method involves drawing on theoretical texts around biology alongside those of sociology in order to open up the potentiality of how those texts speak to each other when theorising the self and the body. The self referred to here is marked as a unification of the dualistic state of mind and body to a conceptualised self (Blackman 2008, p.22). With regards to the body I will look at nudity coded as vulnerability, but also nudity conversely written within power and masculinity.

There will be a progression of ideas set out by Kinsey's study towards a re-representation of sexuality as bonding as outlined by Edward O. Wilson in *On Human Nature* (1978). This is to advance the arguments against the demarcation of the otherness of homosexuality, thus enabling its removal and disavowal amongst otherwise heteronormatively ascribed men. This chapter ultimately seeks to reconstitute representations of sex in prison through how they relate to forms of rape in prison. I will look to the two core theoretical texts mentioned earlier, those by Scacco and Wooden and Parker. These texts enable me to open up questions of power, race, and the body to create a model for the exploration of the subject prisoner rape. I will also reference *A Punk's Song* by Donald Tucker (1984), an autobiographical essay and account of his repeated rape in prison alongside a commentary on the practice of rape.

The construction of the first section will be in four parts: Sex as Bonding; Sexual Tension; The Body Uncovered and Examined and Rape in prison. These four areas will form a theoretical model that can be used to analyse the representational forms in the case study. The case study



section tackles the representation of sex and rape in prison through two films, *Short Eyes* (Robert M. Young, 1977) and *Scum* (Alan Clarke, 1977 and 1979). Each of these texts represents and 'uses' the body and/or rape in different ways to confer, or confirm, messages about rape in prison and thus referentially about sex in prison.

### **The Body and Rape**

The 1970s and 1980s saw a trend to represent prison sexuality very much within the forum of rape and coercion. As Regina Kunzel points out:

Although prison today is closely associated in the public mind with male sexual violence, that association was forged remarkably recently. Despite sporadic references to rape in prison earlier in the century, the subject did not receive significant attention until the late 1960s and 1970s. Beginning in this period, however, a new surge of writing about prison life, inspired in part by a wave of highly publicised prison riots, often seemed to focus on little else (Kunzel 2008, p.150)<sup>75</sup>.

Rape became the prison's main sexual representation and thereafter manifests in public consciousness through popular films such as *Scum* to the more recent British foray into the prison system, *The Escapist* (Rupert Wyatt, 2008). In *The Escapist*, the actuality of prison rape is

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<sup>75</sup> The riot is almost as ubiquitous a stereotypical prison representation as the prison rape, For example the riot is the crescendo of the film *Scum*

euphemistically hidden behind a wall of steam and silence, represented in the archetypal setting of the prison shower, a setting consistently associated with male rape,<sup>76</sup> and trivialised in the reference “Don’t drop the soap”. This chapter will focus on how the relationship between prison and sexual violence in prison is forged in the public mind, where the pervasion and permissibility of homosexuality in prison, outlined in chapters one and two, is re-written in the spectrum of rape and sexual coercion.

To clarify the terms and frames of reference used in this chapter with regard to rape, sexual coercion and sexual exploitation, herein rape is the specific legal and medical definition of: “(1) unlawful, (2) penetration of any orifice, (3) against a person’s will, and (4) with the use of threat or force (Hensley 2002, p.28, referencing Brown, Esbensen and Geis, 1998). Sexual coercion and sexual exploitation incorporate a wider range of sexual activity and the use of threat, force or fear to create an environment of intimidation wherein sexual acts (not essentially penetrative) can occur.

Within the feminist discourse around rape it was Susan Brownmiller’s text *Against Our Will: Men, Women and Rape* (1975), which introduced the idea of ‘rape as power’ over ‘rape as sexual outlet, frustration or lust’ and incorporated instances of men being raped, including examples from prisons (Kunzel 2008, p.172). This rewriting of rape from lust to power enabled a reframing of the discussion of male rape in prison from beyond sexuality towards dominance and control. The awareness of male rape in

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<sup>76</sup> For example, see, *Escape from Alcatraz* (Don Siegel, 1979), *American History X* (Tony Kaye, 1998) and *Let’s Go To Prison* (Bob Odenkirk, 2006).

general and male prisoner rape specifically had received little attention up until this time and it was the exposé accounts of prisoner rape such as those by Alan J. Davis (1968) and Donald Tucker (1980) to follow, which opened up the subject but also, care of Brownmiller's text, permitted a 'heterosexual' maintenance of the aggressor in the sex act (Kunzel 2008, p.172).

The change in rape being the primary focus for representations of sex in prison was likely as a product of the coming together of numerous influences ranging from the articles of rape and sexual exploitation in prison mentioned above, alongside "the relaxation of the obscenity laws and the erosion of the restrictive Motion Picture Production Code" (Kunzel p.154) which gave birth to the video nasty and depictions of extreme violence and sexual violence in the exploitation cinema of the 1970s. Also, with the burgeoning gay rights movement of the 1960s and 1970s the distance between straight and gay became more recognised. This differentiation was in part enabled by Brownmiller's power discussion of sex and rape informing a space for the 'heterosexualisation' of men having sex with men in prison as distinct from the increasing awareness of gay men and gay sex.

Despite this increase in the representation of sex in prison as rape the subject of male prisoner rape remains niche and is only submitted to serious consideration by those directly working in the field. As Susanne V. Paczensky writes over twenty years later in *The Wall of Silence: Prison Rape and Feminist Politics* (2001) she was shocked to discover male rape after years of working on sexual violence and over twenty

years studying feminist literature, sociological texts on rape and lecturing on sexual violence (Paczensky 2001, p.133). This silence is indicative of the hidden and removed nature of the prison, as discussed in chapter one, and is challenged by the representations of the 1970s and beyond which begin the movement of prisoner rape from silence to comedic anecdote without recourse to serious consideration of affect and effect on the victim, aggressor and society as a whole.

The two texts mentioned previously, *Rape in Prison* (1975) and *Men Behind Bars: Sexual Exploitation in Prison* (1983) reiterate the message of the predominant sexual activity in prisons being that of rape and exploitation. These texts, although directed towards the exploitative and coerced nature of sexual activity within prison, present instances of what could be perceived as reciprocal and consensual sexual activity, yet these relationships are still shown within the representation of force, coercion or exploitation. As Kunzel highlighted, there is “focus on little else” but the spectre of rape in prison. The two texts and the majority of writings on sex and rape in prison (even to the present day) come from the US, with next to nothing on the subject from the UK. The only exception I found during my research is an article in the *British Journal of Criminology* by Ian O'Donnell, which places sexual coercion as uncommon within British institutions (O'Donnell 2004, p.241), yet I would argue uncommon but not non-existent. Norman's *Bang to Rights* (1958), as described in chapter one, quietly opened the discussion on sex in prison and introduces for the first time a more voluntary element to sexual encounters within the prison, but not that of rape. It is my finding

that Roy Minton, the writer of the screenplay of *Scum*, carried out one of the first publicly presented pieces of research and subsequent representation of rape in prison (in this instance the borstal) in the UK prior to writing the script for the film (Kelly 1998, p.96).

### Sex as Bonding

I will first ground the chapter within a further discussion of sex away from a normatively ascribed reproductive end, and how this then leads to later understandings of how rape and sexual coercion can be prefigured. To do this I will introduce theories outlined by Edward O. Wilson in *On Human Nature* (1978). Wilson was a biologist like Kinsey, whose ideas look towards a socialisation of sex beyond a reproductive function. I am aware that introducing a biological source could complicate the intellectual compatibility of the texts and theories outlined above. However, within theories of the body such incompatibility and dichotomy exists through the naturalism and social construction of the body and the self. My research places it that within the forum of sex there are both measures at work. This can be seen in Kinsey's study: even though the foregrounding of Kinsey's research was biological, the output was sociological and within the social sciences. Wilson's theories are also grounded in a socialisation of sex and draw sociology into the biology of sex.

This socialisation can be read alongside that outlined by Kinsey as a way

of further understanding the ways in which non-reproductive sex occurs. Wilson's representation of sex, like Kinsey's study, enables a re-imaging of sex, and notably sex in prison, as he argues that sexuality is more about bonding, intimacy, pleasure and connection than it is about reproduction or power. I will argue that this reframes the representation of sex in prison even further away from abnormal moments beyond heteronormative reproductive sex towards a bonding and intimacy between prisoners.

In the previous chapter Kinsey's study helped me unpick the dyad of the homo-hetero binary and here, with Wilson's help, I aim to challenge the notion of denaturalised or 'degenerate' homosexuality. If heterosexuality is 'natural', ergo homosexuality is 'unnatural'. Wilson however argues that homosexuality is just as relevant as heterosexuality in that:

Homosexuality is above all a form of bonding. It is consistent with the greater part of heterosexual behaviour as a device that cements relationships (Wilson 1978, p.144).

Thus as sexual activity shifts away from procreative function towards one of bonding, of unifying individuals within a relationship, this unity ceases to be based on the gender or sex distinction of the participants. Wilson states, "homosexuality is normal in a biological sense, that is as a distinctive beneficent behavior that evolved as an important element of early human social organization" (Wilson 1978, p.143). He ascribes the homosexual bond a role of value in the drawing together of individuals that actually assist in maintaining social organisation.

I take it as significant that Wilson underscores the potential to re-read sexuality away from the stigma associated with normalcy, and alongside Kinsey, begins to represent sexuality in terms removed from a presumed hierarchy of sexuality and sexual activity. He also takes Kinsey's earlier understanding of the diversity of sexual activity, which carried with it a sense of the permissiveness for so-called variant sexualities, to a point of explaining that permissiveness within its own normalising context. He maintains that sex is not just sex, regardless of what you do, but has an endpoint, a reason, that is not controlled or commanded by restrictive procreative heterosexuality. Wilson presents the 'reason for sex' as part of the formation of the self and society through bonding, cementing relationships and drawing individuals together in mutual beneficence, protection and, ultimately, intimacy. Within such a re-imagining of the scope of sexuality, I would place it that homosexuality as represented in the prison institution when read alongside Wilson's argument becomes less a problematic perversion and more a means of surviving the constrained, isolation of the institution and the inmate's (total) removal from society.

To counterpoint the relationship of rape in prison with ideas of power and coercion, Wilson outlines that sex is, in every sense, a gratuitously consuming and risky activity (Wilson 1978, p.122). Wilson represents sex as carrying with it an implicit (or explicit) intimacy which has the means to make vulnerable even the most robust of men, and leave them open to any number of 'attacks' to their self/ves, sexual identity, hierarchy, status, etc., notwithstanding the point of actual vulnerability during the act of sex

itself. Minton (writer of *Scum*) later in his comments intimated such a vulnerability through the inclusion of a male partner for the lead character in *Scum*.<sup>77</sup> Within this 'vulnerability' and intimacy of the individual when engaged in sexual activity lies the sense of connectedness and the need of connection with another. As Donald Tucker states, "Human sexual drive is inextricably interpersonal. I am convinced that it includes a need for touch, intimacy" (Tucker 1992, p.273). Tucker's view corroborates Wilson's reading of sex with intimacy.

### Sexual Tension

Wilson questions the continuous sexual responsiveness within humans that moves beyond reproductive cycles, and sees such continuousness as enabling the correlation between sex and the move to intimacy and ultimately bonding (Wilson 1978, p.140). He takes this further by representing sex as intricately woven into the fabric of human interaction, showing how it transcends sexual activity and pleasure to fulfil other roles by stating, "These multiple functions and complex chains of causation are the deeper reason why sexual awareness permeates so much of human existence" (Wilson 1978, p.137). Extrapolating Wilson, the sexually active male is, alongside this constant state of responsiveness, in an almost constant state of sexual tension. Wooden and Parker represent this idea within the confines of the medium security

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<sup>77</sup> Interview with Roy Minton: *Scum* (2005) Clarke, Alan. (DVD) UK: Prism Leisure Corp Plc.



prison, which they are using as a base for their studies. They state:

Living in the same building with 300 sexually deprived men creates an atmosphere of almost constant low-keyed sexual tension...Although the atmosphere in the prison is not necessarily sexually charged all day, there is a good deal of sexual consciousness among the inmates and sex is probably the most frequently discussed topic (Wooden and Parker 1984, p.38 & p.41).

This near constant state of sexual responsiveness and sexual tension underscores how prisoners and the prison as it is represented can be understood. With this awareness, the absence of such sexual acknowledgement within prison representations shows the level to which homosexuality has been removed from such representative forms.<sup>78</sup> An inclusion of such sexual acknowledgement on the other hand reinforces a more complete and complex understanding of male sexuality and constancy of drive (as seen in chapter one through Frank Norman's *Bang to Rights* (1958), and to a lesser sexual, although sexuality illustrative, degree in Wildeblood's *Against the Law* (1957).

Wilson distinguishes humans from other animals, in that for other species sex is not necessarily about pleasure (Wilson 1978, p.121). He explains the contrast to humans, thus :

Human beings are connoisseurs of sexual pleasure. They indulge themselves by casual inspection of potential partners, by fantasy, poetry, and song, and in every delightful nuance of flirtation leading to foreplay and coition. This has little if anything to do with

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<sup>78</sup> As witnessed in the previous chapter with *Birdman of Alcatraz* (1962)

reproduction. It has everything to do with bonding (Wilson 1978, p.141).

This inspection in accordance with the constancy mentioned above enables a state of sexual opportunism and drive whereby, as Wooden and Parker state, “[t]here is a certain amount of sexual “cruising” that goes on among the inmates” (Wooden and Parker 1983, p.35). This ‘cruising’ links into characteristic notions of male homosexuality as that represented in chapter one in the London of Wildeblood’s time, wherein such opportunistic cruising formed the basis for a majority of sexual interactions. With the structure of the prison institution, Wooden and Parker represent a scenario similar to that explained earlier of London in the 1950s in their characterisation of the sexual behaviour in the prison:

In the evening the library tends to be somewhat “cruisy” in that inmates “on the make” (looking for sexual partners) will seek each other out. Contact is usually made via eye contact and subtle nuances – much the same as on the street – and followed up with conversations and arrangements. Often the sexual act involves a quick “blowjob” behind the library stacks....Many of the self-defined heterosexual inmates are very adept at cruising. (Wooden and Parker 1983, p.36)

This quote is complex in the way it imagines and redraws sex and sexuality between men. Hinting at Wilson’s sexual constancy and through the proximity of ‘heterosexual’ inmates with ‘homosexual’ ones the quote sets up a scenario of sexual opportunism, but one drawn within a prior understanding of the sexual culture of male homosexuality (i.e. cruising). Although located within the prison, this correlation speaks of

the wider divisions between identified homosexuality and men having sex with men, which will be further addressed in the next chapter, notably around a post-gay sexual identity. Moreover the quote opens up the debate of the continuum in male sexuality beyond identification and sexual behaviour, as outlined by Kinsey's study, by stating that "self-defined heterosexuals" are adept at "cruising". This represents a site of complex recognitions of not just the potentiality for (homo)sex by heterosexual men but also the means of acquisition of that sex through "cruising", in other words through the heterosexually identified man's adoption of homosexual men's means to engage in sex. This continuum aligns with Kinsey's study and also the pervasiveness of sex and sexuality outlined by Wilson. Herein (homo)sex has been transfigured from an identifiable and characterised form to a malleable form based on means and adoption of means. Essentially strictly heterosexual men should not know how to cruise other men for sex, yet they do. I argue that that knowledge, understanding and engagement, derived from prison studies, opens up a wider awareness of the potential for homo-sex among straight men.

### **The Body Uncovered and Examined**

Scacco examines how the prison environment enables this sexual cruising to be taken further, towards marking a new inmate's sexual type, and potential upon arrival in the institution. Wilson's "casual inspection"

mentioned above is reconfigured through a (represented) manipulation of the system as a result of the lack of privacy in the institution. The requisite nakedness of life inside the prison brings with it an unofficial form of inspection of the naked inmate as a potential sexual partner. Scacco writes:

the young offender receives his initiation into a loss of his privacy...as a result of his entry into the reception and orientation process itself...the young inmate must undergo a physical examination for venereal disease... When registered nurses are not available...the examination is conducted by a trustee [trusted prisoner]. It is here that sexual exploitation usually begins. Naturally, the inmate must strip for the exam. Other trustees usually make sure they are present with some excuse of doing some assigned job around the hospital area. They also unofficially examine the new inmate and pass their opinion of the inmate's body and sex organ around the institution to those who might be interested in such information (Scacco 1975, p.9).

Here Scacco represents a scenario of sexual exploitation and contrivance within the prison scenario, one of sexual 'wolves'<sup>79</sup> encircling the helpless 'fish'.<sup>80</sup> He places through the physical nudity of the new inmate as victim and the 'trustees' as untrustworthy informants for sexual predators, citing the prison as an enclave of vice. Scacco's focus, being rape in prison informs the direction of his interrogative text, looking for and finding moments of sexual exploitation, coercion and rape. These are the moments that inform and legitimise his text.

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<sup>79</sup> Wolf: Sexually predatory male in the prison (see Glossary of Terms in the introduction)

<sup>80</sup> Fish: New unknown prisoner (see Glossary of Terms in the introduction)

Another scenario associated with this inspection/appraisal is through the scene where new inmates are paraded through the main prison population to wolf whistles of appreciation.<sup>81</sup> This display of appreciation illustrates a degree of wholesale recognition of the potentiality for same-sex sexual activity within the institution and will be looked at with regard to the concept of homosociality and homosocial desire in the next chapter. Such moments corroborate the image of the pervasiveness of homosexual interaction in prison represented by Fishman, Wildeblood and Norman previously and create a commonality of the prison as a represented form. They also crystallise the moment of awareness for the new 'heterosexual' inmate of their arrival within the (homo)sexual site of the prison, wherein they are re-written from sexually active heterosexual males to passive sexual objects within that recognised site of male rape. Although the 'fish' are shown to be uncomfortable by such a display, a lack of understanding of the situation is utilised to inform an unknowing audience (or to remind a knowing one) of the circumstance before them. Scacco outlines that nudity can be represented two ways within the prison setting. Firstly, there is the initial naked appraisal, outlined in the quote above, which I read as placing the new inmate as passive object and victim and is potentially read through codes of sexual selection towards the naked inmate becoming a sexually sublimated male. Secondly, there is a potential shift over time of the inmate's role in the institution, where the men begin to utilise their naked selves to conversely represent their power or strength amongst the other inmates.

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<sup>81</sup>For example we see this in films such as *On the Yard* (Raphael D. Silver 1978) and *The Escapist* (Rupert Wyatt, 2008). As well as television series *Oz* (HBO season one episode three, July 21<sup>st</sup> 1997),

Scacco describes this as following:

[M]en will seek to strip off as much clothing as possible in order to be comfortable. Others, such as weight lifters, have a propensity to show off what muscles they have by walking around nude to the waist most of the time; while those with exotic or erotic tattoos remain in a semi-naked state so that other inmates will be able to attest to their 'virility'..."Their nakedness and seminakedness was something I had not expected, and I found blatantly, almost savagely offensive...Some stayed completely naked most of the time. The others were usually bare from the waist up" (Scacco 1975, p.24).

Here Scacco presents the first-hand account of former inmate William Laite, illustrating his experience of the prison. He highlights Laite's response to the nudity, his finding it "savagely offensive", as a way to underscore the earlier message of prison as an enclave of vice and now full of naked savages. Scacco is resituating the nudity within hyper-masculinity presented through notions of 'tattooed virility', 'muscularity' and 'complete nakedness'. This reframes the prior construction of nudity (of the new inmate) with powerlessness. This shows that the prisoner's response to their nudity within the institution can be placed within a sphere of power and the sense of self played out throughout various prison representations. In *Escape from Alcatraz* (Donald Siegel, 1979) the confrontation between Clint Eastwood's character Frank Morris and the sexual predator Wolf<sup>82</sup> (played by Bruce Fischer) occurs in the shower, that ubiquitous site of the fear of male rape where men are

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<sup>82</sup> From the glossary of terms in the introduction we can see that the character's name presupposes the identity of a wolf, a lone sexually aggressive male within the institution.

warned “Don’t drop the soap”, as outlined in my introduction. That Eastwood faces down and physically beats the sexual predator whilst naked re-emphasises his masculinity, strength, virility and machismo, distancing him both from sites or moments of vulnerability (nudity) and within simplistic coding (beating the queer) and thus (re)stating his heterosexuality.

Another representation of the power balance within the, potentially, vulnerable moment of nudity comes in Carl Bryan Holmberg’s account of his time as a teacher at Midwestern State Prison in 1972. The essay “The Culture of Transgression” is a report of events and conversations initially recorded in his field notes (Holmberg 2001, p.79). He describes an inmate called Joe and the awkward moment of Joe’s nudity:

Joe was a little over six feet and filled his prison browns with a truly awesome musculature...Joe’s picture stunned me. It had been taken three and half years prior, revealing a skinny, gawky boy....The way some men dealt with the subordinating sexual order was to get as big and buff as possible...Joe was one of the guys hunkered in, using maximum weights. We visited other areas, then while going through a cell block, we passed an open shower. Who was showering? None other than Joe. He was totally naked, with two guards watching him closely. As I passed, he turned around – looking quite serious, even mean, or so it seemed to me – to give us a full view. If nothing else, it was an unexpected, awkward moment for me. I had seen men shower before, of course, but not when everyone else present was fully clad. The contrast emphasized the prohibition of privacy in prison....Joe purposely exposed his cock and balls and his hypermuscularity to underline his displeasure about the situation, causing me to avert my eyes immediately (Holmberg 2001, pp.82-83).

Holmberg's account frames Joe's nudity as a marked display of disapproval at (the complete lack of privacy) being naked (and thus potentially vulnerable) in front of five fully clothed men (the two guards and the three in Holmberg's visiting group). By turning towards the men Holmberg's reads Joe as highlighting his muscularity and the refusal to bend and hide his nudity as a sign of strength and challenge. This aligns with how Pierre Bourdieu outlines bodily movements:

The opposition between straight and bent...is central to most of the marks of respect or contempt that politeness uses in many societies to symbolize relations of domination...looking up, looking someone in the eyes, refusing to bow the head, standing up to someone...the will to be on top, to overcome, versus submission (Bourdieu 2005, p.89).

Bourdieu's interpretation of bodily movement confirms Joe's act as one of challenge and a restatement of power and notional dominance, if not over the guards, then over Holmberg, his prior associate (Joe was Holmberg's assistant for a time). Alongside the hypermuscularity, Joe has reconfigured his self as powerful through the physicality of his body. Utilising the space afforded to him, he exercised (literally and as a form of speech) a degree of agency over his body. He re-wrote his (physical) form to dominance, to avoid (in part) sexual subjugation. This redraws representations of the body alongside masculine signifiers of power and weakness, as we shall see later in the example of *Scum*.

With regard to the reading of the 'virility of tattoos', Wooden and Parker draw a link between tattooing and manhood, one being a representation



of the other (Wooden and Parker 1983 p.17). With the archetypal notions of hyper-masculinity manifest within the gladiatorial setting of the prison, there is “an extreme emphasis on masculinity, which is reflected in such behavioral traits as beards, muscles, and excessive tattoos” (Wooden and Parker 1983, p.21). They summarise a correlative link between a hyper-masculinity and its associative peer expectation to which the prisoner is expected to conform, by stating:

Being physically strong and staying in shape has survival benefits, however, it has become an institutionalized statement of manhood, and is expected under peer pressure. Almost all cliques and “homeboys” (members of a given clique or gang or group) take a turn on the iron pile daily, and take it very seriously. (Wooden and Parker 1983, p17)

The role of manhood and masculinity is represented within the prison environment through muscularity and archetypal configurations of masculinity (the tattoo, beards, etc.)<sup>83</sup>, wherein the prisoner is presented as bodily increasing in size and shape in order to represent unassailability. This conformity of size and power is then reiterated through the tattoo that places an individual within a recognised group or gang. Within the institutional setting of the prison, where identity is removed by uniformity, the tattoo remains one of the few sites for independent demarcation and group affiliation. Ironically as such it becomes a site of conformity and union, as opposed to non-conformity

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<sup>83</sup> This hyper-masculinity has been appropriated by the gay male cultural form of the muscle bear, creating a visual correlation between this sub-culture and the prison culture. The muscle bear is overtly muscular, bearded and tattooed just as representations of prisoners are overtly muscular, bearded and tattooed.

and disassociation. Musculature, and the physical building of the naturalistic form to its hyper-masculine potential, is used to regain control of/over the body and sense of physical self, where the body and self within the prison's sexual culture is challenging for those younger, thinner and less physically powerful who may become the victims of sexual coercion and rape.

Within the prison representation the body can be seen to be the last remaining site for maintaining a selfhood. The sole location of a configured ownership and sense of self lives within the body. This is outlined by Mumia Abu-Jamal in "Caged and Celibate", an essay on the value of the conjugal visit as a means to maintain humanity for the prisoner. He writes, "A prisoner, who is on the bottom rung of the social ladder, owns only himself (that is, his body – and that, only barely), and it is for this that he works" (Abu-Jamal 2001, p.141). All other means of maintaining and expressing a self are removed by the institution, for example through clothing, possessions, domain, social position, etc. of which the inmate is (literally) stripped on entry (Courtenay and Sabo 2001, p.165). With the body as the sole remaining 'possession' over which the inmate has any autonomy, an autonomy undermined by such actions as the strip search and inspection, the invasion of the body through rape can be read as all the more catastrophic, the last vestige of autonomy, agency or ownership removed. Rape within the prison is "an act whereby one male (or group of males) seeks testimony to what he considers is an outward validation of his masculinity" (Scacco 1975, p.3). But in order to do such "sexual aggression; the dominant ones invade

the actual physical being of their victim and take what they want” (Scacco 1975, p.8). Rape in prison represents the removal/the violation of that sole remaining site of independence and personal identity, the body.

To return briefly to Wilson, with regard to the hyper-muscularity of the prisoner and the sense of power-play amongst inmates, he outlines that males are moderately polygynous initiating most changes in sexual partnership (Wilson 1978, p.125) where this changeability manifests in a competitive forum for those males seeking a partner/partners. In order to attain the most desired or desirable partner/s, “Males are characteristically aggressive, especially toward one another... assertiveness is the most profitable male strategy” (Wilson 1978, p.125). This aggression and assertiveness is represented in *Short Eyes* (1977), which I examine in the next section, and in *A Punk's Song* (1984) both depicting inmates vying for the attention of the sexually desirable (or available) male. In *A Punk's Song*, Tucker outlines a scenario where he unwittingly initiated acts of aggression between the inmates through being an acknowledged ‘punk’ (or turnout) and thus sexually ‘available’. His arrival changes the jail from implicitly signified as ‘heterosexually’ populated and sexually stagnant to one of sexual potentiality and the resultant overt aggression towards sexual ‘ownership’. Removing himself from the threat of rape he capitulates to the four white marines and becomes their ‘punk’. The fact that the marines have sole access to him causes resentment amongst the other inmates culminating in a fight between all the inmates of the block (Tucker 1992, p.268). Tucker

presents himself as the catalyst for this upheaval and break in the tentative peace of the jail through his sexualised self within the all-male environment. According to him his gender is not of note to the other inmates but his sexual availability is.

Wilson looks to representing sex in prison along the lines of power and dominance placing it within the hierarchies of power that are manifest therein through masculine, patriarchal privilege. He writes:

Interestingly enough, the inmates of men's prisons are organized more loosely into institution-wide hierarchies and castes, in which dominance and rank are paramount. Sexual relationships are quite common among these men, but the more passive partners, who play the female role, are ordinarily treated with contempt (Wilson 1978, p.137).

This view is upheld by Scacco as well as by Wooden and Parker who state:

In prison, where moral or humanistic concerns have little relevance, status and power are based on domination and gratification, which leads to an emphasis on violence and exploitation and a deemphasis on mutual caring and reciprocal fulfilment (Wooden and Parker 1983, p.14).

Within this categorisation sex becomes a construct of power, a means to control another inmate and to undermine their sense of a masculine self, as Tucker argues, "power is, I am convinced, impossible to extricate from male sexuality...fucking is an exercise of male power and dominion, if

only in the mind or fantasy of the male” (Tucker 1984, p.277). This viewpoint leads to the role of rape with regard to power and submission within the prison beyond the bonding or pervasive moments of sex in prison I have discussed so far.

### **Rape in Prison**

Numerous studies of prison and cultural texts combine to produce a narrative about the understanding of rape in prison. Alan J Davis’ 1968 study, *Sexual Assaults in the Philadelphia Prison System and Sheriff’s Vans*, addressed in a substantial way the subject of rape within the prison system. Following a rise in the number of complaints of instances of sexual assault in the Philadelphia prison system as well as in the vans that transported individuals to and from court to jail, Davis reported on one hundred and fifty-six verifiable accounts of incidents reported in a twenty-six month period, broken down as eight-two of buggery, nineteen fellatio and fifty-five attempts at “coercive solicitation to commit sexual acts”, where Davis stated “these figures represent only the top of the iceberg” (Davis 1992, p.332).

Davis is setting up a discourse around the epidemic nature of the assaults (Davis 1968, p.331). The “top of the iceberg” shows Davis’ desire to highlight the size of the issue and the nature of the problem at hand. He is also commenting on the inmate culture and its codes of silence resulting in underreporting most sexual/violent incidents. Though

acknowledging no true figure could ever be attained, Davis estimated the 'true' number of assaults to lie at around two thousand, where "one guard put the number at 250 a year in the Detention Centre alone" (Davis 1992, p.335). He furthermore discussed consensual homosexuality verses rape in prison and the inability of officials to mark the distinction. The situation quoted below could be read as consensual, as no actual violence has been witnessed, but the threat of violence is enough to place it within a realm of coercion and rape:

Typically, an experienced inmate will give cigarettes, candy, sedatives, stainless-steel blades, or extra food pilfered from the kitchen to an inexperienced inmate, and after a few days the veteran will demand sexual repayment. It is also typical for a veteran to entice a young man into gambling, have him roll up large debts, and then tell the youth to "pay or fuck." An initial sexual act stamps the victim as a "punk boy," and he is pressed into prostitution for the remainder of his imprisonment (Davis 1992, p.335).

This scenario is virtually identical to one outlined by Fishman thirty-four years earlier, Scacco in 1975, Wooden and Parker in 1983 and later depicted in the TV series *Oz* in 1995 (season one episode one). Rather than being illustrative of an unchanging form of sexual coercion over time, the representations of this scenario are informed by each other, by their unchallenged reiteration of the representation of sex in prison. These scenarios have been understood variously as illustrating voluntary sex, coerced sex, or rape - dependent on the source. For example Scacco's *Rape in Prison* (1975) contrasts with *The Myth of Prison Rape*

by Fleischer and Krienart (2009) an apologist reading for the establishment, which undermines the notion of rape in prison through semantics.

Though it is written that rape in prison is underreported, the representation of rape in prison became endemic in cultural vehicles such as film and television. Even an eroticised account given by Dalton Lloyd Williams of his sexual initiation into the adult facility of El Paso County Jail, which he describes in pornographic delight in “Prison Sex At Age 16”, an essay written in 1979 for the Gay Sunshine Journal, includes an incidental acknowledgement of his rape in a prior Reform School:

Yet I didn't want the men to know about the strange and exciting urges I experienced and suppressed every time I saw a man's dick. And too, I didn't want them to know about what the older boys had forced me to do in the Reform School (Williams 1991, p.279).

Here, he is representing force, coercion and rape alongside desire in a way that makes problematic any single reading of sexuality and its formation. Robert Boyd outlines in *Sex Behind Bars* (1984), a semi-erotic account of sex in prison, six different forms of sexual expression and relationship:

1. Whore and Pimp
  2. Tip Bitch
  3. Jock and sissy
  4. Old Man and Kid
  5. Man and Wife
  6. Freelancer
- (Boyd 1984, p.29)

All represent a degree of coercion or prostitution (which is linked to threats, coercion and dominance) and yet as the sexual conduct of these individuals or pairings does not directly correlate to the immediacy of violence portrayed in a rape scenario, then the perception of those in the list can be read as one of a voluntary nature for the sexually passive partner. Edward Sangarin quotes in *Prison Homosexuality and Its Effects on Post-Prison Sexual Behaviour* (1976) the attitude of the dominant partner, thus placing a correlative link between expressions of pain and fear within rape to sexual permissibility, and further to enjoyment:

He didn't scream any more, so I figured he must have liked it (Sangarin 1991, p.381).

The idea that once the screaming stops it is no longer categorised as rape, perpetuates the complicated reading of sex in prison between coerced and consensual. In my research I have yet to come across a single representation of sex within prison studies that can be described as anything other than coerced. Ultimately all would be legally presented as rape as outlined by the laws of consent represented in the opening Home Office advertisement. Even Dalton's erotically charged and willing scenario has its foundation in rape, creating a complex reading of his current 'gay' identity alongside acts of rape and sexual coercion in his formative years. This idea is challenged by the case studies in the next chapter, and the significant shifts that they mark in sexual representations in prison.



Both Davis and Sangarin outline that rape within prison is more about power and control than sex, with Davis focussing on the degradation of the victim (Davis 1992, p337) and Sangarin on the act of insertion and dominance. He writes:

[I]nsertion is an act of masculinity, of dominance, of forcing another into submission... [and] may not be primarily sexual in character, but rather may be an expression of dominance needs (Sangarin 1992, p.378).

The discussion of rape as sex or dominance and power continues and marks the complexity of sex and sexuality manifest within representations of the prison. By strictly removing sex from rape, Sangarin and Davis are rewriting sex in prison to power battles between males beyond sex, echoing what Wilson outlined earlier. An example of the complexity of rape in prison is manifest in Tucker's account of his repeated rape in a Washington D.C. facility where he "had been fucked about sixty times in the two days of rape" (Tucker 1992, p.266). In his account he illustrates a variety of ways in which the inmates engaged in the act of rape and their response to him as victim/recipient were many and varied, as I will discuss below.

Scacco attributes the act of rape beyond that of an act of dominance or subjugation and draws rape into a socio-political framework with an acknowledgement of the potential to a politicisation of the act. He states:

The end result of victimization in a correctional institution is usually sexual aggression and domination as a political act based on a show

of force (Scacco 1975, p.3).

He places sex in prison in a framework of dominance and victimisation but also a wider socio-political arena. He, like Davis and Sangarin, challenges the notion of sexual release as the manifest reason for rape in prison, and places it within the realm of dominance and power, as quoted earlier, as an act whereby males seek testimony to an outward validation of their masculinity (Scacco 1975, p.3). Scacco's reasoning, like Kinsey's (but to different ends), frames the inmate behaviour alongside the outside world in its complicity with the actions of the inmates. He writes:

Their behaviour is apparently a learned pattern since the act of sexual dominance appears to be a cultural phenomena originating from the very fabric of the American social structure since the source of this set of values (sexual behaviour available to inmates) does not reside in the prison experience, but outside in the community at large (Scacco 1975, p.4).

However, Scacco's reading of the societal relationship with sexual activity, politics and power into the institution is challenged by Ronald L. Akers, Norman S. Hayner and Werner Gruninger essay "Homosexual and Drug Behaviour in Prison: A Test of the Functional and important models of the Inmate System" (1974). In it they argue:

[T]he amount of drug and homosexual behaviour among inmates is more a function of the type of prison which holds them than the social characteristics which they bring with them from the

outside...the more custodial the institution, the higher the level of reported homosexual behavior (Akers, Hayner and Gruninger 1992, p.312 and p.317).

Scacco's account moves beyond the prison walls to reframe the inmate in society, Akers, Hayner and Gruninger redraw the walls of the institution around the prisoner, marking them off from society. Rather than recognising the societal impact on the inmate this aligns sexual/dissident activity with the institution, disavowing the agency and background of the individuals therein. This can be seen to correlate with Foucault's disciplinary power and the inmates' observance of the rules and codes of the institution. Wooden and Parker corroborate this sentiment when discussing the rigidity of sexual relationships and the slave type conditions of those subjugated in maximum security institutions as opposed to the more congenial relationships found in the medium security facility they studied (Wooden & Parker 1983, p.23). I understand it that there is a complex negotiation between the two, although different researchers come to different conclusions as to what this means.

My research leads to the recognition of the complex relationship between the inside and the extremity of rules and roles within the institution in association with the outside socio-political and cultural codes of the prisoners former selves and environment. The platonic relationships presented by Wildeblood and also the sexual ones outlined by Norman seem to indicate that the nature of the inmate and their environment beyond the prison, and the criminality of homosexuality as well as its

visibility within the institution, affected the representation of (homo)sexuality within the institution. Also, to refer back to Robert Stroud, his sexual activity was shown as curtailed through strict isolation in the maximum security facility of Alcatraz, but upon arrival at the more relaxed and open facility of Springfield Federal Medical Centre he was found naked with another inmate and about to initiate a compliant sexual encounter (Babyak 1994, p.17). In this Stroud's sexually active self was written within the institution.

Scacco draws sociological understandings of the politicisation of American society into the prison experience, squaring the dehumanising experience and sexual aggression of the prisoner with the outside as opposed to within the prison. Reinstating the causal relationship between the two, the inside of the prison and outside society, the prisoner ceases to be written purely as a prisoner and is once more represented as a member of society, albeit temporarily at a place removed. This movement represents the way in which Scacco shows the occurrences within the prison setting have a resonance within wider society and have been extrapolated out into that society, as opposed to contained, ignored or dismissed within the pre-conceptually, figuratively and physically removed site of the prison<sup>84</sup>.

Further, Scacco represents the racial function of the institution and readings of rape in prison. He draws on the repressive and (ultimately) racially segregated nature of American society which utilises means of

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<sup>84</sup>Sangarin's essay *Prison Homosexuality and Its Effects on Post-Prison Sexual Behaviour* (1976) focuses more on the problematic idea of turned homosexuals within the prison and how this may manifest upon release, but his discussion is supposition more on the nature of sex in prison than what occurs to the prisoner once outside.

capitalistic endeavour and systems of privilege for the white and wealthy majority as well as the judicial system (on top of education, employment and so on), as a way to exploit and undermine the sense of a masculine self permitted to ethnic minorities within the US, and especially black males. Scacco uses this focus on the loss of a masculine self through the disempowering of the black male within American society in order to illustrate as a primary motivation for those same black males to sexually exploit and rape white males within the prison setting. He provides personal testimony to illustrate this view quoting Billy Robinson, “a black inmate serving a sentence in the Cook County Jail in Chicago” to underline his theoretical standpoint:

“in prison, the black dudes have a little masculinity game they play...I call it whump or fuck a white boy- especially the white gangsters or syndicate men, the bad juice boys, the hit men, et cetera. The black dudes go out of their way to make faggots out of them. And I know that by and far, the white cats are faggots. They will drop their pants and bend over and touch their toes and get had before they will fight. So knowing this what kind of men does this make us?....I knew deep down in my bones, that if we let them rape our women and lynch our brothers and run our lives without dying in an attempt to stop it, we men, all of us, had carried touch-your-toe faggotism two or three steps further than they” (quoted in Scacco 1975, p.89).

Robinson positions the use of rape as a demarcation of power and a means to create/enforce hierarchies of power within the institution. The complex negotiations of masculinity Robinson represents are underscored by the “faggotism” of the white inmates which in turn

comments on the subjugation (another version of “faggotism”) of the black males through their ongoing discrimination and disempowerment in society, which is redrawn through homosex. Scacco argues this power battle is the basis for sexual exploitation by black inmates of white inmates and lies behind the racial nature of rape and sexual coercion within American prisons. This is corroborated by Wooden and Parker when they highlight a predominance of racially motivated rapes within the institution (Wooden and Parker 1983, p.60). To contextualise his point, Scacco outlines the racial mix in the infamous Tombs jail in New York: “Out of every one hundred inmates in the Tombs, sixty are black, twenty-seven Puerto Rican, and thirteen are white” (Scacco 1975, p.21). For him these numbers imply that sexual victimisation of white inmates is the result of their low representation in prison and links to racial redress for societal wrongs. The Tombs is the racially complex setting for the film *Short Eyes* (1977), to be discussed later, which portrays racial groupings along the lines outlined by Scacco above and implicates that racial mix in the attempted rape in the story. This racial mix pertaining to the white minority in prison provides prison representations a means to expose racial imbalance, which *Short Eyes* utilises in highlighting the issues faced by the young white middle-class character of Davis, addressed in the next section.

Scacco’s racial understanding of the prison’s sexual culture positions the ‘prize’ quality of black inmates for raping white inmates. This is not just the validation of the black males’ masculinity, but also indicates the

quality of the white male as a 'possession' of social significance within the institution. Scacco writes:

[W]hen the black man in prison makes a white submit to sexual acts, he is saying by this action that he is in reality placing the white man in the role of his white woman and thereby obtaining the "prize" – a white woman, the prize held up to the blacks by the white society itself (Scacco 1975, p.81).

This expectation and validation can be read into Tucker's account of his rape, which I will come to shortly. Scacco frames it that a sense of worth and personal masculine value is attained within the prison by scoring that most externally validated and accepted prize, which according to Scacco is re-imagined as the young, attractive, white inmate. Again this idea is maintained in *Men Behind Bars* (Wooden and Parker, 1983), with regard to rape, but notably not with regard to relationships. They reference Scacco's study directly and corroborate the racial imbalance in rapes, however they place 'relationships' and longer-standing couples into a different category. They argue that within the power dynamics of racial tension within the institution, the "strong racial solidarity that the prison gangs maintain" (Wooden and Parker 1983, p.60), couples do not cross racial boundaries and tend to be either all white or all black, as any long-term mixed-race association would be seen to countermand the strong racially segregated stability of the institution.

In *A Punk's Song* (1982), Donald Tucker's<sup>85</sup> autobiographical essay

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<sup>85</sup> He was born Robert Anthony Martin Jr and was also known as also known as Donny the Punk and Stephen Donaldson.

where, as mentioned, he recounts being raped more than sixty times over a two day period in a Washington D.C. Jail. He utilises the account of the rape as a way of commenting on the situation of male rape within the prison/jail system. He includes theoretical reasoning of the actions of the rapists to discuss and dissect the event. For example he includes a section on why the rapists chose “head” over “ass” and the means of sexual exploitation, control and engagement each represents. His account of his rape became written as a site for the discussion of male sexuality and power.

The account of the rape begins with a description of the initial assessment, where “a number of them [other prisoners] stopped by my cell for a look at the new white boy” (Tucker 1992, p.263) to ‘check him out’. As I mentioned before this type of assessment though relatively incidental in this scenario, is a frequent feature of prison exploitation, explained by Scacco (earlier) relating to the reception and inspection by other inmates of body type (Scacco 1975, p.14). It is at this point that plans for Tucker’s rape were made for when he was released for “indoor recreation”.

Twenty-seven year old Tucker, young, white and isolated, an avowed pacifist arrested at a political demonstration, is placed within a cell block assigned to serious offenders. He has been “set up”, as the guard says when he finally escapes (Tucker 1992, p.266). Tucker rewrites his experience as a commentary on the prison service and explains the practice of ‘throwing young inmates to the Wolves’<sup>86</sup> in order to deflect

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<sup>86</sup> Tucker cites this as prison slang for rapist, see glossary of terms in the introduction.



mounting tension in the cell block (Tucker 1992, p.263). This highlights the complicity of the institution with rape, indeed the wider intention of the jail Captain, to have Tucker placed in that dangerous prisoner cell block in order to release some of the sexual tension therein, to facilitate his rape at the hands of the other prisoners.

Tucker's account also illustrates the multifarious points of intersection between the inmates in the act of rape in that some of them illustrated moments of tenderness and intimacy, whereas others showed a desire to cause him harm and pain through hard "fucking" or choking. He writes that one even told him, "Your ass belongs to the black man and don't you forget it!" (Tucker 1992, p.264). In Tucker's account the role of rape and sexual assault/coercion varied by participant as well as by act. There are some men that read Tucker as a willing participant, which we can see when Tucker expresses that he had the sense some men were not aware he was being raped and that they were participating in a rape scenario, but had been told merely that he was a willing 'punk' available for a carton of cigarettes (Tucker 1992, p.266). Whereas others saw their role as one of expressing pain, power, subjugation and dominance. An extent of this is represented by Wooden and Parker:

For many convicts who have been socialized into this system, eroticism has come to be associated with aggression, and the degree of satisfaction derived from the sex act is often in direct proportion to the degree of force and humiliation to which the partner is subjected. In its most extreme form this sexualized aggression is manifested in outright acts of violence such as prison rape. In less severe cases it appears in the form of sexual intimidation, sexual domination, sexual manipulation, and sexual extortion. (Wooden and

Parker 1983, p14)

A 'Kinseyan' interpretation here would read the impact of the institution on the sexual behaviour of the inmate (as shown in the previous chapter). However, I would characterise all of Wooden and Parker's "less severe cases" as rape through the unwillingness of the intimidated, dominated, manipulated or extorted subject.

It would appear that the concept of reciprocity is rare in the act of sex and even rarer in sentiment. In *Men Behind Bars* (1983), there are relationships cited that appear to be voluntarily entered into and sexual encounters that appear un-coerced and sexually open, but even within these there is a one-sided-ness that removes a parity and reciprocity from the sexual act or relationship. Woodman and Parker state:

Anybody young, passive, or feminine is going to be constantly pressured and "hit on," and often either threatened or actually physically forced or raped. The best coping strategy for these likely victims appears to be to select a partner who is going to treat them well, and not beat, exploit, pimp, or abuse them. In prison, any homosexual or vulnerable "marked" heterosexual who is not hooked up is "fair game" (Wooden and Parker 1983, p.22).

Wooden and Parker are advocating that in order to be 'safe' previously heterosexually identified males should engage in homosexual activity with a dominant male in order to be protected by him. This idea is worth holding in mind when we turn to the case study *Short Eyes* (1977) and how the role of Cupcakes is transfigured by this knowingness of coercion within the institution. It is also relevant in relation to *Scum* (1977 and

1979) and the sexual relationships envisaged therein. Wooden and Parker's surveyed study of the sexual habits of the prisoners in a medium security Californian penal institution highlights the coercive nature of the predominance of sexual activity and coupling that occurs therein. Their case studies highlight the one sided nature of the relationships in the prison where the homosexually identified or passive partner sexually services the 'heterosexually' identified or active partner. Rare instances where this is reciprocated are enshrouded with silence and secrecy, to the end that the 'heterosexual' sense of self of the reciprocating partner is not seen as countermanded (Wooden and Parker 1983, p.37). For the most part though this is rare because "Sexual behaviour in men's prison remains one of exploitation because the prisons sexual code condones sexual aggression but rarely condone sexual affection" (Wooden and Parker 1983, p.22). Ultimately the failing of the system is that, "It is a system that imposes a punishment that is not, and could not be, included in the sentence of the court" (Davis 1992, p.331). This implies that further punishment is one of rape and/or sexual exploitation within the prison beyond the sentencing of the court. This was earmarked in the introduction with regard to the Home Office advertisement warning young males of the potential consequences for the act of rape being raped themselves.

This half of the chapter has looked at how two core texts on sex in prison seek to configure an understanding of that subject within their frameworks of rape and exploitation. The next section looks to the two case studies, the film *Short Eyes* (1977) and the television play and film

*Scum* (1977 and 1979) and examines how they represent sex within the institution in relation to the Scacco and Wooden and Parker's findings. I am going to examine the permeation of sex within the jail through its explicit written representation in *Short Eyes*, and the author's alignment of race with the act of rape as retribution. I will also compare the two versions of the film *Scum* to examine what they tell us about cultural interpretations of sex in the institution. The analysis of these case studies will draw on the various theories of sex in prison outlined in this section.

## Case Study

### *Short Eyes*

directed by Robert M. Young

and

### *Scum*

directed by Alan Clarke.

This section looks to utilise aspects of the theoretical model set up in the previous section on the case studies *Short Eyes* (Robert M. Young, 1977 (film) and *Scum* (Alan Clarke, 1977 and 1979) looking to how each of the areas outlined above: sex as bonding; sexual tension; the body uncovered and examined; and rape in prison present themselves in these texts. Also, how the texts add to the discussion about the representation of sex in prison. I will start with *Short Eyes* (1977), which through its multi-racial basis enables a reading of sex in prison with a mind to Scacco's and Wooden and Parker's studies as utilised above.

### **Pervasive Homosexuality in *Short Eyes***

*Short Eyes* is a theatre play by former prisoner Miguel Pinero, in 1974, and was subsequently made into a film by Robert M. Young, (1977). It was written after Pinero, was introduced to writing by Marvin Felix Camillo through drama workshops whilst incarcerated at Sing Sing Prison in New York (Pinero 1975, p.vii). The play won the New York

Drama Critics Circle Award (1974) and was performed by members of “The Family”, an acting group made up of former inmates of Sing Sing Prison (Pinero 1975, p.ix). It was later remade into an independent film using many of the same cast.

The story concerns a number of inmates, the majority of whom are black or Puerto-Rican, and shows their day-to-day existence in a detention centre<sup>87</sup>. The plot is initially focussed on the character ‘Cupcakes’ as an object of sexual desire for the inmates, when into the mix is brought the character of Clark Davis (played by Bruce Davison), a white, middle-class novice to the detention centre setting, allegedly held for child molestation (the ‘Short Eyes’ of the title<sup>88</sup>). Davis is set up to be raped by the inmates for his alleged crime but before this can happen, whilst threatening to ‘rat’<sup>89</sup> on the other inmates he is killed by Longshoe (the only other significant white inmate in the narrative). Davis’ arrival is the catalyst for the play’s plot, and although he confesses to being a child molester to another inmate, he is actually found innocent of the crime which placed him in the detention centre.

In *Short Eyes*, Pinero utilises prison argot to explain and illuminate for the audience the situation of sexual expression within a prison setting, and thus making the hidden world of the prison visible, as mentioned in chapter one. He brings the jail cell scenario of incarceration as well as

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<sup>87</sup> The detention centre or jail being a holding cell wherein individuals are under arrest awaiting trial, once found either innocent or guilty they would be released or allocated to a prison.

<sup>88</sup> Miguel Pinero made up the name ‘Short Eyes’ for child molesters, and this is not the word that would have been used, but creates an unknown, unknowing hook for the title and subsequent demarking of Davis as other. Chomo was a more common name, as a conflagration, for Child Molesters.

<sup>89</sup> Tell the authorities

the language and characters of the institution to the stage and the screen. He (re)opens the removed site of punishment and isolation to the viewing public with the authenticity of the voice of a former inmate. His representation moves a long way from either the penitent texts of the early prison representations or their sensationalist followers (as outlined in chapter one, with Kunzel 2008, p.34 and p.37), to a more stark representational form, a rendition of the prison experience over sensation.

Pinero's text comes with a long and illuminating glossary of prison slang, alien to the standard viewer and yet recognisable parlance to the insider, including phrases such as:

Bandido (or bandit): Someone who chases attractive young prisoners for sexual purposes.

Snake: A homosexual.

Snake Charmer: A "straight" prisoner who aggressively tries to get "snakes" to satisfy his sexual needs.

Squeeze: A blatant male homosexual; a queen.

Stuff: A male homosexual (not as blatant as "squeeze") (Pinero 1975, p.123 and p.126)

This glossary also speaks of the understanding of sex amongst prisoners, with the way in which they refer to their own classifying kinds: aggressive, blatant, chases, etc. The form and the style of speech place an emphasis on the prisoner relationship with and to sex. The prison slang and the interplay of the characters creates its own tension: it

distances the audience from the action whilst simultaneously underscoring its authenticity, within this it reiterates the removed/distanced nature of the prison environment.

In the first staging of the play the majority of the cast were those from the original “Family”, the drama group formed in the prison, and a few reprised their roles in the film version, with Pinero himself playing “Go-go”, a homosexually signified and aggressive character introduced for the film but not present in the play. As mentioned previously the film version was filmed inside a disused area of The Tombs, the notorious New York jail, adding to the sense of ‘authenticity’ within the film. Not unlike Scacco’s statistics Pinero depicts the racial imbalance of The Tombs and also underscores the role of that imbalance on the sexual exploitation and rape of white prisoners (Scacco 1975, p.21). This link assists in placing one representation directly alongside the other.

A reading of *Short Eyes* and its sexual message can be found in a scene in the shower, between Cupcakes (played by Tito Goya) and Paco (played by Shawn Elliott). The character of Paco represents a number of sexual characteristics, from the drive towards sex for bonding and intimacy, towards rape and coercion. As characterised in Marvin Felix Camillo’s (1974) introduction to the play, Paco is “laughing on the outside while he searches for love to help him through his bid [jail time]” (Pinero 1975, p.xiii). Within the complex homosexual discourse of Paco, he places his affection for Cupcakes within the context of ‘love’ (Pinero 1975, pp.65-69) and makes a play for Cupcakes whilst he is naked and physically vulnerable in the shower. This site codes Paco’s attempt at



'seduction' of Cupcakes, placing it alongside that recognisable location of prisoner rape, the prison shower, as shown earlier.

The moment shows all four examples of the earlier theoretical model. Firstly, there is bonding and the drive for intimacy, illustrated by Paco's declarations of love and desire for Cupcakes. Then there is the sexual tension and pervasiveness as seen throughout the prison, shown when this scene flows straight into another of Omar giving advice to Cupcakes which ends with a declaration of Omar's intention to have sex with him (this is later compounded by Paco when he outlines that everyone "on the floor" wants to have sex with Cupcakes (Pinero 1975, pp.89-90)). The use of nudity and vulnerability (and its converse power) is shown also through the scene occurring in the shower, where both men, 'victim' (Cupcakes) and aggressor (Paco) are naked. Lastly the idea of rape, wherein Paco states "Push comes to shove, I'll take you. But I don't wanna do that cause I know I'm gonna have to hurt you in the doing" (Pinero 1975, pp.68-69). In this scene, sex in prison is shown representing all the ways highlighted earlier.

There is a fraught correlation between Paco's notion of complicity and compliance, where on the one hand he wants Cupcakes to come willingly<sup>90</sup> and on the other he outlines his threat of violence and rape if that wish is not realised. In opposition to Wooden and Parker's understanding of sexual exploitation, I would still ultimately read this as rape, through the use of coercion through threat. Even if Cupcakes agrees to Paco's demands, that agreement has not been made

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<sup>90</sup> This theme is continued, if more complexly, in the next chapter through T.J. Parsell's account of life inside, *Fish: The Memoir of a Boy in a Man's Prison* (2006)

voluntarily. Paco also refers to himself as a “daddy”, telling Cupcakes to ask him for mercy “like a daddy should be asked”, thus emphasising the power role of ‘daddy’ within the scene, a theme to be looked at within the section on the television play and film *Scum* (1977 and 1979) later in this section.

When Clark Davis arrives, white, middle class, educated in the classic sense but inexperienced in the jail sense, he is given an overview of how things work and the brutality of the setting by another white inmate called, Longshoe (played by Joseph Carberry). Davis’ naivety and inexperience of the jail is an empathetic device used to draw in the audience: they are given a means to move from observer to participant in the guise Davis’s role of new arrival within the prison. Davis’ character betokens the audience’s point of view and through his eyes the audience are introduced to a new world<sup>91</sup>. Longshoe’s explanation of how the prison works and who does what, where and to/with whom, alongside the penalties for getting it wrong, are as much for our edification as for Davis’. The point of engagement and empathy for Davis, however, is fractured when the guard reveals that Davis is being held for alleged child molestation.

This demarcation places Davis in the position of bottom of the hierarchy of power within the prison and subject to abuse and violence by the other prisoners and his subsequent death (that is also aligned to the ultimate prisoner treachery of ‘ratting’ to the authorities). The placement and demarcation of otherness through the category of sex offender was

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<sup>91</sup> This theme of a white middle class protagonist within the prison representation is picked up in the next chapter with regard to the tv series *Oz* and highlighted within other prison films.

refuted by Kinsey's study (as shown in chapter two). However is resituated through the removal and isolationist placing of the chomo (Child Molester). Allen Young in his 1974 article "Gay Prison Tragedy" references this reconfiguring of a sex offence through to alleged child molestation as occurring in the case of Eddie Rastellini "a gay brother who was stabbed to death at Bridgewater State Prison, Massachusetts in November 6, 1973" (Young 1991, p.267). In this instance Eddie had been convicted of sex with a fellow street hustler, Robert Smith, aged 16, although Eddie denied that sex occurred and appears to have been set up. However Young describes that within the prison he became an outcast:

When Eddie got to jail, his fellow inmates did not know the details, but they knew it was a sex crime. One of the early rumours – perhaps spread by the guards, in Eddie's view – was that Eddie had fucked his own five-year old son ... Marked as a faggot and a "diddler" (child molester), Eddie experienced continual razzing and hostility in jail, much of it violent. (Young 1991, p.268)

As a result of guard interference, Eddie's time in prison was made untenable, and led to his death by another inmate, much the same as occurs to the fictional Davis. I am not using Eddie's case to infer a link between the stories but rather to set up a correlative associative link between the labelling of sex offender (in this instance indistinguishable from child molester) and the position this places them within the institution. In the film, although following his murder Davis is stated to have been innocent of the crime for which he was incarcerated, he had

previously 'confessed' to another inmate (Juan) countless similar crimes for which he had not been caught. Pinero uses dramatic irony to tell the audience, through the confession to Juan, of Davis' guilt as a child molester, but the rest of the cast are informed they had killed an innocent man. This raises comments on both 'legitimate' justice (the police and the courts) and prisoner justice (inmate retribution) showing both as complexly flawed.

In *Short Eyes*, rape is threatened but never actualised. Pinero sets up the other inmates as a perceived force for vicious 'retribution' against perversion in the form of the (alleged) child molester, and this retributive act is to be achieved through male-on-male rape. The conflicted sense of sexual 'justice' could be resonant of the conflicted nature of Pinero's own sexuality, abused as a child, predominantly heterosexually identified, but also queer, and acknowledging an abusive element to his character and sexuality as represented in the biographical film *Pinero* (Leon Ichaso, 2001). Of course, as argued in chapter two, a biopic does not necessarily provide factual data, however a post-structural understanding of auto/biography considers the links between Pinero's upbringing and his narrative to be insightful into his representation of sexuality and sex in prison.

The complex inter-causal relationship between sex for retribution and sex as 'perversion' - illustrated by the inmates prior sexualisation of Cupcakes and the homosexualisation and coercion inherent within the earlier sexual 'banter' - complicates readings of the play and film's sexual leanings. In *Short Eyes*, the only real objection to the potential rape of

Davis, is not the rape/violence itself, but the fact that he is not 'stuff' (a sexually available/homosexual inmate) (Pinero 1975, p.88) - again a complex correlation between paedophilia and homosexuality is made by the character of Paco, (a sexual predator in 'love' with another man): "Anybody that has to rape little girls is a faggot<sup>92</sup>. He's stuff...squeeze"<sup>93</sup> (Pinero 1975:88).

What makes the potential rape of Davis permissible is the racial imbalance within the institution, as outlined by Scacco, illustrated by the racial make-up of the cast and the only one other white inmate, Longshoe. Within Longshoe's introduction to the jail for Davis' (and our) benefit he highlights the racial minority status of whites. When Longshoe turns against Davis upon learning he is a child molester, it leaves Davis with no other ethnic ally and placed in a vulnerable position with regard to rape. His isolated position reconfigures his white, middle-class, non-prison-savvy body as vulnerable and ripe for rape. Within the prison setting Davis has been rewritten by the prisoner codes of masculinity and power and through his double devalued status as not physically powerful and not ethnically protected he becomes a configured site for that vulnerability to be realised through rape.

The significance of Davis being labeled as "stuff" is to re-categorise the act of rape in a manner that reminds us of Tucker's experience of the way the prisoners engaged with him as rape victim. By announcing Davis

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<sup>92</sup>This illustrates the common misapplication of an associative link between homosexuality and paedophilia within heterosexist and homophobic society, although interesting within this context as all the characters are represented as potential "faggots" to use their terminology, but would not attest to any resultant associative link with paedophilia and the sexual abuse of young girls.

<sup>93</sup>Squeeze is a blatant homosexual, see quote from Short Eyes glossary at the start of the section.

as sexually available, and “stuff”, the characters are presented as being beyond the sexually violent act of rape, instead exercising relief of sexual tension or sexual intimacy, the prior ‘permissible’ represented form of sex in prison. This moment places the proposed rape of Davis within the sexual constraints of the institution and the pervasiveness presented therein. Rape is not anomalous when it is re-characterised as permissive, through the demarcation of Davis as “stuff”. Prisoner rape in *Short Eyes* is not actually realised, but the threat of rape codes the film within the realm of the fear of rape in prison, a fear that is promulgated by statements such as “Don’t drop the soap” which I mentioned in my introduction.

### **Rape and the removal of the Missus in *Scum***

The second case study is that of *Scum* (Alan Clarke 1977 and 1979) and looks to how the two versions, the 1977 television play and the 1979 theatrical release, re-imagine and reframe sex in prison through omissions and changes from one version to the other. The juxtaposition of both versions of *Scum* attests to the views expressed by both Scacco and Wooden and Parker as well as those evidenced within *Short Eyes*. They illustrate that the research carried out by Roy Minton (mentioned earlier) corroborates the ideas about sex in prison outlined in the US with that in the UK.

I will begin this section with background on the institution of the Borstal<sup>94</sup>, within which the narrative of the film and tv play is set. I will then assess the impact of the changes in the two versions and how this enables a re-reading of the role of sex in prison evidenced therein. The two versions of *Scum* were made within very close periods of time, and shot almost scene for scene but with some notable changes. This makes *Scum* (uniquely) valuable for assessing the representation of sex in prison especially with regard to the direct correlation between the changes made and ideas of how sex is represented within the prison form.

### The Borstal

The borstal arrived in 1908 and was a significant change in penal reform and the prison system in the twentieth-century, as it was for young males up to the age of twenty-one (McConville 1998, p.142). It was enhanced by the then prison commissioner Alexander Paterson, who believed: “You cannot train lads for freedom in an atmosphere of captivity and repression” (quoted in McConville 1998, p.142). Paterson implemented a system based on the public school model with houses and housemasters; staff wore civilian clothes and built up relationships with the ‘lads’. Cross country walks and camping trips were part of the character forming activities along with large-scale projects such as the building of other borstals. These all carried with them the pervading

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<sup>94</sup> The Borstal got its name from the village in Kent, UK where the first one was located (McConville 1998, p.142) and is written in some instances with a capital letter others not.

ethos of surviving life after incarceration and aimed at creating a sense of purpose and worth within the young inmate. Brendan Behan, author of *Borstal Boy* (1958) gives a sense of the place and the feeling of the boys of the borstal in a song:

‘Oh, they say I ain’t no good ‘cause I’m a Borstal Boy,  
 But a Borstal boy is what I’ll always be,  
 I know it is a title, a title I bear with pride,  
 To Borstal, to Borstal and the beautiful countryside.  
 I turn my back upon the ‘ole society,  
 And spent me life a-thievin’ ‘igh and low,  
 I’ve got the funniest feelin’ for ‘alf-inchin’ and for stealin’,  
 I should ‘ave been in Borstal years ago,  
 Gor blimey!  
 I should ‘ave been in Borstal years ago. (Behan 1990, pp.201-2).

From 1945 the borstal began to falter and the necessary involvement and funding dwindled. There were no innovative directors able to carry the system into the post-war era (Paterson died in 1947) and as a result the borstal failed as a viable system for young offenders. The film, and original TV play, *Scum* represented corruption and brutality as an everyday occurrence within the institution and thus was miles away from the old ideals of reform and character building. The institution of the borstal was abolished by Margaret Thatcher’s Conservative Government in 1982, just three years after the release of the film. Not all disappeared though, as there were some aspects of borstal life that made it over to/transitioned to the mainstream adult prison system, most notably the idea of a minimum security prison. The first of those, New Hall built near



Wakefield in 1936, was created as a direct result of the successes of the more forward thinking borstal. The other aspect taken into adult prison was the introduction of the Housemaster, renamed assistant governor. These were responsible for the welfare and well-being of the inmates and were expected to “know and assist their prisoners” (McConville 1998, p.144).

### *Scum*

The story of *Scum* is that of newcomer Carlin (played by Ray Winstone in both versions) arriving at the borstal from another institution where he was the ‘daddy’ (the dominant inmate, as explained in the glossary), and the plot revolves around how he works to gain the same power position in the new institution. There are subplots of rape, racism and suicide as portrayed through the side stories of the characters of Angel (played by Davidson Knight (1977) and Alrick Riley (1979)) and Davis (played by Martin Phillips (1977) and Julian Firth (1979)) who arrive at the same time as Carlin. The films both manage to portray the general conditions of brutality and starkness of the borstal.

There were two versions of *Scum* made because the first - the television play commissioned for the BBC by Margaret Matheson and produced in 1977 - was banned by Bill Cotton (then Controller of the BBC) as a false portrayal of borstal life (Kelly 1998, p.104). As a result of the ban, Alan Clarke (the director) and Roy Minton (the writer) waited out the rights to

be released by the BBC and sought independent financing for the film to re-shoot it. The script was re-written and early in 1979 shooting began with some of the same cast but not wholly identical to those in the television play.

To compare the two versions and note the difference, on an initial viewing we can see that the visceral violence and combat are evident, in both films, along with the sense of bleakness and hardship. However the rape scene is longer and nastier in the theatrical release than before, which I will discuss in detail below, and an earlier suicide returned (it had been removed from the original prior to the BBC banning). Most significantly it was Carlin's sexuality that was represented differently in the later version. According to Roy Minton the most obvious missing element was this:

In the TV version there was a homosexual relationship between Carlin and another young rather pretty inmate [called Rhodes]. Carlin wasn't a homosexual it was...established... He called him his missus, just for the time inside, and the line was 'I'm no fucking poofteer but you're my missus.'

That [the loss of the missus] I felt was rather sad because it extended Carlin's character quite a lot. It made him vulnerable in an area where he couldn't afford to be vulnerable for an inch (Roy Minton 2005).<sup>95</sup>

The specific vulnerability that Minton refers to is not clarified, but could refer to either a queering of Carlin's character leading to homophobic

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<sup>95</sup> Interview with Roy Minton: *Scum* (2005) Clarke, Alan. (DVD) UK: Prism Leisure Corp Plc..

response from the other characters, or that the relationship itself illustrates a need and softness to Carlin which is otherwise missing, as noted earlier by Wilson and the risk and vulnerability of sex. However, in the television play the level of Carlin's sovereignty over the institution is depicted such that there is no resultant 'weakness' in his status as "daddy" from such a coupling.

The original television play is, although more low-budget and documentary-like in style, a much less violent version, so much so that the British Board of Film Classification stated that had the theatrical release been of the same style as the television play they would have rated it "AA"; as it was they gave the new version an "X" rating (Barber 2013, p.145). Notably, the rape scene in the original is much shorter: it is on screen for only fifteen seconds compared to one minute and ten seconds in the theatrical release. In addition, the new version changed the scene's tone and conclusion. The only 'controversial' scenes missing from the theatrical release are the three scenes involving Carlin's missus, Rhodes (played by Ian Sharrok)<sup>96</sup>. As far as I can ascertain from my research, these scenes were not the reason for banning the original version. But none-the-less, two years later in the theatrical release the relationship between Carlin and Rhodes has all but disappeared – Rhodes is still present but only as a minor character with no or little direct interaction with Carlin.

To refer to the theoretical model set up earlier, it is this moment of bonding and intimacy that is lost through the removal of the character of

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<sup>96</sup> Rhodes was played by George Winter in the theatrical release but as he has no interaction with Carlin and is a bit part, that portrayal is not of direct relevance here.

Rhodes as a relationship for Carlin. The 'daddy' character ceases to have any sexual form in the latter version. He is 'beyond' such needs and free from any resultant vulnerability (as expressed earlier by Minton). Depicting Carlin in a 'relationship' with Rhodes opened up a depth to that character, a flexibility (Kelly 1998, p.96), that is missing in the second version. To follow my argument of the previous section, I would say that the 'lover' Rhodes did not make Carlin weak but on the contrary, symbolised Carlin's masculine power and dominance. Rhodes' inclusion places a two-fold level of supremacy on Carlin's character. The autonomy Carlin has realised as 'daddy' is strong enough to remove himself from any homophobic disempowering that may occur through his relationship with another boy, whilst also evidencing his right as 'daddy' to that relationship.

The request to Rhodes, although sensitively, almost sheepishly, made in the television play, is however a request that it would be hard for Rhodes to turn down. This is in a similar vein as Cupcakes refusal of Paco and the ultimate threat of rape shown in *Short Eyes*. The recourse to Rhodes should he have refused is not shown, but this still leaves us again within a context of coercion and exploitation, albeit one seemingly entered into voluntarily. A sense born out by Wooden and Parker's accounts of sexual exploitation as discussed earlier.

It should be emphasised that the relationship is not explicitly presented in a sexual light. It is shown as one for mutual beneficence, with Rhodes' position maintained even within Carlin's private dealings, he holds a presence and position. There is an implied intimacy in a scene where

Davis goes to Carlin for assistance to get moved from the garden detail (the site of his rape) and does not want to talk in front of Rhodes. This could be read as a form of correlation between sexual subjugates, Davis as rape victim (and thus turn-out) and Rhodes as submissive partner to Carlin but is more linked to his 'shame' at the rape. Carlin emphasises that Rhodes is privy to his private dealings, a missus in all forms, thus placing the relationship beyond the purely sexual to within the bounds of intimacy and bonding.

The drive for Carlin's request to Rhodes of a relationship links into the idea of sexual tension and the pervasiveness of sex within the institution. Ray Winstone, the lead actor (playing Carlin) later outlines his understanding of the scenes as they originally stood and states:

Ray Winstone: In the original he becomes a prison poof, and that's true, that happens in prisons. They're prison poofs when they're inside, outside they're straight as a die - I can't work that one out myself (Kelly 1998, p.96).

Winstone's dilemma for this situation and the existence of the "prison poof" places a form of reading of 'situational sex' alongside the identity of "poof": highlighting his heterosexist inability to read identity (straight) alongside activity (poof). Winstone also highlights here a knowledge of terms and concepts such as "prison poof", either through his direct association with *Scum* and Roy Minton's research on the subject, or through a more embedded 'knowing' that permeates popular culture – a knowing which is in a way initiated and furthered by films such as *Scum*.

The constant sexually pervasive aspect of the prison that leads towards the opportunistic rape of Davis is evidenced through the correlative reading of Carlin and Rhodes' relationship with the rape of Davis.

Although nudity does not figure significantly in either version of *Scum*, physical size and form do and are used to manifest vulnerability or strength. Davis' character is illustrated by his weakness, the slowness of his frame and his lack of strength, each reiterating his inability to cope with the borstal setting and already hinting at potential rape. This acknowledged weakness, alongside the resultant opportunism of his isolation in the greenhouse, would lead to the other inmates taking advantage of the situation. His potentiality towards rape victim is preconditioned by his weakness and lack of physical strength and size, his failed masculine body, as outlined above through Scacco and Wooden and Parker. Size prefigures strength and masculinity, the power to hold one's own. Davis' self, actualised through his body, is confirmed through his rape as that of being weak, a victim and subordinate.

The power of musculature is characterised within *Scum* in the only other moment of notable physicality of the body, presented within a context of hyper-masculinity. This is through the scene where Carlin fights the other 'daddy' Baldy (played by Peter Francis in both versions), a large black inmate from another block, in order to gain complete supremacy of the institution. Baldy is presented large, imposing, half naked and strongly muscular, in comparison to Carlin's smaller frame and height. The reframing of power occurs with Carlin bringing 'a tool' (an iron bar) to use in the fight. Not content to just hit Baldy without warning he asks,

'where's your tool?'<sup>97</sup> This confuses Baldy and re-categorises his bringing a weapon as presentiment of the fight as opposed to an underhand gesture. The declaration that 'tools' were part of the fight, where Baldy had arrived with just fists, places Carlin as resourceful rather than merely sly. The resituating of power through the 'tool' undermines the masculinity evidenced by Baldy's physique and stature. There is also the sense that one character (Carlin) has brains where the other (Baldy) has only brawn, in a racially stereotypical view that the smarter man is white whereas the stronger man is black. The hyper-masculinity witnessed here is beaten by Carlin's use and abuse of power through intelligence.

To turn to the rape scene itself, wherein the character of Davis is raped by three older and larger boys whilst on garden duty in the greenhouse, Alan Clarke sets up the rape scene by evidencing his aversion to the queering of the characters. We can see this in an exchange between him and Sean Chapman who plays James (one of the rapists in the theatrical release) as recounted by Chapman below in an interview with Richard Kelly:

SEAN CHAPMAN: I remember him [Alan Clarke] looking me straight in the eye and saying, "Now, Sean, there's a big scene in the movie where a guy gets it right up the arse." "Yes, Mr Clarke." "He's not a poof, this character, but men in these extreme situations, their emotions get very high, they get frustrated. And it has to be real, and it's a cold day and it's gonna be horrible. Now can you do that?"

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<sup>97</sup> There is a potential reading of the 'tool' to represent the penis, and the archetypal notions of power laden within such an image of the masculine and patriarchal moment of the fight, whereby Carlin's potency is illustrate by his brandishing his tool, and Baldy's impotency and powerlessness reiterated through his lack of a 'tool'.

“Yes, I think I could,” I say, very keen and young. He said, “Good, ‘cos you strike me as the right man for the job” (Kelly ed. 1998, p.120).

The sentiment expressed by Alan Clarke through Sean Chapman’s recollection is firstly that the rape scene has become “a big scene in the movie” whereas in the television play, although one of the more extreme moments in the play, it is not highlighted more than the other similarly heightened moments of violence and drama. By making the scene big, Alan Clarke utilises the rape as a pivotal moment in the brutalisation of the boys within the system, drawing out its cinematic potential to extrapolate it as a key signifier of deviance and moral decay. I would argue that this emphasis conversely removes its power. Whereas the television play entwines the scene within the fabric of the story, as another moment in the problematic institution of the borstal, the re-make sets it apart as a way to remove sex from the prison. Without Roy Minton’s input to ensure that sex is maintained in the borstal (he was excluded from the filming of the theatrical release), Alan Clarke, through the removal of the missus and the over-emphasis of the rape, highlights a bestial nature of the boys beyond the horror of the borstal itself.

Alan Clarke also reiterates the notion of the ‘not poofy’ nature of same-sex sexual activity within the institution. He highlights the simplistic concept of sex born out of frustration as a non-problematic signifier of the sexual drive of the boys, as opposed to the queering power-play potential of the scene. However, if this scene was able to be read, as originally intended, alongside the queering of Carlin with Rhodes it would



mark a very different representation of the boys' act of rape. Such a representation provides an understanding about the potential for (homo)sex within the narrative and addresses concepts around opportunism, frustration, aggression and hierarchies of force/strength. It would facilitate a commentary on how privilege enables the satisfaction of desire. Whereby Carlin as 'daddy' is able to take and have Rhodes as a missus unproblematically for his masculine sense of power and self whereas those denied such power must resort to catastrophic means to attain that momentary sense of power and to engage in sex through rape.

In *Scum*, what the removal of scenes referenced above, and the loss of Rhodes as Carlin's missus does, is isolate and withdraw the potentiality of homosexuality from the mainstream of the prison populace to an isolated and sidelined limited number of violently inclined prisoners who are willing to engage in the act of rape alone: unnamed, unidentified and placed squarely outside the bounds of the main borstal base. The physical location of the rape reiterates this message, out in the greenhouse. Outside of the main structural buildings of the borstal, the greenhouse becomes a site of isolation and removal of the violent, prison-based (homo)sexual activity in the form of rape. When Carlin in the television play, as the central protagonist of the story, acquires (in a relatively unproblematic way), Rhodes as a missus within the borstal environment, the homosexualisation of the borstal experience becomes permissive, pervasive and an aspect of the space. The fact that the coupling of Carlin and Rhodes is not overtly sexual also attests to the

nature of the mutually beneficial, bonding and intimate nature of their relationship.

Therefore, *Scum* loses some of its scope with the removal of the Carlin/Rhodes relationship by the placing of the only expression for sexual outlet (the rape) beyond the prison walls in the greenhouse, as if saying, that it is ok, because rape does not happen here but out there. The loss of the relationship between Rhodes and Carlin not only removes the only point of 'weakness' or vulnerability (flexibility and depth) within the character of Carlin, it also removes the queering potential of the whole institution, sidelining its sexualisation as one of rape and dominance/abuse alone. Homo-sex ceases to be permissible within the institution, and becomes vilified, vile, and violated. Alan Clarke removed the queer and potential homosexual sense of the whole institution (a sense reiterated within the pervasive nature of the homosexualisation of the institution in *Short Eyes*) through the removal of the missus, resulting in a misdirected acceptance that (homo)sexuality is not an issue within the borstal system, only in the form of rape, which is illustrated as more about opportunism, power, abuse and dominance than sexuality, placing sex within the other moments of violence in the film as beyond or counteracting such violence. Minton's inclusion of the Rhodes/Carlin relationship undermined that comfortable side-lining of the queering potential for the institution, and therefore he rightly rues its loss.

Roy Minton: One of the guys I met during research, a professional villain, he told me that once you're in a dormitory, the public school element prevails. It's not a homosexual thing, he made the point I gave

to Carlin, 'I'm no fucking poofter.' But it's not unusual for professional criminals to engage in a bit of that. I thought the gay scene opened all sorts of areas up and said a lot about Carlin, his flexibility - and also the problem about being a pretty boy, which is the same in adult nicks. (Kelly 1998, p.96)

Roy Minton expresses here that he wished the relationship to open up not just Carlin's character but the whole notion of homosexuality and sexual exploitation within the same-sex institution of the borstal. Through his reference to the "problem about being a pretty boy" he is referencing the sense of the sexual coding of the prison and its formation around desire as outlined earlier (and in the next chapter) through the desirability, the prettiness, of the acquired partner. This understanding frames the context of prison sex alongside the homosociality of the wolf-whistled arrival of the new prisoners within the population and the appreciation of the male form witnessed therein. The variance between the two versions is more than budget, a slight re-casting and the older age of the boy actors, it is in their comment on the sexual potentiality of boys and men within the institutions of borstal and prison. The former enables a reading of sex in prison as pervasive, embedded and complicating moments of queer identification and power; the latter displaces sex from within the institution, replacing it with opportunistic moments of power and dominance beyond sexuality, framed solely in the complex coding of rape (literally and figuratively) beyond the institution. In this chapter I addressed the discussion within the rape centred era of the 1970s and 1980s with regard to representations of sex in prison, that there are variable ways to read and understand prison sex placed within

or around rape. Through the opening up of the discussion around sex as bonding and intimacy alongside the pervasiveness of sex and sexual tension within the institution, it is possible to site this within representative texts, in this instance *Short Eyes* and *Scum*. Also, that the body is a site for self, selfhood and agency within and beyond Foucault's disciplinary powers, one fraught between moments of vulnerability and power. That the way rape is understood and used within prison representations, varies beyond a simplistic rendering of rape as power and dominance to an opening up of what that act illustrates about sex therein, and how the autobiographical account of rape by Donald Tucker rewrites the rape within comment on dominance, submission, humiliation, pain, the complicity of the institution and the variant ways in which men engage in the act of rape.

Through the films (and plays) *Short Eyes* and *Scum* it is possible to highlight the representation of sex in prison and their characterisation of rape in prison, and their moments of interplay and comment on the institution as a whole. How rape within *Short Eyes* places vulnerability within Scacco's highlighted imbalance of ethnicity, and how this is read alongside the all-consuming sexual play of the inmates for Cupcakes. Next to this is the way in which the removal of the relationship between Carlin and Rhodes from the theatrical release of *Scum* removes the sexual potentiality of the institution and its comment of sex in same-sex institutions, citing it solely within the removed, violent and problematic coding of rape occurring outside of the institution. One encompasses the complicity of the institution (and ultimately the viewer) through voyeuristic

gaze, the other allows for a moment of violence highlighted as an aberration. Each case shows how the study of representations of sex in prison enable a reframing and re-imagining of sex between men as outlined within the institution of prison.

In the next chapter I will take the discussion of representations of sex in prison into the queer theory of the 1990s and 2000s as a way of further understanding the prison as a queer space. These will be placed with case studies that illustrate the amorphous potential of men having sex with men in popular culture representation of the prison setting.

## 4.

**Queer**

I am not gay by your definition...

I love men. I tell them so directly.

Wherever we encounter, there are no categories.

(Barber 1983, p.373)

In order to understand the representation of the prison better this chapter sets up a model utilising queer theory of gender and sexuality, and leads us from the 1980s into 1990s and 2000s. As I have shown the cultural representation of the prison to be a queer space, the best way to analyse that space is by using the tools provided by queer theory. The theories I use address and challenge notions of gender and sexuality by integrating the transformative and queered notion of the prison's representation. It can be taken that, essentially, there may be homosexuality in prison but the identification of it is removed and sidelined through the maintenance of heteronormative forms of active/passive (heterosexually signified) sex. Queer theory helps us understand how the concept of heterosexuality prevails in representations of an institution which are structured around the homosocial and same-sex sex.

The more recent texts on sex in prison have not taken the subject much further forward, and still feature a strong focus on rape and coercive behaviour (Hensley 2002 and Singer 2013). This is with the notable exception of the text often mentioned and used already, *Criminal*

*Intimacy* (Kunzel 2008), as an unparalleled historical account of the associative link between sex in prison and sexuality together with sexual history and sexual politics as a whole. The other exception is the text *Prison Masculinities* (Sabo, Kupers and London 2001) which is a collection of theoretical essays, prisoner accounts and poetry, and includes queer and gender theory, with essays on homosociality and gender construction. Therefore, to take the discussion further into the complexity of gender and sexuality, I will build on ideas begun in *Prison Masculinities* and apply seminal works of queer theory to the cultural representation of the prison. The themes of homosociality and gender construction will be expanded upon alongside ideas around the removal of sexual categories, the fear of the passive role in homo-sex and the move beyond a gay identity, all in relation to representations of prison. By reading these two areas together, queer theory and the cultural representation of the prison, we are better able to understand the queering of the prison space as represented, and see how those representations can inform queer understanding.

### **Queer Theory: Homosociality and Gender Construction**

Homosocial to homosexual continuum

In this section I am using Eve Kosofsky Sedgwick's (1985) theories and discussion of homosociality, homosocial desire and homosexuality as a

discordant continuum for males. The reason for this is that the prison is represented as a predominantly all-male world: a homosocial environment. As Holmberg states, “A men’s prison is a socially sanctioned domain of compulsory homosociality” (Holmberg 2001, p.87). An understanding of the meaning of homosociality and its relationship with homosexuality will inform a greater understanding of that world. It is by using the continuum of these two concepts that we can recognise the power struggles and inmate interactions better within the representation of the prison.

The term homosocial is used to describe social bonds between persons of the same sex; “it is a neologism, obviously formed by the analogy with “homosexual”, and just as obviously meant to be distinguished from “homosexual”” (Sedgwick 1992, p.1). Sedgwick outlines the continuum from homosocial to homosexual as unproblematic in females, and would not be so noteworthy if it was not for the discordant nature of the homosocial and the homosexual in males (Sedgwick 1992, p.3). As a queer site of homosociality, the representation of the prison could be seen to afford a space wherein this discord is lessened or removed and the continuum more flowing. Yet the prison is represented predominantly as a site of fracture, power-play and coercion, a situation which Sedgwick explains should be fractured. As Sedgwick states:

To draw the “homosocial” back into the orbit of “desire”, of the potentially erotic, then, is to hypothesize the potential unbrokenness of a continuum between homosocial and homosexual – a continuum whose visibility, for men, in our society, is radically disrupted



(Sedgwick 1992, p.1).

It is this radical disruption that can be used to look at the prison's representation as a way of understanding the relationship between homosocial and homosexual within that represented world. A recognisable site of homosocial engagement, the representation of prison through its (significantly) all-male form becomes an enclave of male homosocial desire and a complex site of negotiations of power and male-interaction. This state of dissidence and struggle is created, in part, by the tension between the homosociality of the prison and its innate homosexuality.

The prison would initially appear to be an ideal site of the continuum of 'men loving men' and 'men promoting the interests of men', yet the two concepts are in an ongoing state of flux and discord, forming the basis of power battles and immobility within hierarchies because "[r]elations among men in patriarchal institutions are hierarchical" (Sabo, Kupers and London 2001, p.8). Furthermore, in the struggle for hierarchical power between men, "a key locus through which domination and subordination are constructed is sexuality" (Sabo, Kupers and London 2001, p.11).

When looking at homosexuality as represented within the prison, as we have seen in previous chapters, there is a removed state from power of the subjugated male. As mentioned in chapter two by West, as long as the passive sexual partner remains little more than an enhanced masturbatory device (West 1974, p.122) the heterosexual sense of a hierarchised self is able to remain unchallenged. In Sedgwick's sense the continuum remains broken. This is demonstrated clearly within

Parsell's memoir, *Fish* (2006) where the narrator, Timmy, is maintained within a subjugated position throughout, known as Slide-Step's 'squeeze' (a known homosexual and sexual subordinate to a 'straight', read powerful, inmate). Although Timmy is given a place of security within the prison, he has no personal power or agency, and must comply with Slide-Step's wishes and demands, sexually and otherwise. Recognition of how this informs Sedgwick's discordant continuum shows the prison scenario as complicit with wider societal readings of the relationship between the homosocial and the homosexual in the male domain.

There are instances within the prison's representation wherein emotional engagement, intimacy and love may appear to challenge the discordant relationship between the homosocial and the homosexual. As Sedgwick states, "To draw the "homosocial" back into the orbit of "desire", of the potentially erotic, then, is to hypothesize the potential unbrokenness of a continuum between homosocial and homosexual" (Sedgwick 1992, p.1). This can be witnessed in the case of two characters, Pele and Ronaldo in Channel 4's series *Buried* (2003). Episode two of the series focuses on their relationship, a relationship of love and equality where both men still have power within the prison. This is illustrated by the other inmates' fear of Ronaldo and Pele orchestrating having a rival attacked without leaving his cell<sup>98</sup>. The fracture of this relationship, from normative readings of relationships between men, is felt by how it undermines the expected discordant continuum for men. Ronaldo and Pele should not be able to represent both power and homosexuality within the homosocial

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<sup>98</sup> This episode and this relationship are discussed in more detail later on in this section.

environment of the prison. The fact that they do places this representation beyond Sedgwick's expectations of the homosocial to homosexual continuum.

An understanding of the expectedly discordant continuum illustrates the way that the prison's representation rewrites that supposed schism between homosocial and homosexual. For example, as mentioned in the previous chapter, the wolf-whistling and sexual jeering that accompanies the new arrivals as in *The Escapist* (Rupert Wyatt, 2008) is an illustration of the continuum unbroken: The crowd (the homosocial) calls together in attraction (homosocial desire) towards an expressed sexual act/end (homosexuality). The location of heteronormatively presented machismo, the wolf-whistle ordinarily directed by males towards females has been rewritten within the prison film as a representation of (homo)sexuality and fraught machismo within the all-male world of the prison. This understanding is conceptualised and clarified through the knowledge of Sedgwick's homosocial/homosexual continuum, and shows that the prison's representation can at times maintain Sedgwick's model, yet at other times undermines it.

A further example of the relationship between homosocial and homosexual can be seen in *American History X* (Tony Kaye, 1998) where sex, represented characteristically as rape, is used to remove Derek (played by Edward Norton) from the privileged grouping of the racist brotherhood. The homosocial group of the racist network, as a site of power and dominance in which Derek played a significant role, irrefutably removes him through rape. The rape not only makes Derek re-evaluate

his alliance with the gang and their ideology, but it also signals his dismissal from that group and its auspices of power. Sex has been used to exclude him from the hyper-masculine world of the gang and its resultant power.

Sedgwick's model gives us a way of seeing this representation of the prison, and notably sex in prison, as a site of homosexual and homosocial conflict, but also moments of accord. The ways in which conflict and accord exist depends, in part, upon the 'gendered' nature of the inmates; from hyper-masculine male to 'made', or read as, female.

#### Minoritisation/Universalisation Model

Before I leave Sedgwick, I will also reference her discussion of the universalisation and minoritisation model with regard to sexuality in the *Epistemology of the Closet* (1990). In this Sedgwick explains that homosexuality has been written variously as attributable to a small group of deviant individuals but also (and concurrently although complicatedly) as a potential within all people. With this model it is possible to read the inmate in the prison's representation as either homosexually self acknowledged (such as Wildeblood in chapter one, the minoritised) or as someone not homosexually signified doing homosexual things (such as Carlin in chapter three, the universalised). This model simplified a way into the complex subject of identity and behaviour, a concept that Kinsey's study also discussed with regard to the behaviour of prisoners

not being read as homosexual whilst engaging in homosexual acts. To be used further back it helps us to understand the dichotomised relationship that Fishman had with the subject in *Sex in Prison* (1934), where he moved from damning the deviant (the minoritised) to excusing the 'corrupted' or curious (the universalised). This theory has been used to re-interpret the prison text in light of its model of sexuality. Kunzel argues:

As prison writers negotiated the anxieties provoked by sex in prison, they adopted positions that were inherently unstable...Prison writers aimed to hold steady a coherent and definitive sexual identity – a minoritizing understanding – and at the same time promoted a universalizing view by acknowledging that heterosexual men could participate in and even initiate same-sex sex (Kunzel 2008, p.102).

The uneasy co-existence of universalisation and minoritisation inform an understanding of sexuality, especially within the representation of the prison, which is an ideal site to understand such theorising. The prison's representation affords a space where those identifying as part of the 'small deviant group' are placed directly next to those normatively written males who are seen as acting beyond their expected sexual behaviour. This can be clearly illustrated using the television series *Oz* as a case study. The universalisation/minoritisation model will be picked up later also linking into the identity 'gay' which takes the discussion on sexuality further than the identification between homosexual and 'heterosexual doing homosexual things'. I go on to look to how gender is able to be written as an integral part of the way that males engage sexually with

other 'males' within the representation of prison. This understanding of gender will also assist in reading the further understandings of sexuality which follow.

### Performativity of Gender

Judith Butler's theoretical explanation of the performativity of gender can be used to address the way that gender and sex are understood within the institution. It is useful to know what gender has to say about men being together, as the homosocial representation of prison uses gender to signify masculine hierarchy. I will use Butler's theories on gender and performativity (1993) as a way to unwrap how femaleness appears in the prison, represented by characters such as Jan the Actress (played by Mickey Rourke) in *Animal Factory* (Steve Buscemi, 2000) and identifying what this uncovers about the performance of gender. I look to the representation of prison as a site where such performativity can be recognised, understood and deconstructed.

By understanding the way gender is performed we can see how the cultural representation of the prison can have 'female' as well as male characters present. Despite the all-male environment of the prison, Ben Crewe shows that gender is a factor of imprisonment. Crewe states:

In some jurisdictions [sexual coercion] appears pervasive, and is saturated with gendered (and racial) meanings, creating a surrogate gender hierarchy and redefining the terms of masculinity in the

absence of women (Crewe 2007, p.139).

Male-on-male discourse shows that gender can be as much about men with other men as about the gender relationship between men and women. As Lynne Segal states, gender is more distinct within than across the sexes and that “[w]e all criss-cross these supposedly gendered lines, displaying greater variation within our own sex than between the sexes” (Segal 1994, p.283). The cultural representation of the prison illuminates ‘single-gendered’ examples, where a range of gender roles are being performed by and on the male body through the absence of women. This demonstrates the ways in which the homosocial state of the prison is reconfigured along gender lines, underwriting the potential for a continuum through a re-conceptualisation of gender roles and norms.

Gender constructionism and performativity can be used to analyse the role of gender in the representation of the prison, as inmates are shown to move from one previously ascribed gender to an altered gender role within the homosocial male environment. The movement in gender roles in male characters suggest ways in which societal constructions of gender can be circumvented and reconstructed. This in turn supports Butler’s argument that within such reforming, gender (through its nature of complicated and complex construction) becomes a performativity of gender. That is, gender can be seen as an overt presentation of a set and sequence of culturally resonant ideals of behaviour and identity which are given to a certain pre-specified gender role. This shows how we can read male inmates as ‘female’ or feminised within the all-male

prison world, by the placement of those ideals of female behaviour and identity onto the male body.

Queer theory emphasizes the performativity of gender, and views sexual identities as products of social disciplinary practices. Insofar as behaviour is theatrical, it need not be attributed to any underlying trait or “essence” of the actor. Seen in this way, masculinity, femininity, queerness, straightness are not so much what one is, but what one does (Greenberg 1997, p.191).

This ‘doing’ of sex and gender enables the retelling and reframing of ‘male’ sex and gender through a feminised form as something one does within the prison. Within this there is the re-envisioning or rewriting of an inmate’s sexual and gendered self through the role taken or placed upon them. Butler explains, that sex becomes an ideal constructed forcibly through time, not simply an innate or ‘static condition’ but more of a process, a series of normalising phenomena placed upon the body (Butler 1993, p.xi). Sex is therefore understood as “one of the norms by which the “one” becomes viable at all” (Butler 1993, p.2). This construction towards viability is what is rewritten within the prison’s representation, where an inmate, often through coercion and force, is re-made ‘female’ within that hierarchical and power-focussed male homosocial environment.

Within the representations of the prison, males reassign, realign and reform their sexual self through the changing use of normalised phenomena, where sex is re-imagined within the prison from male to degrees of female. The re-framed female self is noteworthy in the extent



of its cultural recognition, as with Jan the Actress in *Animal Factory* (2000) as well as in the film *Undisputed* (Walter Hill, 2002) through the character of Antoine (played by Johnathan Wesley Wallace). In *Undisputed*, Iceman (played by Ving Rhames) is the World Heavyweight Boxing Champion, and he is sent to prison following a conviction for rape<sup>99</sup>. In the scenario below, Iceman is offered Antoine as a sexual partner by a gang leader within the prison:

Antoine: Jack, I'm looking to be your friend Jack...I'm a gift  
 Iceman: Well I don't need no gifts...who sent you?  
 Antoine: Saladin. He want to be your friend he kind of runs things for El Faziz Assasins. You can check it out.  
 Iceman: You're kind of pretty for a bitch...but I don't want to owe nobody you tell him I said that. Get outta here.

(*Undisputed*, Walter Hill 2002)

In this exchange the knowledge of Butler's theories on the performativity of gender enable us to read and recognise Antoine as 'female'. It is through that recognisable reconfiguration of Antoine from male to 'female' that the film highlights the manipulations of gender within the homosocial prison environment. The character of Iceman has been in the prison for only two months at this point. Yet the interaction between the heterosexist signifier of hyper-masculinity (the boxing champion) is not threatened or countermanded by the approach of the homosexual male Antoine, because he has been re-written 'she' within the context of the film. For Iceman to maintain his patriarchal dominance within the

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<sup>99</sup> This is a seemingly recognisable and knowing correlation with the imprisonment of Mike Tyson, Heavyweight Boxing Champion of the World, for rape in 1992.

(boxing) plot of the film, the prison in *Undisputed* has to show Antoine as culturally acknowledged 'female' in order not to undermine perceived dominance and heterosexuality. This is achievable both by the expectation of the homosocial prison film where some males are made 'female' and the awareness of the performativity of gender. In this instance Iceman's reason for rejecting the offer has nothing to do with standard heterosexist concerns or homophobia, but rather not wanting to be indebted, and thus possibly subjugated, to another inmate. Iceman's heterosexual characterisation is maintained care of Antoine's represented 'femaleness'.

The extent of the transformational quality of gender with sex is explained by Butler and the discontinuity between sex and gender. Culturally constructed gender identity fits within or around the sexed body as a potential to re-imagine the binary constructs of male/female. But as Butler states:

If gender is the cultural meanings that the sexed body assumes, then a gender cannot be said to follow from a sex in any one way. Taken to its logical limit, the sex/gender distinction suggests a radical discontinuity between sexed bodies and culturally constructed genders. (Butler 1999, p.10)

I am using Butler here to draw beyond a binary construct of gender that is idealistically or experientially associated with the perceived binary of 'sex' in much the same way as I used Kinseys' study to draw away from the binarism of perceived dichotomous sexual behaviour in chapter two. Through the "radical discontinuity" we are free, or variously able, to

redraw gender away from sex much as Kinsey's study enabled the rewriting of sexual behaviour away from an ascribed 'normalcy'. Such 'freeing' is evidenced within the amorphously diverse manifestations of gender and gender dis-normativity within the prison's representation. The performativity and rewriting of gender within the codes of the prison and inmate interconnection enables a re-imagining of the expectations of 'male' through the multifarious means of gender association, and gives a means to reread prison's representation within this model. This performativity of gender and role can change over time or place, by situation, circumstance or through the pressure of another stronger male body. To apply the gender model to the case of Derek's in rape in *American History X*, discussed earlier, the rape is used to re-gender him through his subjugated role in sex. That sex removes his right to the masculine privileges of power.

### **Sexuality, Categories and Identity**

Outside of the homosocial form of the prison, patterns of gender and sex are manifest along standard models of heterosexist sexual activity. Within the representation of prison gender and sex are reconstructed along newly ascribed gender roles in order for that homosocial society to attempt to maintain heterosexist sexual activity. For 'heterosexuality' to flourish in an all male environment, it is necessary, as mentioned above, for some of the males to become 'female'. For this to occur there needs

to be not only an actual occurrence of gender and sexual role shift but also an awareness that that transformation has occurred and been recognised. The way that this becomes known within the prison environment is through the visibility and viability of such relationships. In “A Million Jockers, Punks and Queens” (Donaldson 2001) Stephen Donaldson outlines the sexual code of the prison and he explains:

Virtually the first result of a successful claim being laid on a catcher is its announcement to the prisoners at large; sex is the number one topic of conversation, and the news that a new punk has been “turned out” spreads like wildfire throughout an institution (Donaldson 2001, pp.123-4).

Within this representation of prison the quote creates a sense of a close knit tightly woven mass of men, quick to pass on knowledge throughout the institution to reify the newly re-gendered positions of those now partnered. For the prison and the prisoners to acknowledge the dominance (and masculinity) of the active male partner, it/they must acknowledge the sexual activity of this male with another 'male' (read as female), illustrating a tacit acceptance of that homosexuality. From such relationship based power forms through or beyond the sexual, comes the sense of the manifestation and maintenance of 'dominant' masculinity. As Rutherford states:

To become an acceptable masculine man means adopting the values of male superiority [and]...Our sexual identity is about shaping and defending them. (Rutherford 1988, p24)

Here the orbit of gender is drawn into sexuality, where the form of sex becomes written into male sexual activity, role and representation and where masculinity is reinforced through the different understanding of sex in prison. For such acceptable masculinity to be recognised within the hierarchies of the homosocial prison, other males must be refused that male superiority. This can be achieved through sex, as we have seen in chapter three, where the Daddy's power in *Scum* is reified in his choosing a sexually submissive partner, the missus. Beyond voluntary means, force or coercion, can re-categorise males towards female by forcing them to adopt the passive sexual role.

Through the contained nature of the all-'male' environment, for gender hierarchies and power to exist within patriarchal institutions 'females' must be present in order to maintain the misogyny of such hierarchies. In one way this is achieved through sex in prison. As Donaldson explains, "It is important to realise that whether a Man is sexually involved or not, his status is sexually defined" (Donaldson 2001, p.118). This status is in part maintained through sex and the role played in sex in prison as we have seen in the previous chapter and above. This translates through to the panic inducing state of the receptive sexual male as Leo Bersani explains:

[T]he image of a man being fucked with his legs in the air triggers the ultimate anxiety of the male: that he might enjoy the psychologically destructive ecstasy of taking his sex like a woman (Bersani 1995, p.129).

In this sense “taking his sex like a woman” re-writes the male into a subordinated femininity within the institution. This places the subjugated male beyond the gender power of male and reconfigured feminised and powerless. This is shown to be the case with both voluntary (if such exists within the prison’s representation) and coerced sex, and rape. As seen above, Derek’s loss of power, place and privilege within the homosocial and dominant group of the racist brotherhood is removed through the act of rape, turning him out (to use prison terminology) from masculinity toward femininity. Sex and rape are used to remove the right to masculinity for the passive sexual recipient.

There is a paradox for the representation of the prison with the gendered nature of doing time. In that, as Louis-Georges Tin says, “many young males believe that “doing time” makes one a man .... Prison accords one the status of a big shot, a tough guy, based on supposed courage, strength, and virility” (Tin 2008, p.369). Yet, as prison is homosocial and imbued with same-sex meanings, these rewrite that initiation is potentially homosexual. This creates a fraught sense to such an initiation in that prison is part of an initiation-rite to manhood, however the prevalence, acceptance and knowledge of homosexuality within the representation of prison is a threat to that self same inmate’s newly attained “manhood” through the link to passive homosexuality and feminisation. This can result in a scape-goating of homosexuality based in an apparent misogyny towards a distancing aim, removing the feminine from the masculine (Tin 2008, p.369). This can be seen to inform the view of the prison and its hyper-masculinity in the prison’s

representation. This paradox of manhood versus homosexuality is directly evident in *American History X*, where Derek's prison sentence is seen to confirm his manhood and is a stage of masculine development for his character, however that 'manhood' is later rewritten through the disempowering state of homosexuality when he is raped. Prison makes and then breaks Derek within archetypal notions of masculinity and hyper-masculinity.

#### Beyond categories and towards sexual utopia

In this section I will build on Martine Rothblatt's work in *The Apartheid of Sex* (1996) and apply this to the way prisons are represented. Rothblatt's concept of the unisexual opening up of the potential and the desirable in sexuality beyond categorisation, creates a place to restate prison sexuality within that idea of declassification. This takes sexuality further to a utopian idealism of sex unconstrained by homophobia, gender power play and the constriction of dichotomised thinking, within which sex in prison would not be anomalous but would manifest a normalcy of radicalised free-flowing sex between people. As Kunzel argues:

The phenomenon of sex in prison suggests the fundamental instability of the modern (and perhaps any) sexual regime, challenging not only the edifice of the sexual binary but also historians' ready acceptance of that binary as the truth of sexuality in

the latter half of the twentieth century (Kunzel 2008, p.237).

It could be read that within such an understanding we have figuratively returned to a point pre-categorisation, a point before this all began, before the time of the classifying and categorising Victorians. With a modernity of understanding of sex, gender roles, performance and integration, a pre- and post-homosexual/heterosexual utopia of sexual potentiality could be enabled. This moves to a further point of a utopian ideal for sexuality beyond constraint and categorisation, a way of seeing and being beyond the challenges existing within representations of homosexuality and how these are apparent within prison. This section utilises Rothblatt to seek out this 'idealised' form of sex and sexuality, the edges of which begin to appear within the prison's representation.

Within the tightly scripted codes of sexuality and sexual behaviour, David F. Greenberg in "Transformations of Homosexuality" (1997), writes that the "[I]ack of opportunity, and the need to coordinate one's actions with those of others who may not share one's own classification scheme, can prevent people from acting on the basis of their own ideational system" (Greenberg 1997, p.179). The cultural representation of the prison shows the inmate as placed within a newly coded form of interaction away from some of their prior constrained and restricted forms. Through a re-envisioning of the potentiality of the removed state of sex within prison, new forms and codes can be realised. As illustrated by Manuel Puig in *Kiss of a Spider Woman*:

In a sense we're perfectly free to behave however we choose with



respect to one another, am I making myself clear? It's as if we were on some desert island...Because, well, outside of this cell we may have our oppressors, yes, but not inside. Here no-one oppresses the other (Puig 1991, p.202).

Here the trans-woman character, Molina, is trying to convince the heterosexually signified male, Valentin, that they are free from the oppressive regulations of heterosexist society. Molina argues that they, and the prison cell, are free from such constraints and categories and that they can, therefore, act as they wish. The prison experience, through its destabilising state of removal from mainstream interactions within the gender binary and enmeshed within dominant hegemonies of a naturalised heterosexuality, can enable a variance of sexual engagement.

If we are all sexually unique beyond male and female categorization, then the terms *heterosexual*, *homosexual*, and *bisexual* lose much, if not all, of their meaning. The paradigm of sexual continuism predicts that in the new millennia society will evolve to a state of unisexual orientation (unique sexuality). Persons will love, and fall in love with, persons based on their emotional feelings for the person, not for the person's genitals. As this occurs, the age-old apartheid of sex will finally be fully gone. (Rothblatt 1996, p.140)

Rothblatt's utopia of sexual freedom seeks to tear down the walls of heterosexist hegemony with the eradication of labels and signifiers. This is shown as possible through representation of sex in prison with the understanding of the uniqueness and complexity of the individual, not just sexually, but through all aspects of the individualised self.

The UK prison series, *Buried* (Channel 4, 2003) has the relationship mentioned earlier between two prisoners, Pele/Pete Perry (played by Steve Evets) and Ronaldo/Felix (played by Francis Magee) that runs through episode two<sup>100</sup>. To further expand upon Rothblatt's post-category sex and sexuality this relationship gives an example of that potential. Pele and Ronaldo are celled together and form a relationship, which is referenced as sexual and loving. Around this scenario Pele's wife, Carla (played by Kate Donnelly), is waiting for him to be released. They have been married for twenty-two years, although fourteen of those Pele has been inside, she acknowledges (and is seemingly untroubled by the idea) that he has sex with men inside, but when she perceives his agoraphobia as a choice not to visit her she reads it that he has everything he needs inside (including love) so she ends the marriage. The relationship between Pele and Ronaldo is one that links into an emotional connection and engagement beyond a sexual one and challenges the identities and interactions of the inmates. Ronaldo mentions an ex, but not their gender and although Pele acknowledges that he and Ronaldo's relationship was sexual, as well as trusting, he does not specify the nature of their identity as lovers. In fact Pele insists upon its lack of category and we are left with a question mark as to the resultant form that Pele is and perceives his sexuality to be. This re-conceptualisation of the sexuality of Pele and Ronaldo writes homosex within the prison representation, away from standardised codings of heterosexual and homosexual towards a permissiveness and potentiality

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<sup>100</sup> This episode was shown in the UK on Channel 4 on the 21<sup>st</sup> of January 2003

of prison sex. Pele and Ronaldo post-categorisation model of a relationship within the confines of the prison represents Rothblatt's concept beyond the apartheid of sex and illustrates the prison's representation as a means to review and reframe male sexuality.

Turning away from an ascribed 'normalcy' to a sexual utopia, Rothblatt is in illustrious company. With regard to Foucault, Segal states:

His key idea is that there is no inner essence of sexual being, sexual drives or sexual identities. The only possible liberation is not 'sexual liberation' but freedom from all existing discourses of sexuality and sexual identity – including the 'dissemination and implantation of polymorphous sexualities' (Segal 1994, p.180).

Such a space can be seen to begin within the prison's representation through its isolation from standardised codes of sexual expectation and its ascribed 'legitimacy'. Also, as Rothblatt states, "Since the prime motivation of people to engage in sex is that it feels good, and this good feeling is achievable with either sex (or even self), there is no logical reason to assume people are inherently hetero- or homosexual" (Rothblatt 1996, p.140). As sex (activity, behaviour and orientation) transcend the labels and categorisation placed upon it within the twentieth century, it can purport to an amorphous diversity beyond the heterosexist machinations of categorical power play within patriarchal society. Through an examination of cultural representations of sex in prison and an understanding of the means by which that sex in prison can become viable, we open up the possibility wherein (homo)sex becomes not just permissible, but also permeable and unproblematic. As

is seen with the regard to Pele and Ronaldo above, their relationship is undefined by sexual categories, but moreover is 'accepted' within the institution. Furthermore, Pele and Ronaldo's masculine dominance is not countermanded by their relationship as outlined earlier. They are a man having sex with a man, but also, a man loving a man.

### Men who have sex with Men and Post-Gay

The next stage in the model of queer theories uses the idea of men having sex with men in relation to theories of a post-gay ideology, and how homo-sex is understood beyond the identity of gay and how this relates to representations of sex in prison. Alan Sinfield in *Gay and After* (1998) outlines that prior gay identifying and the dichotomisation of sexuality into the straight-gay dyad was a cultural wrong turn, and hinders human sexuality in its actuality. This is a more directed version of the argument outlined by Rothblatt above, although similar. Sinfield deals with the specificity of gay by repositioning sexuality beyond the identity of 'gay',<sup>101</sup> and its antecedent straight, into a world of dissidence and diversity of sexuality, moving away from such simplistic dichotomised signifiers.

[T]he proportion of people likely to engage in same-sex experience is

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<sup>101</sup> I write gay as 'gay' to signify that the label itself is complicated and full of variable meanings and interpretations. How it is used in this thesis is as an identity of otherness and removal from homosexual, a formed and culturally accepted identifier of a type of homosexual male.

larger than we have supposed – probably far larger than the proportion of people who will ever identify as gay or lesbian (as those terms are currently conceived) (Sinfield 1998, p.13).

A post-gay reading of prison representations illustrates (alongside Kinsey and Wooden and Parker previously) the way in which sex between men and gay identity are not innately correlated. This opens up the potential for men to have sex with men away from the confines of an identifier such as 'gay'. Consciously, within the representation of the prison, this appears in the characterisation of the prisoner as gay or sexual and not necessarily or permissibly both. Each term has its own coded signifiers, role, representational form and comment on the circumstance of sex in prison.

This can be illustrated by the character of Steven Russell (played by Jim Carrey) in *I Love you Phillip Morris* (Glenn Ficarra and John Requa, 2009). Here Russell is represented as clearly gay signified (he is in prison as he committed fraud to fund his expensive stereotypical 'gay' lifestyle). We are introduced to him in prison when he is orienteering a new (not 'gay' signified) inmate to the prison, at which time he explains that oral sex is a currency for the acquisition of goods or favours. This is done not as a sign purely of Russell's sexuality, as shown to be 'gay', but by the permissibility of men to have sex with men within the institution. The new inmate's reaction to the tour highlights his heterocentric concern at the homosexual potential of the prison, but does not undermine the sense of the homosexual space.

Within Sedgwick's universalising and minoritising model outlined above

(Sedgwick 1993, p.58) one strata of the discussion around sexuality marks that separatism and inclusivity battle between dominant ideologies and 'sub'groups wherein one places all sexuality together if variably realised the other demarks distinct camps. This is illustrated further by recognising distinctions between men having sex with men and gay identity. Within this framework, the recognition of sexual activity between prisoners becomes rewritten beyond Kinsey's belief that all sexual acts between men must be homosexual (through a strict application of the term relating to behaviour) but also, concurrently, that all such actors are gay. Here we see a progression of the theorisation of sexuality, as there were homosexual acts and behaviours that could be characterised along a continuum through Kinsey's study. Then there was a move to a homosexual identity beyond simply a 'heterosexual' acting aberrantly, as witnessed in *Wildeblood*. This has moved again to the formation of a gay identity.

As Sinfield explains in relation to Jeffrey Weeks' *Coming Out* (1977), the demarcations of sexuality became rewritten within this newly recoded politicisation of sexuality. Sinfield shows the progression of understanding sexuality and sexual codes over time. Weeks discussed the formation of identity and the impact this had both socially and politically, for homosexuality (act and identity) within a burgeoning sense of understanding. Sinfield uses Weeks to further the discussion of the extrapolation of a gay identity forming a rigidity of sexuality. He starts by quoting three types of same-sex sexual activity referenced by Weeks: firstly the casual encounter, then a deeply emotional bonding between

two individuals; and finally 'situational activity' which may be regarded as legitimate in certain circumstances, for example in schools or the army and navy or prisons' (Sinfield 1998, p.11). These types were taken as concepts of sex that were untroubled by a homosexual identity or a sense of queerness. Sinfield then goes on to explain:

However, since Stonewall our societies (gay people and straight people) have been preoccupied with the self-identified gay man and lesbian, to the point where the kinds of relations located by Weeks have been widely regarded as 'latently homosexual' or 'closet cases'. (Sinfield 1998, p.11)

Here Sinfield explores the way in which the sexual identity of 'gay' cauterises the potential fluidity of other kinds of same-sex experience. When a 'gay' man is identified in prison, this skews the queering potential of the prison experience, from (homo)sexual to latently 'gay'. In this way, the characters of Nelson Biederman IV (played by Will Arnett) and Barry (played by Chi McBride) perform a 'gay' role within *Let's go to Prison* (Bob Odenkirk, 2006). Their relationship is shown as beyond men having sex with men and into stereotypical signifiers of 'gayness' by: a campily decorated cell, Barry washing Nelson's hair in the shower, their domestic coupling post-prison, etc.. The 'gay' relationship in the prison is written beyond sex (they do not have sex in the prison) and towards identity. In this way the queering potential of the prison is rewritten as a 'gay' moment of fixation or the fixing of sex in prison within Biederman's latent homosexuality.

*Let's Go To Prison* also maintains the trivialisation of prison rape as

outlined in the introduction of this thesis (in the example of the Wyclef and Orlando Jones's television adverts). Here the fear of prisoner rape is illustrated by Biederman's fear of the prison shower, that ubiquitous site of male rape, and is reiterated through Barry first approaching him there and hinting at coercive sex. The prison shower is later returned to as a site to exemplify their growing domesticity as a couple as Barry washes Nelson's hair in the shower. This scene renders the previously recognised site of the prison rape, the prison shower, as recoded trivially towards male intimacy and 'gayness' in prison.

To move away at this point from the configuring of 'gay', the ironic coding of intimacy between men in the prison shower, shown above, seeks to undermine it as a site of fear and rape. This is reiterated in *Family Guy*, season four, episode two (broadcast in May 8<sup>th</sup> 2005) with a cut to short scene in a prison shower. The scene occurs as Lois believes her son, Chris, has murdered the husband of Mrs Lockhart, the teacher he loves. In a form of narrative monologue, Lois says: "I have to get rid of this body or Chris'll go to prison and we all know what happens in those prison showers. I've seen Oz". The cartoon then cuts to a scene of six naked men in facing lines of three singing as they wash each other's backs, the lyrics of the song being:

Scrub scrub here, scrub scrub there, whether you're white or bronze,  
A man can wash another man in the merry old land of Oz. (*Family Guy*, 2005).<sup>102</sup>

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<sup>102</sup> Viewable on YouTube at: n1pwurt (2008) Oz – Prison Showers  
Accessible at: [http://www.youtube.com/watch?v=VF\\_eVnfHrTg](http://www.youtube.com/watch?v=VF_eVnfHrTg)



This scene in *Family Guy* can be read to signify a number of points relevant here. Firstly the knowledge that Lois has of prison is formed by her having seen the television series *Oz* (to be looked at in detail in the next section). As *Family Guy* is a representation of the 'all-American family' (if surreal and extreme) this statement underscores the widespread accepted understanding of the representation of prison as conferring a knowledge about prison. Lois also shows that the sole, or predominant, knowledge of prison is directed straight to the prison shower, where we repeatedly witness either the actuality of, or an allusion to, prisoner rape (and not dropping the soap). This leads to an expectation of the scene we have cut to, the prison shower, to reference that dropping of the soap in some way. Instead the scene reconfirms the queer credentials of the prison shower in a pastiche through the intimacy in the image of men washing other men (an idea repeated in *Let's go to Prison* as outlined above).

It further layers queer coding with the song lyrics sung to the tune of the 'Merry Old Land of Oz'<sup>103</sup> from the musical *The Wizard of Oz* (Victor Fleming, 1939). The relationship between Judy Garland, who played Dorothy in *The Wizard of Oz*, and gay men is discussed in detail by Richard Dyer in *Heavenly Bodies* (1986) but here can be summarised as 'Friends of Dorothy' being a euphemistic name for gay men and creating a direct correlation between references to that film and queer culture. Therefore, this short scene in *Family Guy* queers the prison, the prison

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<sup>103</sup> 'The Merry Old land of Oz' music by Harold Arien. burg

shower and the television series *Oz* by using popular cultural representations of both queerness and the prison to reiterate that link, whilst at the same time commenting on popular conceptions of the prison and the focus on prison rape and its ubiquitous site, the prison shower.

In this section I have applied seminal works in queer theory to open up the potential to read and understand the representation of sex in prison through the recognition of those texts as representing a queer space. By outlining the theory alongside relevant scenes and examples from literature, film and television I have shown how the knowledge and use of queer theory can enhance the discussion of those texts and their queer heritage. The next section looks to use these theories on one specific text, that of the television series *Oz*, which as referenced above, is a recognisable site of the queering potential of the prison's representation.

## Case Study

Oz

(HBO)

This section looks to how the prior outlined models of queer theory can be used with the specific prison representation in the television series Oz. This series is used to address representations of sexual practice and identity in the men's prison where the complexity and extent of the portrayals and the characterisations of sex in prison enables an interaction with each point outlined in the model detailed earlier.

### Introduction to Oz

The television series Oz (HBO 1997-2003) is set in the fictional Oswald Maximum Security Penitentiary (later renamed Oswald State Correctional Facility, Level 4). The action centres around inmates and staff in the experimental wing five, known colloquially as Emerald City: As shown earlier and reinforced in the *Family Guy* scene, the link to *The Wizard of Oz* queers the prison even as it appears onscreen. Emerald City is an ultra-modern facility with glass cells and sections, and an open access control/command station. The concept behind Emerald City is that through the transparency of the site (including glass walls and

CCTV) prisoners are watched and monitored twenty-four/seven, in apparent accordance with Foucault's disciplinary power to observe. Previous academic work on *Oz* focuses on the representations of extreme violence, sexual abuse and rape that repeatedly occur throughout the series. These works include 'HBO's *Oz* and the Fight Against Prisoner Rape, Chronicles from the Front Line' (Stemple 2007); 'Watching a Nightmare: *Oz* and the Terror of Images' (Yousman 2009) and 'Sexual Abuse used in Entertainment' (Singer 2013). The titles of each piece prefigure their subjects of rape, abuse and terror in an analysis of the cultural form.

The series *Oz* follows the interactions and power struggles between characters. The central figure of Tobias Beecher (played by Lee Tergesen) is a middle class lawyer incarcerated for vehicular manslaughter; driving whilst intoxicated. Through Beecher we are introduced to the other significant characters of the series, including Simon Adebisi (played by Adewale Akinnuoye-Agbaje), head of the Brother's gang and Vernon Schillinger (played by J.K. Simmons), head of the Aryan Brotherhood and later Chris Keller (played by Chris Meloni), Beecher's on/off love/hate partner. *Oz* is mostly an ensemble piece with many characters and story-lines taking centre-stage, although only Beecher and the narrator Augustus Hill (played by Harold Perrineau) appear in every episode throughout the six seasons.

Beecher enters the facility as an associative link between the subscription paying middle-class viewer (Yousman 2009, p.155) and the prison environment. Beecher's brutalisation by the institution is used as a

contrived mechanism for that association because, as Yousman states, it is highly unlikely that a middle-class lawyer would be placed with such hardened and repeat offenders as those who comprise the population of Oz, but “the producers of the programme seemed unable to imagine episodes of Oz that did not feature a white middle-class protagonist at the heart of the action” (Yousman 2009, p.155). Oz is not alone in this concern/presumption within the prison genre; films mentioned previously, *Birdman of Alcatraz* (John Frankenheimer, 1962), *Short Eyes* (Robert M. Young, 1979), *The Shawshank Redemption* (Frank Darabont, 1994), *Animal Factory* (Steve Buscemi, 2000) and *Prison Break* (Fox 2005-2009) all have white middle-class protagonists entering (with the viewer) the confines of the represented world of the prison. As Jeffrey Weeks puts it, “We recognise ourselves in other people’s narratives; they become part of our lives” (Weeks 1998, p.viii). For that recognition to occur, a point of intersection and familiarity must manifest, hence the predominance of white middle class protagonists in the genre of prison wherein the majority population is black and/or lower socio-economic class (Sabo, Kupers and London 2001, p.11). When black heroes do appear in films such as *Slam* (Marc Levin, 1998), *Undisputed* (Walter Hill, 2002), *Conviction* (Kevin Rodney Sullivan, 2002) and *Get Rich or Die Tryin’* (Jim Sheridan, 2005), their stories are of rehabilitation, personal development and transformation of character as opposed to wrongful imprisonment or the harsh conditions of the prison, as exemplified by those with the white protagonists above. The message appears to be that for black men prison works but for white men it is an

unjust or cruel imposition. That subject area could form a whole new thesis as a comment on the prison system, but is not the primary subject here.

Oz was written by Tom Fontana following two years of research within American prisons prior to scripting the series (DVD commentary of season one, episode one)<sup>104</sup>. Stemple catalogues the repeated praise for its 'realism' (Stemple 2007, p.166), the grittiness of its portrayal of prison life, and not shying away from the brutality therein. However, for a purportedly realistic portrayal in a facility where prisoners are under constant surveillance, most of the 'action' of the programme occurs unnoticed, wherein prisoners are raped, beaten and murdered on a regular, episodic basis, drugs are bought and sold, gang meetings held, plans made, and revolutions and riots organised, all under the noses of the supposedly ever watchful guards. This illustrates the failings of the conceptual disciplinary power to observe in the transparent ever watched and watchful world of Emerald City.

In essence, I would argue that Oz perpetuates a consistent message of prison drama in that although it is brutal and dangerous, prison is more like a sex-segregated form of warden controlled home, wherein prisoners are fed, watered, clothed, and given accommodation at the tax-payers expense, with most of their time spent working out, playing cards/games, watching television or causing 'trouble'. The reported realism of Oz hinges on the portrayed brutality of its characters as conforming to and confirming 'expected' notions of animalistic, savage and dangerous

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<sup>104</sup> Oz (2002) Directed by Darnell Martin (DVD) USA: Home Box Office.

inmates, not on its similarity to an understanding of other prison facilities. For example, Karen Farrington in *Maximum Security* (2009) characterises the institution as:

[I]nmates have almost no physical contact with other people...Religious services are broadcast rather than attended and visits are strictly non-contact. Food, mail and laundry are delivered through a slot in the steel bars (Farrington 2009, p19).

In such a site, inmates are locked up twenty-three hours a day, and only leave their cell for thirty minutes exercise a day and then placed back in segregation. This new prison form in permanent lock down is a repetition of the Philadelphia system of old (outlined in chapter one) with complete segregation and isolation of prisoner from prisoner. This system was abolished over one hundred and fifty years ago as it was acknowledged as torturous and to cause severe mental health issues (de Tocqueville and de Beaumont 1975, p.7).

However, the focus of this thesis is not the purported 'realism' or lack of it, but how as a television series *Oz* exemplifies representations of sex in prison. What I will show is how the earlier models of queer theory can be used to understand the world of *Oz* and the complex negotiations of genders, sex and sexualities it shows. As a queer space, *Oz* is an exemplary site for unpicking such representations of sex in prison, including: the changed sexual role of homosexual for previously heterosexually identified prisoners; the rape and turning out of heterosexual prisoners by other 'heterosexual' prisoners; and the transformative potential of the prison. This part of the chapter seeks to

see how the model developed across the broadly contemporaneous texts in the previous section can be applied to the complicated relationships of the inmates of Oz, and understood within that example of the prison genre.

### The Institution of Oz

In this section I will look at the institution of Oz, the fabric and the set-up of the series and the location as a way of seeing how homo-sex and homosexuality is written into the prison. This is done by applying the models of queer theory shown earlier to the institution of Oz. Furthermore I will explore how this facilitates and recognises complex sexuality with an underlying tacit acceptance as varied and variable forms of (homo)sex are present throughout the institution and series.

From the outset there are repeated and incidental references to homosexuality in the series Oz. In the first seven minutes of episode one, season one (broadcast 12<sup>th</sup> July 1997) there is: a sexual comment towards the male warden from a hidden male inmate; a rule stated, amongst others, of “no fucking”; and an effeminately gay signified inmate being sexually flirtatious towards another inmate. Each of these representations of ‘homosexuality’ presupposes and presents an innate correlation between the prison and homosexuality that can be read through the earlier models of queer theory; each carries a different undertone from homophobia to culture to iconography respectively.



The comment to the warden links to the disempowering use of homosexual signifiers within the prison, as outlined earlier, and also that such signifiers illustrate dissidence within the prison through the unruly 'voice' of the prisoner. The institutionally acknowledged moment of the guard stating the rule "no fucking" included in the list of rules for new inmates illustrates the awareness that prisoners will (or will attempt to) have sex with each other, regardless of sexual orientation at reception; as the rule does not state "and for any homosexuals/gay men, no fucking". This can be read alongside Sedgwick's universalisation model and the integration of homo-sex within the represented prison. Oz places the institutional awareness, if not acceptance, of homosexuality within the prison as outlined in chapter one with the associated link between prison and homosexuality.

The gay signified character, Billy Keane (played by Derrick Simmons) represents the otherness of 'gay', the deviant sub-group and the minoritisation model. He re-appears in the pilot in a sub-plot of homophobia and the queering potential of the prison. As later in the episode the character of Dino Ortolani (played by Jon Seda) is reprimanded for a homophobic assault against Billy by Tim McManus (played by Terry Kinney), the liberal manager of Emerald City. Tim highlights in his lecture to Ortolani, that: "this is the third fight related to a homosexual encounter. You can't go swinging on a guy every time he makes a pass at you". McManus's statement reiterates the institutional acknowledgement that not only does homosexuality exist within the prison, but also that it is to be responded to reasonably even by the most

virulently homophobic characters (in this instance stereotypically represented as the Catholic Italian-American mob-related character of Ortolani). This can be seen as an example of the otherness of 'gay' as a removed identity. It also highlights a progression of Bersani's ideas beyond the panic induced by queerness (the seeing a 'man taking his sex like a woman' mentioned earlier) and towards homophobic virulence as a result of that visibility (Bersani 1995, p.15).

To continue with the 'gay' theme, one of the most visible yet stereotypical, ways in which homosexuality is presented in *Oz* is by the 'gang' known as 'the gays'. This gang marks the discordant extremity of homosexual away from the homosocial, and is identified by the removed category of 'gay' within the series. Gang members are males who have moved (or been moved) along the sex and gender binary outlined earlier in the section on Butler. The 'gays' performance of gender aligns them towards a feminised status. However they come in two forms placed variously on the gender continuum; the notably effeminate and disempowered 'gays' and the masculine 'gays' still representing some degree of masculine power within the strict patriarchal hierarchies of the prison. The effeminate characters are depicted somewhere around a transgender/transsexual identity for the series does not make space for a discussion on the distinctions and the issues relating to the variance between gay men and trans women. In this instance *Oz* conflates sexuality with transsexual/transgender and makes no distinction (definition-wise) between 'trans' and effeminate 'gay'. In that the (possibly/probably) trans/feminine characters are written and referred to

as ‘the gays’ there are no trans characters in *Oz*.

The effeminate ‘gays’ represent the gender range within the ‘male’ homosocial environment and the performativity of gender outlined earlier. They show, in clear terms, Segal’s greater variation of gender within a single sex (Segal, 1994: p283) and Butler’s construction of gender as female written on the male body. Within the ensemble cast of *Oz* ‘the gays’ are most notably sidelined and discounted, with the exception of Nathaniel “Natalie” Ginzburg (played by Charles Busch) who appears in three episodes as a femme fatale character<sup>105</sup>. Significantly the effeminate ‘gays’ within *Oz* are also uncharacteristically asexual. Rather than fulfilling the sexual role that underscores a re-envisioned heterosexist pairing (as shown in the exchange in *Undisputed* earlier) *Oz* unusually keeps the effeminate ‘gays’ out of sex. This ensures the coding of sex and gender within the tight constraints of a reconfigured masculinity as seen with the turn-out (called the ‘prags’ in *Oz*, a conflation of prison fag), the heterosexual prisoner forced to passive sexual subjugate through rape, then signifying a feminised characterisation.

The other ‘gay’ signified characters are those that are shown as more masculine and subsequently afforded some degree of power aligned to that masculinity. It is their identified sexuality and adoption of the label ‘gay’ that sets them apart from the other men. Gang members include Richie Hanlon (played by Jordan Lage), Jason Cramer (played by Robert Bogue), and Alonzo Torquemada (played by Bobby Cannavale). Hanlon

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<sup>105</sup> Ginzburg appears in season three, episodes six (18<sup>th</sup> August 1999) and seven (25<sup>th</sup> August 1999) and season four, episode six (16<sup>th</sup> August 2000) and is used to kill the mob boss Frank Nappa (played by Mark Margolis).

is the most consistent character within the ensemble cast but is sexually abused by the Aryans (season two, episode four (broadcast 3<sup>rd</sup> August 1998)). The sexual abuse of Hanlon is 'justified' by the Aryans as a result of his identity as 'gay' and therefore they insist he must like all sex with men. The removal of choice for 'gay' men in the institution is a theme picked up by T.J. Parsell in *Fish* (2006) and outlined in the sentencing of Calvin Burdine (for the murder of his same-sex lover) in Dale Carpenter's *Flagrant Conduct* (2012). In Burdine's case the prosecutor argued that, "putting a gay man in prison was like putting a kid in a candy store" (Carpenter 2012, p.160). Hanlon's response to the sexual abuse re-writes this within the sphere of coercion and rape, beyond a 'sexual willingness' in all 'gay' men to have sex with (any) man. Hanlon's 'gay' status is further reiterated by sexual impotence/disinterest for Shirley Bellinger (played by Kathryn Erbe), the only female inmate in the series. When both characters are on death row, their interaction becomes a pseudo sexless 'marriage'.

Cramer is the only inmate in *Oz* who is released at any point, all other inmates leave either to return or in death. Torquemada is introduced as the 'King of Oz', a club owner with power through the control of drugs, which he uses to seduce Miguel Alvarez (played by Kirk Acevedo). However, before his power is realised in total domination of all the gangs within the institution and *Oz* becomes authoritatively 'gayed', the series ends.

These characters mark significant moments in the power dynamics of men within the institution of *Oz*, however, apart from Torquemada, their

masculinity and subsequent male power is consistently undermined. Hanlon's power is undermined through the sexual abuse and being forced by those same abusers to admit to a murder he did not commit, and Cramer by winning a boxing match that was fixed, the implication being he would not have won otherwise. These characters are positioned above the effeminate 'gay' characters but within the gender construct of the prison they are positioned below the powerful 'heterosexual' males, whose power is represented either through 'heterosexuality' or the active role in homo-sex. The only 'male' characters who are below them are those further removed down the gender hierarchy to female through turning out, which I will explore shortly.

### **Rape in Oz**

In *Prison Rape: An American Institution?* (2013) Michael Singer, Professor of Law at King's College London, looks at the pervasiveness of references to rape in popular culture, as mentioned in the introduction of this thesis. Singer takes the plethora of popular cultural references of rape in prison, and maps it onto a damaging insensitivity and lack of humanity within society. He uses the popular culture reading of prison rape as a means to challenge the issue of a dismissive and desensitized society. Here, I look to how the representation of prison rape comments on understandings of male sexuality, power and gender roles within the cultural representation of the institution, and how this can inform wider

concepts such as male sexuality, gender and power in society.

Singer argues that “Sexual abuse in incarceration, and in particular anal rape of male inmates, is a staple topic of American popular culture” (Singer 2013, p.81). Singer’s reference to American popular culture highlights the commonality of the concept or acknowledgement of prisoner rape, as illustrated by the board game ‘Don’t Drop the Soap’ (Singer 2013, p.82). Yet, Stemple has it that “Until *Oz*, prisoner rape had barely registered on the television landscape outside of tasteless jokes on late-night TV” (Stemple 2007, p.6). Stemple focuses on the actuality of the representation of prisoner rape, which other than in films of prison, such as *American History X* (Tony Kaye 1998) and *The Shawshank Redemption* (Frank Darabont, 1994), she argues that rape in prison has been quiet on television until *Oz*.

Stemple is a previous executive director of the organisation Stop Prisoner Rape and sees *Oz* as a tool for increasing awareness of the issue of prison rape (Stemple 2007, p.165). Stemple highlights that although sensationalising of the subject, *Oz* does raise the visibility of the issue which can assist in changes to legislation such as the Prison Rape Elimination Act of 2003 (Stemple 2007, p.177 and p.185). *Oz* does bring the issue of prison rape to the table, as Singer goes on to state:

All the series of *Oz* repeatedly and graphically depicted pervasive anal rape of male inmates in a prison setting. In *Oz*...prisoner rape functions as a central plot device and creates an environment in which our darkest suspicions about life in prison are realised (Singer 2013, p.81).

Here Singer is highlighting the recognition (acceptance) of rape in prison as a staple of that environment alongside related societal fears. Yet, he overstates the case. Within the six seasons and fifty-six episodes of *Oz*, there are only two actual depictions of rape, both of those with Peter Schibetta (played by Eddie Malavarca) as the victim. All other rapes are alluded to, hinted at or occur off screen; referenced but not revealed. The subject of rape is more of an underlying factor than a central plot device, even though it is repeated and is the means of changing character arcs, roles and position within the institution. The primary plot device throughout the series is the introduction of a specific character to bring about a specific change or event within the institution.

Rape itself is relegated behind murder, gang politics and moments of non-sexual violence as a means of the shift of power within *Oz*. Furthermore, of the eleven rapes or sexual assaults directly evidenced or referenced within the whole of *Oz*, five are carried out by Vern Schillinger and three by Simon Adebisi. Rather than all pervasive and central, rape is actually assigned predominantly to two individuals as a way of illustrating their personalised drive for power through the subjugation of others. The remaining instances of sexual assault or rape are all by members of the Aryan Brotherhood, of which Schillinger is the head, creating a further associative link between that gang with that individual and rape (an association further reiterated through the board game as referenced above and in the introduction).

Rape functions in *Oz* is as a tool of subjugation, as a means for evidencing and reifying power and control. Both Adebisi and Schillinger

use rape as a way of manifesting their hyper-masculinity. They do this through dominance in the gender hierarchy; using sex to create and maintain that hierarchy. As outlined earlier, sex is a 'key locus' for domination and control (Sabo, Kupers and London 2001, p.11). Bill Yousman argues that through the hyper-masculinity of the protagonists and the near naked state that predominates, there is a referential view of the prisoners as 'naked savages' beyond the civilising constraints (literal and figurative) of the viewing public (Yousman 2009, p.147). This is a concept that keys into that outlined in the previous chapter of nudity and masculine display witnessed within the prison (as expressed by William Laite in Scacco's *Rape in Prison* (1975)). That savagery is privileged as representing unbridled male power within Oz, most strongly (and racially problematically) through the character of Adebisi and his dominance through physical strength. Adebisi represents the pinnacle of hyper-masculinity in the gender binary, and his performance of gender is caricatured through that hyper-masculinity, and is reified by his active participation in the rape and subjugation of other males.

To highlight the limitation of the way that rape appears and is used in Oz, Donald Tucker's account of prison rape in chapter three outlined a number of ways in which the men involved in the attack engaged with rape, and also the number of ways in which, for the rapist, rape was 'used'. Although initiated as a racially motivated power-play, the responses of some of the other inmates in the tier block were motivated through opportunism and others a desire for intimacy (Tucker 1992, p.266). The range of means and motivations for rape are missing from



within Oz, through the series' singular approach. Rape only occurs in Oz for humiliation, subjugation and the feminisation of males in order to deny them power within the all-male homosocial environment of the prison. No longer all-pervasive or all-encompassing, rape becomes fragmented as momentary displays of hierarchical power, subjugation and dominance.

### Homosocial Desire in Oz

Within the framework of Oz, alongside its standardised notions of rape and its openness and casual approach to homosexuality, there is a complex rendering of queer potential through homosocial desire in the relationship between Beecher and Keller. Tobias Beecher arrives heteronormatively assigned to a wife and two children, and begins his change in role, from one of relative capitalist societal power (white, middle-class, heterosexual and professional, a lawyer) to one of subjugate ("prag") and sexual slave. From within this state he reclaims some degree of 'power' through madness and he later strikes up an alliance, then a turbulent 'loving' relationship with Keller, even through betrayal and attack.

The homosocial environment impacts upon Beecher in the most extreme, varied and homosocially desirous of ways. He becomes trapped within the power play of rape. His subjugated state removes him from the sphere of the male interest and dominance (he literally hides in

his cell and later behind heroin). It is evident that although the rape and sexual subjugation by Schillinger affects, and essentially removes Beecher's masculine (gendered) selfhood, it does not challenge his heterosexual sense of self. In a scene where he is forced to ask Schillinger if he can have sex with his wife (in a forthcoming conjugal visit) he shows his loss of personal agency even within the privacy and privilege of the heterosexual marriage bed. However, at this point Beecher's heterosexuality is not questioned by himself or others. He later explains the reason for his subsequent divorce was his lack of autonomy and male power, not on his lack of heterosexual engagement with his wife.

Homosocial desire is made manifest through Beecher's interaction with the all-male prison, firstly through his love for Keller which leads to a homosexual awareness of his-self, then to sexual opportunities with other inmates. Once freed from sexual slavery with Schillinger, Beecher is variously able to use his sexually available status towards a repeated homosexual activity (he has consensual sex with a number of inmates) within Oz. The homosociality of the prison environment leads to Beecher's homosexuality through need, love and desire. It is in the emotional engagement that that homosociality becomes manifest to homosocial desire and on to homosexuality, in a complex, yet not unbroken continuum.

The character of Beecher shows how the homosocial environment acts on the individual change their heterosexual sense of self, re-made through homosocial desire and towards homosexuality. Beecher

characterises the queering potential of the prison, and as the character was introduced as an empathetic device for the show (as explained earlier) it is his transformation that is most resonant for the viewer. As the link between viewer and prison, Beecher's changes are tied to the audience's changes and perceptions: Beecher confirms the queering potential of the prison and of men in such a homosocial environment and thus reframes Sedgwick's discussion on homosocial/homosexual continuums within a potentiality towards unbrokenness.

#### Gender Performativity in Oz

Beecher (along with other sexually subjugated characters or 'prags', James Robson (played by R.E. Rodgers), Franklin Winthrop (played by Andy Powers) Adam Guenzel (played by Mike Doyle) and Vincent (played by Vincetn D'Arbouze)) is also used to exemplify the gender change, the role, the means of gender conformity, and the performativity at play within the institution. When raped, Beecher is transferred and transformed into an effemised role, culminating in the full drag rendition of "I've got it bad" during an inmate talent show, presenting his transformation to the baying (predominantly masculine and derisive) inmate audience. In this instance the gendered performance is literally representing Butler's performativity of gender. Beecher, Winthrop, Guenzel and Robson are made manifest in caricatures of adolescent femininity in order to underscore (in easily accessible terms usually

through pigtails, lipstick and crop-tops) the complete loss of agency and masculine privilege manifested by their role as sexual subjugate and effeminised 'prag'. Each plays out stereotypical forms of a feminine gender role in order to underscore the transformative power of rape and to show how heterosexuality is made manifest through the 'making' of 'female' in the prison. As Sabo, Kupers and London explain in their introduction to *Prison Masculinities*:

Gender expectations are essentially ideological constructions that serve the material interests of the dominant groups. Hegemonic masculinity reflects and actively cultivates gender inequalities, but it also allows elite males to extend their influence and control over lesser-status males within the intermale dominance hierarchies. (Sabo, Kupers and London 2001, p.6)

In *Oz*, the dominant 'group' is represented in the hyper-masculinity of Schillinger and Adebisi by their rape and subjugation of Beecher and the others listed above. Within this rape, and turning-out of the heterosexual inmate, the re-gendering of their role to effeminate confirms the others' masculinity. This is in direct accord with the quote above, and alongside Butler's performativity of gender and a link to hierarchies of gender within the patriarchal setting of the prison's representation.

### **Complex sexualities in *Oz***

Lastly I want to address the relationship between Beecher and Keller as

one that is complicated in terms of an identifiable or categorical sexuality. Here I am looking towards the representation of sexual possibility which is a relationship formed with the desire for an emotional engagement between prisoners. The relationship between Keller and Beecher can be seen to further augment the declassifying of sexuality outlined by Rothblatt and shown earlier with Pele and Ronaldo.

Although cowed, traumatised and effeminised by the act of rape, it is not the rape and sexual slavery that cause Beecher to question his sexuality. Homo-sex has become something he endures to exist and survive. It is in the emotional attachment with another prisoner that a schism is caused with his heterosexual self. Beecher questions his sexuality after falling in love with Keller. "Grappling with the disorientation, he asks the prison nun, "If I get out, what will I be?" (Stemple 2007, p.173). This moment is a conceptual change of sexual identity away from his previous heterosexuality to a point of sexual unknowing. Beyond the abhorrent version given through rape, Beecher is faced with a new vision of his (homo)sexuality.

Within the sexuality and identity that Oz presents, Augustus Hill (the narrator of the series) sums up the essence of identity, albeit with a misogynistic misapplication of term, quoted by Stemple, he states:

"People are defined by three things. Their heads: what they think. Their hearts: what they feel. Their dicks: who they fuck. At the end of the day each of us has to answer one question: who am I?" (Stemple 2007, p.172)

Hill has voiced Rothblatt's declassifying sense of sexual self through to an existential question beyond standard concepts of sexual identity. As for Beecher, his (and our) 'confusion' is compounded by having the character simultaneously 'date' a female lawyer whilst still clearly in love with an inaccessible (now on death row) Keller.

To move to Beecher's lover, Keller is represented as he "does what he needs to do" to survive and this survival includes having sex with men. At the age of seventeen Keller formed an alliance with Schillinger which we are lead to read as a sexual, protective relationship when they were in prison together. Although Keller was married three times (four if you count twice to his third wife) later seasons build a homicidal homosexual (that phrase is reminiscent of that used against Robert Stroud) when Keller is accused of picking up men from gay bars, having sex with them and then murdering them. Within the series Keller also flirts with Sister Peter Marie (played by Rita Moreno) the prison psychiatrist. Keller is portrayed as sexual, masculine, powerful, independent and strong.

To recap in the relationship between Beecher and Keller: there is a previously heterosexually signified victim of male rape falling in love with a man who is sexually amorphous who was married and sexually active with three women, the sexual subjugate of an older man at seventeen (the same man who raped his later lover, Beecher) who (allegedly) has sex with men then kills them and has fallen in love with the character above. The relationship outlined here illustrates the paradigm of sexual continuism referenced by Rothblatt above. It gives a sense of the potential for the recognition of varied and variable understandings of

male sexuality as shown in the prison's representation on television. The complexity of the Beecher/Keller characters and relationship illustrate the complicated way prison's representation enable male (homo)sexuality to be seen. They are a complex site of the representation and potentiality of representations of male sexuality. As Yousman states:

Yet, despite the hypermasculine tendencies in the program and the frequency with which sexual activity between male characters on *Oz* is depicted as violent rape, the program does offer a somewhat non-traditional representation of homoeroticism and homosexuality (Yousman 2009, p.157).

Keller and Beecher's relationship alone is anything but 'traditional' in its representation of (homo)sexuality on television. As we have also seen earlier in the case of *Buried* (2003), *Oz* is not alone in this complex characterisation of male sexuality and the potential to display the otherness of inter-male sex as afforded by the cultural representation of the prison.

This chapter uses queer theory to understand the queer space of the cultural representation of the prison. In it I brought seminal moments in queer theory to the discussion of sex in prison using the homosocial/homosexual continuum, gender performativity, categories of sexuality and 'gay'/post-gay identities to better understand the complexity of queer representation of the prison. Through the direct application of these theories on the prison text, the queer credentials of the prison's representation are identifiable. The model created within this chapter enables the drawing out of themes of permissibility and

pervasiveness of homosex within the represented institution. Moreover, it has demonstrated the extent to which these representations confound standardised, straight/gay renderings of sexuality towards a sexual amorphousness and fluidity less visible in popular culture. This creates the sense of the prison as a means to renegotiate and re-imagine understandings of male sexuality.



## Conclusion

In this study I set out to look at representations of sexual practice and identity in men's prison in the US and the UK from the 1950s. My goals were twofold: firstly to map the development of academic and theoretical understandings of sex in prisons, and secondly to explore the role of popular culture in response to these ideas. My research draws together work from a variety of disciplines, such as History, Social Science, Biology, Media, English, Cultural Studies and Queer Theory. This interdisciplinary approach builds a historical overview of the prison alongside theories on sexuality and representations of prison in order to evaluate inmate sexual interaction. Through such I explore the prison as a homosocial world, an all-male contained environment. As well as the prison as a site for a re-imagined male sexuality, it moves beyond the hetero/homosexual dyad and towards a more fluid understanding of sex and sexuality between men. Also it is used to understand the prison coding of inmate sexual interaction through hierarchies of masculinity and sexual types, the language of the prison and the recognition of inmate society. By using literature, film, and television as a way of investigating signifiers for cultural understandings of the subject, I look to how these inform an understanding of sex in prison. I will outline how this has been achieved with a general summary and an overview of the thesis, followed by the contribution this thesis makes and a look at further research.

The thesis is broadly chronological in form, analysing academic and theoretical texts in context which are then related to contemporary popular culture representations in literature, film and television. These texts also represent a historical progression of form from book to film to television as they are consumed in popular culture. Upon entering the prison through the book, film or television series, access is given to a forbidden, foreboding and removed space. Within that space, sex is rendered in queer ways. In this thesis therefore, the prison is understood as a site of queering potential, with the representations of prison creating a site of queer interpretation and permissibility which is less visible within other popular culture representations. Through the homosocial and the implicitly homosexual nature of the prison, the variant sexualities that transgress hegemonic heterosexual norms are conferred with a sense of knowingness.

## **Overview**

This thesis provided a historical foundation to the modern prison with a focus on how sex has been written and understood in that space. Through the chronological understanding of the arrival of the modern prison, I was able to trace the existence and paranoia of male homosexuality within the institution. My research demonstrates that the subject of (homo)sex is deeply embedded in the prison and is a continuing and consistent factor of male incarceration. This subject was

contextualised in the period of criminalised homosexuality, wherein the institution and the homosexual were written together through that criminalisation. Also, through its illegal state, sex in prison represents dissidence within the prison population.

Running alongside the historical understanding of the prison was the drawing together of theories on homosexuality that enable a rewriting of homosexuality. This rewriting moved away from a pathologised or removed status of heterosexuality towards a reconnection of the sexualities from their oppositional states. Here I theorise a re-imaging of homosexuality within normative male sexuality. As a result of this it became possible to re-imagine the prison as a less conflicted site of male sexuality, and more as a site to enable the acting out of prior or sublimated sexual behaviours of heterosexually identified men.

After the decriminalisation of homosexuality in 1967, through the normalising of homosexuality that followed, the prison sexual experience became fixated on rape. Here I utilised theories of the body as the sole remaining site of personal agency and the harbour of a sense of self within the institutionalising and disfiguring state of the prison. I showed that the representation of prison has the ability to view the naked self as variously vulnerable or powerful dependent upon state, site and significance. Also, how the prison, other prisoners and sex act on a body, all have significant impact on the prisoners' sense of self. I argued that the reconfiguring of the heterosexual male body as desirable and desired by other 'heterosexually signified' men, re-imagines the relationship between body and self as written in the prison.

Through the need for touch, intimacy and bonding, sex in the prison is shown as more than situational, or brutal and power focussed, such as in prisoner rape. My research showed, however, that the representation of rape and the use and abuse of power through hyper-masculinity, hypermuscularity and coercion was seen as a predominant site of inter-male sex in the prison in the 1970s and 1980s. The state of near constant sexual responsiveness leads to a reading of the prison not just as occasionally or momentarily queered, but in a near constant state of queer arousal.

As the prison is a queer space, it can be analysed through an understanding of the complexity of queer theory and how such interacts with that space. I applied a developmental model for re-envisioning how theories of the queer can be read alongside representations of the institution of the prison towards a sexually reconstituted end, an end represented through the complexly queer re-imaging of male sexuality in the prison. This re-reading of the prison through queer theory places it in that queerness. I showed how queer theory can be used to read sex in prison, but also how sex in prison informs queer theory. Such that Sedgwick's discordant continuum for the male may be more a visible discordance than realised as moments of homo-sex permeate throughout the male world as is shown within the prison. Within this current awareness of the queer, the sexually complex, and the self beyond categorisation the prison is an ideal site for the representation of characters to embody these sensibilities within popular culture. Read as isolated and removed, acknowledged as queered, the prison affords a

luxury of queer imagining less resonant in other forms of popular culture.

### Case studies

Within a constrictive and disapproving 1950s society, wherein homosexuality was criminalised, marginalised, and forced underground I outlined how the prison environment affords a knowing space for visibility. Enlisting Peter Wildeblood, and his biography *Against the Law*, as an example I showed the nature of the criminal space in which the 'criminally homosexual' were placed. The ultimate sanction of imprisonment, the feared consequence of their 'criminality, conversely gave the homosexual prisoners a 'safe' space for visibility and viability. I explained how this space enabled Wildeblood a freedom to assess and gain a greater understanding of his own sexuality and homosexual identity. The prison although recognised as a site for removing the homosexual from society (as was the case with Wilde and Wildeblood) through that removal the prison became a site for the visibility, viability and reconstitution of homosexuality: A space where love between men was expected to speak its name. This reframes the complicated structure of authority and the law with regard to its relationship to homosexuality at the time of criminalisation. Through that criminalisation the authorities created for homosexuality a space that made its sense of self viable.

As a result of the queered space of the prison it was possible to highlight the construction of rewritten sexuality through a heteronormative construct in order to reconfigure that queered space 'straight'. I showed in the case of representing Robert Stroud, using the film and book

*Birdman of Alcatraz* to show how his sexuality has been re-written informs clear moments in understanding character formation and the artifice of representation: from Burt Lancaster's heroic re-imagined route to freedom for the prisoner, based on Gaddis' heterosexist rendering of reformation and re-written through Babyak's predatory homosexual. I argued that although the machinations of form and style tell a tale in a particular way, it was necessary for the simplistic anti-hero/rehabilitation telling to de-queer the prison, a strategy that adds a level of artifice to the heterosexist rewriting.

As the homosexual potentiality of the prison is the baseline of prison expectation, it becomes the means by which we can undress the machinations of form and style which tells a tale in a particular way. Had Robert Stroud been understood as solely heterosexual, this creation would still have been evident through the necessary de-queering of the prison space. That Stroud was 'queer' increases the level of artifice of the heterosexist rewriting, but straightening the queered Stroud does not in itself create that heterosexist need. The representation of prison itself to a heteronormative environment is what requires that 'straightening' beyond the characters there present. Furthermore the corrupting influence of the prison as a site for deviance is repeatedly documented in representations of prison life, and marks an often significant step within the placement of the hero (anti-hero) within the text. The character and moral fibre of the central protagonist is mapped against their interaction with or refusal of the corrupting influence of the queer within prison. The queering form of the prison is evidenced in many a telling of prison life,

such that its removal and disavowal in films such as *Birdman* becomes all the more resonant.

Likewise, the pervasiveness of homosexuality within the institution of prison, as represented in *Short Eyes* illustrates the means by which its removal, or sidelining, as in the remade version of *Scum* reconstitutes the prison experience away from this complexly understood space for variant (homo)sexualities. I compared and contrasted the two versions of *Scum* and found that the seemingly minor decision to remove a character's homosexual relationship rewrites the story of the borstal in a way that undermines its critical voice. The removal of the flexibility and the vulnerability of Carlin through the loss of his relationship renders Carlin more as a cinematic archetype, of anti-hero against the system of authority, as opposed to a complex individual. He becomes a monolith of power not a powerful human against oppression. This rewriting of Carlin, as similarly illustrated in the case of Stroud, reframes the queer away from the institution, as opposed to entwined within it, as represented by *Short Eyes* with its pervasive homosexuality. *Short Eyes*, unlike *Scum* and *Birdman*, shows the extent of the queer in the prison along the lines outlined of bonding, intimacy, sexual constancy and rape.

Through the chronological form of the thesis I have illustrated the development of the queer representations moving to the complex form of the character in the long-running television series, in this instance best illustrated through *Oz*. Here the sexual inter-play and relationships between the characters re-imagine male sexuality in a way far beyond the normative heterosexual/homosexual dyad towards a uniquely queer

potential. The complex negotiations of sex and love within these forms reframe male sexuality and love in unusual and complicated ways beyond standard writing of male sexual behaviour and identity. They reconfigure the queer within the normative and thus re-conceptualise male sexuality.

The representation of prison in literature, film and television move beyond queer specific renditions of complex and diverse male sexualities. I have shown that prison representations give us a new way of looking at men having sex with men and thus a new recognition of the potential for homo-sex amongst men. Representations of sex in prison bring men who have sex with men out of the dark and onto the screen.

### **Contribution**

This thesis opens up the complex potential of men having sex with men and how this is and can be read within the representation of prison. As such the representation of sex in prison is able to rewrite and re-imagine male sexuality, in a way previously unrecognised within popular culture. It highlights a space, previously dismissed as situational, that forces a new understanding of male sexuality. I have shown that space to be complex and complicated in the way 'straight' men are represented and understood as being sexually active with other men. Situational sex as outlined by Jeffrey Weeks and Alan Sinfield is used here as a simplistic concept from which to open up the discussion of representations of sex



in prison. This has been done through a historical contextual understanding of the prison and homosexuality read in conjunction with cultural representations of the prison, and the queering potential within. From such an approach it has been possible to re-read sex in prison, beyond the situational, into the pervasive, pervading, entwined and normative sexualities of the 'straight' men shown therein.

The concept of 'situational sex' once pulled apart opens up many more questions than it answers, questions about identity, behaviour, desire and function of heterosexual men in a homosexual setting. It leads to new areas of exploration, regarding the moment of change in sexual object choice and how that change occurs. I am reclaiming the representation of prison from the dissatisfactory state of 'situational sex' to rewrite the complexity of sex in prison and how it contributes to an understanding of male sexuality. More than just dissatisfactory the term situational sex sidelines and removes the issue of sex in the single-sex institution and what this can add to the debate about how men have sex with men.

By reopening the discussion around the single-sex institution and how it is understood through its representational form I can show how it is useful as a tool to reframe male sexuality within its amorphous potentiality. From this re-reading of situational sex as a complex re-imagining of male sexuality it is possible to re-evaluate the significances of the prison's representation and, further, how these inform a cultural acknowledgement of men having sex with men. The recognition of agency and choice in men who have sex in prisons has implications for

society at large and an understanding of male sexuality. Just as wider social attitudes are played out in prisons, by reinterpreting sex in prison we can re-examine sexuality in society more broadly.

By contextualising the academic and theoretical texts alongside the representations from popular culture I have sought to re-write the way prison can be recognised and understood. This has been done through the use of sources from various disciplines to inform an understanding of the complexity of how sex in prison is seen and recognised. Using historical texts such as John Addington Symonds treatise on the homosexual in the 1890s and Fishman's 1930s account of sex in prison and Kinsey's sociological 1950s study of sexual behaviour to inform an understanding of sex between men as seen in context, placing these alongside prison representations as written by Wilde (1890s) and Wildeblood (1950s) creates an interplay between that historicity and those cultural representations to inform a wider understanding of male sexuality.

The association between sociological studies of rape and exploitation in prison with biological understandings of male sexuality and the historical sense of sex in prison from the 1970s and 1980s when placed alongside the representation of the prison in films of that time, *Short Eyes* (1977) and *Scum* (1977 and 1979), create a way of seeing them as contextually written. Latterly associating queer theory with the queer text of the television representation of sex in prison through the 1990s and 2000s frames each within that context. The culmination of these shows the interplay between outside observations of prisons and how they are

represented and understood and is played out in my choice of sources.

### Theoretical Implication

My emphasis on prison sex as a way of re-imagining wider (homo)sexuality is innovative as it refutes the simplistic dismissal as situational sex which ignores the complex and complicated relationship between men having sex with men and how that impacts upon their and societies understandings of sexuality. That the change in sexual object choice carries with it a greater negotiation of a re-envisioned self than the simple change in location or setting presumes. My methodology is that by giving equal weight to popular cultural representations and academic theory I have sought to rewrite the way that analysis of this subject can be understood, how sex in prison can be re-conceptualised through that reading.

How my findings differ or support those of others.

The prison study (such as that by Scacco (1975), Wooden and Parker (1983), Hensley (2002), Singer (2013) etc.) is often localised in the prison world, cut off from wider societal comment. This isolates it not just from a wider context but also from its sense of relevance to that wider context. In support of Regina Kunzel (2008) I take these studies and

situate them in their wider social, and particularly cultural, context. Kunzel achieves this through an associative historical reading of sex in prison as aligned to the shifts and developments in sexuality and its recognition in wider American society. I seek to recalibrate the understanding of sex in prison through the sources of prison representation in literature, film and television. As produced within society, and utilised by society, they comment upon the context of the prison as well as societies imagining of it and the recognition of the sexuality there in represented resonant in culturally used phrases such as “Don’t drop the soap” and “I’m too pretty to go to prison”.

As the structure of the thesis moves from a seemingly more linear historical context to a more complex interpretation of theory and representation this evokes a sense of the shift in time with understandings of representations of sex in prison. This creates a comment on the way I read those sources and representations as well as the comments written therein.

### **Future Direction and Further Research**

Although it may be a logical step to look at a similar study of representations of women in prison my predominant area of interest is male sexuality. A subsequent comparative study of women would be to underscore the differences between each but with an acknowledgment of the permeability of sexuality and gender discussed herein. Therefore a

study of women in prison would inform this thesis' discussion on sexuality and gender. This could lead into an examination into gender roles and non-conformity within women's prisons as a homosocial environment, away from men, and what that conversely says about men away from women. This research would look at the work around women in prison, such as that by Kathryn Watterson (1996), Barbara H. Zaitrow and Jim Thomas (2003), Cristina Rathbone (2006) and Joycelyn M. Pollock (2002) and how they variably address the issue and themes of the subject and how this differs from the way the subject of men in prison is represented.

## Desire

This area of study would be to look at the specific moment of a shift in or awakening of desire, from sexual disinterest (or revulsion) to sexual desire. The aim would be to highlight the point where a heterosexually signified male switches that sexual gaze to another male. As desire can be read through various codes and signifiers this study could look at where these originate and how they inform sexuality. The study would work through the realms of desire, including such areas as fetish and the formation of sexuality. A review of the work on this subject would include that by Patrick Fuery (1995), Timothy Schroeder (2004) and James Giles (2008) and how they understand and recognise that moment of shift and switch in desire.

How is desire explained and made manifest could also be situated in the growth of the history of emotions in works such as that by Joanna Bourke on Fear (2007) and Claire Langhamer on Love (2013). Furthermore, there could be a look at the transition point from friend to lover, how this occurs and is documented, as shown in *Buried*, with Pele and Ronaldo. At what point does 'revulsion' become desire, or is revulsion simply a cover for desire? These questions could be addressed by taking this study further into the realm of desire.

#### 'Real' Macho Men and Homosex

This would look to draw together themes such as masculinity in film as outlined by Peter Lehman (2001) and Brian Baker (2006) alongside writing on biography and the biographical film such as those quoted herein, George F. Custen (1992) and Liz Stanley (1995). This would seek to pull-apart the construction of the 'self' through film and the realisation of that self through interpretation and representation, alongside the maintenance of a heterosexist masculinity reified beyond the queering potential of the prison. I would use biographical prison films such as *A Sense of Freedom* (John MacKenzie, 1978), *McVicar* (Tom Clegg, 1980), and *Bronson* (Nicolas Winding Refn, 2011) write the 'anti-hero' and their asexuality within the institution which could be a useful area of study on the intersection of life history and cultural research.

## Conclusion

I would argue that it is in the way the prison is represented to society that complex sex can be understood and recognised. The prison represented in literature, film and television allows a re-imagining of male sexuality that is more strongly constricted and categorised within other popular cultural forms.

To return to the example of the Home Office campaign with which I began this thesis and the wider cultural recognition of sex in prison through the ideas 'too pretty to go to prison' and 'Don't drop the soap'. The heterosexual male who believes himself 'too pretty to go to prison' is reframing himself as sexually submissive and the object of sexual desire to another male. The other who fears 'dropping the soap' is insistent upon the opportunistic and constant nature of male sexuality. This moves them beyond sexual object choice and identification alongside the acknowledgement of the permissiveness of male rape and sex in the homosocial institution. These statements are formed through a commonly perceived understanding of sex in prison as presented in films, television series, literature, advertisements, etc. notably represented as rape in prison, the loss of choice and an active male sexuality. This recognition alone, of the re-imagined homosexually engaged self, reconstitutes male sexuality and the voluntary imagining to a queer end of male heterosexuality.

It is through the historical understanding of the representation of sex in prison that we come to better understand the present. By attempting to

understand the representation of sexual impulses, drive and activity of men in prison we can better understand male sexuality as a whole. Through re-reading the representations of sex in prison we can re-imagine how male sexuality has come to be understood within society and how such representations rewrite sexuality away from the fixed identifiers and codes previously ascribed to sexuality. Such representations re-inform the view of our sexual selves within an understanding of responses to conceptualisations of male sexuality. Within such the subject of the Home Office campaign advert that opens this thesis has been rewritten as variously homosexual, with a constant sexual responsiveness that enables his post-gay sexual self to manifest alternately within moments of hyper-masculinity and vulnerability.

The prison representation affords a space for reviewing male sexuality as amorphous, flowing and not categorised as 'gay' or 'straight': A sex beyond sexuality. Wherein men such as Keller, Beecher, Pele and Ronaldo are not bisexual, gay, latently homosexual or closeted, but are a new representative version of sexuality that denies such restrictive categories. A new representation that has such a complex inter-causal and commentary relationship with such categories and signifiers that it renders them obsolete. They are sexual men and the prison representation allows us a way of re-seeing that sexual-ness. Beyond behavioural shifts and moments of transgression there is the complex framing and imaging that needs further study of the change in motivation and pleasure that reconstitute heterosexual male desire.



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*American History X* (1998) Directed by Tony Kaye. USA: New Line Cinema.

*Animal Factory* (2000) Directed by Steve Buscemi. USA: Franchise Pictures.

*Birdman of Alcatraz* (1962) Directed by John Frankenheimer. USA: United Artists.

*Borstal Boy* (2010) Directed by Peter Sheridan. UK: Hell's Kitchen and Dakota Films.

*Bronson* (2011) Directed by Nicolas Winding Refn. UK: Vertigo films.

*Conviction* (2002) Directed by Conviction Kevin Rodney Sullivan. USA: Paramount.

*Get Rich or Die Tryin'* (2005) Directed by Jim Sheridan. USA: Paramount.

*Escape from Alcatraz* (1979) Directed by Donald Siegel. USA: Paramount.

*I Love you Phillip Morris* (2009) Directed by Glenn Ficarra and John Requa. USA: A Mad chance Production.

*Kick-Ass 2* (2013) Directed by Jeff Wadlow. USA: Universal Pictures.

*Kinsey* (2004) Directed by Bill Condon. USA: Fox Searchlight.

*Laurel and Hardy, Pardon Us* (1931) Directed by James Parrott. USA: MGM.

*Let's Go To Prison* (2006) Directed by Bob Odenkirk. USA: Universal Pictures.

*McVicar* (1980) Directed by Tom Clegg. UK: Universal Pictures.

*Midnight Express* (1978) Directed by Alan Parker. USA: Columbia.

*On the Yard* (1978) Directed by Raphael D. Silver. USA: Midwest Film Productions Inc.

*Pinero* (2001) Directed by Leon Ichaso. USA: Miramax.

*Scum* (1979) Directed by Alan Clarke. UK: Kendon films.

*Short Eyes* (1977) Directed by Robert M. Young. USA: Castle Hill Productions, Inc.

*Slam* (1998) Direct by Marc Levin. USA: Trimark Pictures, Offline



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*Stella Dallas* (1937) Directed by King Vidor. USA: Metro-Goldwyn-Mayer Studios.

*Streetcar Named Desire* (1951) Directed by Elia Kazan. USA: Warner Brothers.

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*The Wizard of Oz* (1939) Directed by Victor Fleming. USA: Metro-Goldwyn-Mayer Studios.

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### **Television**

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*Oz* (1997 - 2003) HBO.

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*True Blood* (2008) HBO: 28th September 2008.

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