Chapter 2

Structures: The carceral as a central punitive system

The evolution of prison as the centrality of the punitive mechanism and the complex network of actions and attitudes associated with it are factors, which lead to the multiplicity of theoretical elaborations that were discussed in the previous chapter. It is not surprising that none of those provide either a comprehensive history or a concrete theory on why or how the prison became central in the legal/social framework. Given the complexity of prison, it is only imperative that no single endeavour can outline the historical and theoretical base on which the structure of incarceration has been erected. Yet, given the fact that prison is what defines punishment in the contemporary society, there should be a unifying theory that could explain this unquestionable supremacy. Such a string theory would not be a new idea but rather a blend of what has already been written and thought about the birth and evolution of the carceral. Even such an attempt in blending would also be incomplete, yet it would help in understanding how the different factors, approached by the multiplicity of theoretical commentators, contribute to the understanding of the penal process in contemporary societies.

An attempt of this scale posits a serious problem. The several approaches that have been made towards analysing imprisonment have each focussed on different areas. Any endeavour to bring together all these arguments into a unified theoretical framework would risk the analysis to be
slanting in one direction or the other. This would apparently leave an
incomplete picture whereby and would be a deception of what the study
intended to do. The ideal solution for this issue has been suggested by the
sociologist David Garland.

**Prison as a social institution: David Garland's view of penality**

David Garland, in book *Punishment and Modern Society*, argues that
penalty is a social condition which involves and interacts with diverse forces.
He presents a comprehensive analysis on several theories of penality to
come to the conclusion that to attempt a comprehensive theory of
punishment would lead to a fragmentary analysis of punishment and would
thereby fail to represent the various social forces that contributes towards the
system. Garland calls states these diverse theories as, "reciprocal
commentaries, mutually deepening" (Garland, *Modern* 279). In order to push
his point Garland cites the fact that prison is at once a stable and deeply
problematic institution. The only way to avoid such a partial analysis is to
view penality as a social institution where each of the contributing forces be
analysed and brought together in such a way that they stand alone as
independent entities and also as part of a wider network of socio-legal
interaction that formulates the modern day penal process. Garland says,
"each interpretation might be modified by the other to take account of the
dialectical interplay of the various forces which structure penality" (Garland,
*Modern* 279).
Garland cites Marcel Mauss's theory to talk about the multidimensional approach towards the evolution of prison. He emphasises the need for consolidation and synthesis of perspectives in sociology that strives to give a wholesome image. Garland says, "Instead of searching for a single explanatory principle, we need to grasp the facts of multiple causality, multiple effects, and multiple meaning" (Garland, *Modern 280*). He calls for the use of theories such as over-determination, condensation and polysemy to better equip the studies with plurality demanded by the subject matter. Garland also gives out a warning of reductionism in studying penal evolution if a single focal point is overstressed. The solution that he suggests, for not falling into any reductionist analysis of penalty, is to view prison as a "social institution."

Garland speaks of the various theoretical elaborations on prison as tending to focus on one possible cause and effect relationship thereby putting several others out of focus. This would result in a fragmentary study of punishment which brings out only fragments of what it actually is. Whereas the social institution viewpoint advocated by Garland brings together all these forces and helps in studying imprisonment in a comprehensive manner. Garland's idea presents punishment as a social institution which being directed towards a particular aspect of social life with its own intrinsic rationality and culture, operating within its own institutional framework. This self-containment, for Garland, is only partial in nature. By being part of a wider social network such an establishment constantly interacts with other institutions of the same kind, thereby affecting and being affected by each
other. Garland notes, "Typically, such institutions evolve slowly, over a long period of time, so that their present character is often shaped by history and tradition as much as by the contemporary functions which they perform" (Garland, *Modern* 282).

The penal institution is at once complete in itself and also constantly being supported by other institutions through the social interactions that they carry out. It is important to view punishment as comprising of these two facets in order to evolve a comprehensive understating of its existence and functioning within the social framework. "Somehow or the other," says Garland, "we must learn to view it both in its integrity, as an institution, and its relatedness, as a *social institution*" (Garland, *Modern* 283). According to Garland, in order to bring out a general theory of punishment it is essential to inquire into "the ways in which moral, political, economic, cultural, legal, administrative and penological conditions converge upon the penal realm and shape the forms of penalty; or how, in turn, penal measures serve to enforce laws, regulate populations, realize political authority, express sentiments, enhance solidarities, emphasise divisions, and convey cultural meanings" (Garland, *Modern* 284). Such a theorisation is easy to talk about rather than construct. Historical forces of such a large scale are difficult to fit together in a "stable interplay" so that it can be developed into a theory, says Garland. They would rather work themselves out towards a "predetermined historical outcome". At this juncture the possibility of a general theory of penalty fades further away. Whereas the roles played by each of the socio-political-economic forces that contribute to the development of the modern
punishment, their functions and counter-productive frequencies cannot be coded down to any unifying theoretical base. Hence the theory which sociologists and criminologists are after alike, one that describes all the aspects of punishment, is no more than an academic dream.

Apart from the fact that conflicting individual historical forces are playing crucial parts in the evolution and existence of the penal system, Garland also notes that the system in itself and the specific forces and structural institutions that it contain are constantly changing. This constant process of change adds another complexity to the attempt of building a general theory of punishment, making it all the more impossible to achieve. Garland adds, "There is no settled hierarchy of purposes or causal priorities which prevails at every point allowing us to describe, once and for all, the sequence of forces and considerations which 'determine' the specific forms which penality displays" (Garland, Modern 285).

Theoretical work can only become a guiding force for empirical study. Theory can talk/indicate the forces/social institutions with which penality has been interacting but cannot provide specific information/conclusions as to how or why these forces converged at a particular historical juncture to make the consequent changes in each of their individual histories. Punishment, which is a result of this historical convergence, is at once a self-contained structure as well as it "intrudes into many spheres of social life." Garland uses Marcel Mauss's idea of "total social fact" to describe punishment. What Garland indicates by this analogy is punishment's all-inclusive structure
which is stable in itself, yet which interacts with and intervenes into multiple social institutions. Even though punishment stands as a "distinct social institution" it brings together a complex web of "social relations and cultural meanings." Penalty primarily deals with criminals, where it is a "circumscribes, discrete, legal-administrative entity," whereas at the same time it takes different social roles as expressing "state power, collective morality, a vehicle for emotional expression an economically conditioned social institution, an embodiment of current sensibilities, and a set of cultural ethos and help create a social identity" (Garland, Modern 287). Any policy evaluation, philosophical reflection, or political judgement of penalty can only happen based on the empirical basis that sociology of punishment can provide. Such an empirical support can only be given by putting the social dimensions of punishment in focus and bringing out its internal conflicts and social consequences. This is what the sociology of punishment, whereby penalty is seen as a total social institution, strives to achieve.

If evaluation of punishment be cast in the terms of instrumental utility, it fails to present a comprehensive picture of the complexity that punishment is. Garland states the example of punishments in modern societies viewed with "crime control" as their primary objective. Every analysis on this line fails to identify the actual social implications of prison/punishment, because they all begin at the wrong point. He maintains that prison, or any social institution, cannot exist solely on any such instrumental ends. Prison pursues several objectives at once, crime control being just one of them. It is by no means the only one. For instance, Garland points out "incapacitation" as
another objective pursued by prison; excluding recalcitrant individuals from society for a long period, and thereby assisting the general social balancing. Likewise, punishment serves several purposes conditioned by the socio-political demands of the specific historical juncture in which they operate which cannot be condensed into a theoretical framework with a singular focal point. Garland argues that by viewing penality as a complex social institution one can not only get a clearer idea of it, but also by a deeper understanding of it can attempt a more authentic critique that would be stronger than any one-dimensional approach. "Thinking of punishment as a social institution should change not only our mode of understanding penality but also out normative thinking about it," says Garland (Modern 290). Such a sociological approach towards punishment necessarily undermines any compartmentalization of the penal question whereby it is analysed purely on an administrative way. It also gives a "sense of sociality" to punishment which reveals the depth of underlying meanings which exist beneath this "specialist legal institution." Garland concludes saying, "the institutions of punishment should be seen – and should see themselves – as institutions for the expression of social values, sensibility, and morality, rather than as instrumental means to a penological end" (Garland, Modern 291).

Garland’s analysis leads us into a comprehensive and wider understanding of the penal system. It opens up a new avenue of understanding and helps in defining prison in terms of the social function that it performs. This sociological approach can be further clarified with the help of certain examples from the twentieth century. Whereas it applies to any
prison system of the contemporary world, and a clearer picture of the "total social institution" that Garland mentions can be deduced from all of them alike, the present study intends to take up detailed inquiry into four specific prison/punishment systems that seemed to have shook the social conscience of the times in which they existed and also continues to historically haunt and clarify the thinking minds that came after these systems. It would also be ideal to attempt a study how psychological conditioning of imprisonment, aided by factors of economy and power, redefines social relations thereby displacing the individual's existence and entity within the society. The study attempts to take up detailed analysis of the Gulag, the Auschwitz concentration camp, the Abu Ghraib prison and the Guantanamo prison, all of which have shook/is shaking the conscience of the times in which they existed/exist. As for the psychological conditioning, The Stanford Experiment would be used as a point of analysis. Studying these complex and controversial structures it is intended to bring out how the idea/practice of penality becomes a complex social institution in itself, intervening and conditioning other social forces that contribute into the making of this very structure.

Gulag: The beginning of a new era

Erstwhile USSR was almost an unknown world for the outsiders. With its closely guarded socio-political system, the Soviet state was able to terrify even the mightiest of global powers. The state being hidden from outside view meant that the socio-political systems were scarcely exposed; or at
least, those which the state wanted to be kept under cover were effortlessly kept so. This resulted in a period of long silence from the academic and intellectual community, which were reluctant to react on half exposed facts and figures. Those who responded were on either side of the propaganda and hence did not merit to be called academic. The best example of this "unknown" society is the Gulag.

Gulag is an acronym of Glavnoye Upravleniye Ispravitelno-trudovykh Lagerey which in Russian meant Chief Administration of Corrective Labour Camps. The Encyclopaedia Britannica defines Gulag thus, "the system of Soviet labour camps and accompanying detention and transit camps and prisons that from the 1920s to the mid-1950s housed the political prisoners and criminals of the Soviet Union" ("Gulag"). This one liner, although not entirely accurate (especially with the dates; contemporary studies show that the Gulag system existed until as late as the 1980s), provides a starting point for the analysis of the system. The Britannica offers some more details:

At its height the Gulag consisted of many hundreds of camps, with the average camp holding 2,000–10,000 prisoners. Most of these camps were "corrective labour colonies" in which prisoners felled timber, laboured on general construction projects (such as the building of canals and railroads), or worked in mines. Most prisoners laboured under the threat of starvation or execution if they refused. It is estimated that the combination of very long working hours, harsh climatic and other working conditions, inadequate food, and summary
executions killed off at least 10 per cent of the Gulag's total prisoner population each year. Western scholarly estimates of the total number of deaths in the Gulag in the period from 1918 to 1956 range from 15 to 30 million. ("Gulag")

It is clear from this nutshell account that the Gulag was not just another prison system; it was arguably the first mass imprisonment system in the world. The ability to keep such a widespread carceral system as a closely guarded secret is revealed by the fact that little was known about this prison system until as late as the early 1970s when the Gulag was long since "abandoned" from its "real" use which peaked in the early 1950s. The Britannica says, "The name Gulag had been largely unknown in the West until the publication of Aleksandr Solzhenitsyn's *The Gulag Archipelago, 1918–1956* (1973)" ("Gulag"). With the amount of studies that the contemporary academic scholars are carrying out on this system it is apparent how much was hidden from the view of the world. Studies like the one by John Conquest accuse the intellectuals of the 1970s on for not voicing concerns on this socio-legal system, mainly due to their "ideological" leanings towards and support for the Soviet state. Whatever be the reasons for their silence, it is clear from the works that have appeared that even if they had responded to this mass incarceration system they would have been in a position to do it in a minimal scale due to the scarce amount of information that would have been available to them.
Though the Gulag was born during the post-revolution Soviet Russia, the idea for such an imprisonment dates back the days of the Tsar. What the Gulag borrowed from the Tsarist prison camps was not the idea of imprisonment in itself, but the economic motive behind it. The social and political consequences that the system brought forth are related to the general history of imprisonment or the socio-legal idea of penality. The economic goal, of making it possible to carry out public works in remote areas without the escalation of labour costs, would have been borrowed from the camps of the Tsar. Anne Applebaum has traced this historical root of the system in her book *Gulag: A History*:

The Gulag had antecedents in Czarist Russia, in the forced-labour brigades that operated in Siberia from the seventeenth century to the beginning of the twentieth. It then took on its modern and more familiar form almost immediately after the Russian Revolution, becoming an integral part of the Soviet system.

The system was adopted by the revolutionary regime so "that 'unreliable elements' be locked up in concentration camps outside major towns" (Applebaum) thereby ensuring the stability of the new government. The so-called first enemies of the people; aristocrats, merchants and other potentially dangerous "elements" were duly imprisoned. Applebaum adds, "By 1921, there were already eighty-four camps in forty-three provinces, mostly designed to "rehabilitate" these first enemies of the people." It was in the year 1929, when Stalin decided to speed up the country's economy using
the prison labour force that the Gulag took on a new significance. The economic intention was quite clear, "speed up the Soviet Union's industrialization, and to excavate the natural resources in the Soviet Union's barely habitable north" (Applebaum).

The Great Purge of the late 1930s proved to be complimentary in supplying this extra labour force that was in demand at the Gulag. American historian J. Arch Getty in his Origins of The Great Purges gives a detailed account of this great socio-political event that aimed at clearing the "enemies of the state" from everyday society and using them to build the very same state that they were revolting against. Purge does not refer directly to the arrest and trial of people within the legal apparatus. On the other hand, it was a move within the Russian Communist Party that had a different aim (at least in theory) than what it actually ended up doing. Getty talks of how the membership rise in the Russian Communist Party in the post-Revolution period had become a problem within the party which called for a filtering to clear-off the undeserving members. Getty says:

The term "purge" (chistka-a. sweeping or cleaning) only applied to the periodic membership screenings of the ranks of the party. These membership operations were designed to weed the party of hangers-on, nonparticipants, drunken officials, and people with false identification papers, as well as ideological "enemies" or "aliens." (38)

The Purge was in no way "intended" to contribute labour force to the Gulag, but that was what it ended up doing. Although the Western intelligentsia has
been accused of being one sided in putting all the blame of the Purge on Stalin, it is a fact that the movement did in fact prove helpful in strengthening his regime. The statistics related to the Gulag population reveals the extent of the effect that the Purge had. The Western think tanks were said to have been exaggerating the number of inmates in the Gulag, but the actual number revealed by the official documents, though significantly less than those stated by people like Robert Conquest, is not small. Sheila Fitzpatrick refers to an article titled, "Gulag" written by the Russian historian V. N. Zemskov to say, "the entire convict population (including both "politicals" and "criminals") of GULAG’s labour camps and labour colonies on January 1, 1939, numbered 1,672,438,"(248). Zemskov's number has been argued to be false by Robert Conquest in an Editorial article titled "Victims of Stalinism: A comment" published in 1997. Conquest says:

We are all inclined to accept the Zemskov totals (even if not as complete) with their 14 million intake to Gulag 'camps' alone, to which must be added 4-5 million going to Gulag 'colonies', to say nothing of the 3.5 million already in, or sent to, 'labour settlements'. (1317)

Given the divided opinion on the Gulag population, even the lowest stated number is in itself large enough to prove the magnitude of the mass imprisonment in the Soviet Union.

Although the Purge was a high volume contributing factor to the expansion of the Gulag, as mentioned earlier, it was not the causative force behind this system of mass incarceration. What the Purge did was to "aid"
the development of the Gulag so as to put it to wide use in construction and
other economic activities throughout the country, especially in the resource
rich remote areas with extreme climatic conditions. Even as the state was
making use of the prisoners form the Gulag for building the nation, it can in
no way lead to a compartmentalisation of the system to have had just the
economic end that it served. Paul Gregory hints on this possible mistaken
analysis in his "Introduction" to the book The Economics of Forced Labour,
when he explains the Gulag to be an institution of coercive power in a
totalitarian state. Gregory says, "Whether the Gulag was created to serve the
economic interests of the state or whether it was a by-product of the
dictator's consolidation of power" (3) is a major issue that needs to be
addressed while analysing the system. Hence the hasty conclusion that the
Gulag was primarily constituted with an economic motive would lead to a
failed or half-fulfilled analysis. Gregory himself says that, "the working
arrangements were more complex and subtle that had been imagined" (3).
So it wouldn't be ideal to focus the analysis of the Gulag on the economic
motives that it served. Yet, the contribution that Gulag made to the economic
structure of the Soviet Union can neither be overlooked.

The fact that most historians and social theorists of the Gulag did
focus on the economic aspect of the system leaves much of the other areas
untouched or sparingly referred to. Although the system was in force since
the early days of the Bolshevik Soviet State, extensive studies on the system
started appearing only after the collapse of the Soviet state. The delay is
directly related to the availability of first hand resources mentioned earlier.
This is one reason why the studies appear to be incomplete in many respects. Steven A. Barnes in his important work *Death and Redemption* argues that the possible reason behind the concentration of Gulag studies on economic motives and statistical analysis is that the scholars were aiming at exposing the system to the world. In such an attempt, as it is often observed, an anti-Soviet, anti-communist propaganda is found to be at work. This propaganda, which can apparently be compared to the Soviet propaganda itself in some ways, tends to be over inclined towards arguing that the system of governance was inherently bad with the Gulag as only one of its natural consequences. An argument on this line can be seen in the book *Crimes Against Humanity Under Communist Regimes*, where the authors Klas-Göran Karlsson and Michael Schoenhals fill their research survey with extensive amount of statistics, giving very less room for theoretical analysis. They limit the assessment to hardly a line or two leaving the reader to deduce what it means. This is a dangerous idea, mainly because statistics without a background analysis can be misleading in a number of ways. Without referring to the ideological implications behind the conception of the Gulag there cannot be a complete historical or theoretical study of the system. This is less offensive when compared to what Daniel J. Mahoney says in the article "Grim Countenances." Mahoney is directly misrepresenting theoretical arguments of intellectuals like Alain Badiou and Slavoj Zizek when he says, "fashionable intellectuals…continue to praise the 'Communist idea' and celebrate revolutionary violence as a necessary stage in the project of human 'emancipation.'" The misrepresentation of the ideas of these scholars
is clear from the absence of any kind of reference to the works where they speak in these lines. Whereas it is true that these intellectuals have been speaking of communism and Marxism, they are nowhere to be seen justifying violence of the kind found in the Gulag. Another such work, the editor of which announces to be a fulfillment of the "desire to find a suitable and durable intellectual expression of" (Hollander 1) the sentiments that Robert Conquest showed through his works, tends to take a strange turn when the editor speaks of the prolonged existence of the "ideals projected upon" (2) the Soviet system and the Western intellectuals' continuing support of the left regimes in Cuba and elsewhere in South America. Hollander hints at his major concern when he voices his concern over people in the United States quoting critics such as Noam Chomsky to critique the American society. As the issue of the American society in the realm of penality is dealt with in detail elsewhere in the present study it is not intended to be delved in detail at this point. What needs to be said/understood from such studies is that arguments presented in this line would not lead to any clear understanding of the Gulag system; on the contrary, what they would be doing is to create a faulty impression conditioned more on political disbelief than on material facts. What is needed to understand the Gulag is neither an emotional analysis nor a political propaganda, but a more comprehensive approach that would uncover the dark zones of this large scale incarceration. The Gulag was large not just in terms of numbers but also in terms of the area covered; it brought the largest political state on the planet under its control. This is precisely where Barnes's work becomes relevant.
Barnes identifies the apparent problem with the previous studies on the Gulag in the beginning of his work. He says:

Scholars of the Gulag have understood its emergence and role in the Soviet Union primarily in three distinct yet overlapping ways, emphasizing in turn the economic, the political and the moral. While no scholar offers a monocausal explanation of the Gulag, they have typically placed particular stress on one these factors. (7)

For Barnes the stress that the scholars have put on the economic factors as the leading forces for the emergence and development of the Gulag is problematic. What problematizes it is the apparent knowledge that the economic understanding's limitations – the evident failure of the economic motive of the Gulag principally due to the arrests occurring chaotically and inefficiently; which made women, children, the elderly, and invalids part of the Gulag's harsh climate – which even the proponents of this approach had, makes it difficult to think that economic motives were ultimately what created or sustained the Gulag. The fact that the economic motive was far from successful is exemplified in the illustrious work edited by Paul Gregory and Valery Lazarev. In his introductory chapter to the work Gregory says that the Gulag shared a meagre 2 per cent of the total labour force in the USSR. He adds, "it accounted for about one in five construction workers in 1940 and 1951" (Gregory 19-20). Gregory also states that the penal workers had to be offered wages to work in harsh conditions, which in turn increased the cost of these labourers to the state. Thus the initial presumption that "penal workers
could be forced to work efficiently and conscientiously without being real material incentives" (Gregory 21), was far from realised. This point is explained in detail by Andrei Sokolov in the second chapter and Leonid Borodkin and Simon Ertz in the fifth chapter of Gregory and Lazarev's book. What Barnes, on the other hand, looks for is a more comprehensive approach; one that is similar to the theorisation made by David Garland. To illustrate the political approach, Barnes cites Robert Conquest, who can arguably be called the most "celebrated" author on the Gulag. Barnes refers to Conquest's book *The Great Terror: A Reassessment* and says that in the book the author talks about the Gulag being a politically efficient system where enemies of the state were subjected to a "slow, steady march toward death" (Barnes 8). This absolute argument is proven to be defective by the archives that were made open by the end of the Soviet regime. It was discovered that about 20 per cent of the prisoners were released every year from the Gulag. It is true that millions of prisoners died in the Gulag, either directly killed or died in transit, the constant release of prisoners disproves any argument that Gulag was merely a killing machine, like the one operated by Hitler. Barnes carefully cuts through such approaches to present what can be called a multidimensional conceptual approach to study the Gulag system in particular and Soviet history in general.

One author who cannot be overlooked by any historian of the Gulag is Solzhenitsyn. Barnes studies deep into what Solzhenitsyn wrote in *The Gulag Archipelago* and calls it "unparalleled in the attempt to integrate an understanding of Gulag daily life into the broader context of Soviet and world
history" (8). He classifies Solzhenitsyn's work as a moral interpretation of the Gulag and says that no other work has gone so deep into probing the psychological experience of the Gulag. Barnes says that the work cannot be fitted into one genre, on the contrary, it is a combination of several genres, "documentary history, memoir, oral history, literature, and political-moral polemic" (9). One issue that Barnes saw with the initial studies of the Gulag is what is overcome by Solzhenitsyn in his narrative. Barnes says:

While terror, and the Gulag as an integral part of that terror, found itself at the centre of early conceptualisations of the Soviet experience, the prisoner was thoroughly marginalised from understandings of the revolutionary transformations of the society. (7)

This is precisely what Solzhenitsyn's work covers up. By sourcing his work on the personal experience that he had and the narratives of other inmates Solzhenitsyn presents the prisoner's view of life inside the corrective labour camps. Barnes says that work has to be approaches not just as a primary source but also as a historical work that spells out a "strong position on the moral significance of the Gulag" (9). Barnes also warns on the inaccuracy of Solzhenitsyn on the "speculations about the number and socioethnic makeup of the camp population" (9). What Barnes does here is to account for an important work in the history of the Gulag not falling victim to the extremist argument of directing it to be the epitome of a failed state. That is where his approach to the Gulag becomes significant; Gulag did not symbolise a failed state, on the contrary what it symbolised was the success of the ideological
force of the Soviet regime. This does in no way intend to glorify the Gulag. It was ultimately giving out a negative message to the broader area of penalty and was making a horrifying contribution to the evolution of mass imprisonment as a method of tackling unrest and dissatisfaction. Its legitimacy is not a question here; it is the root that is put to the test. When Barnes says, "In Solzhenitsyn's analysis, the spread of the Gulag represents the triumph of immorality cloaked in the justification of ideology," (9) what he indicates at is the fact that ideology in the Gulag was seen by Solzhenitsyn as something that was devoid of all creative content. He finds this ideology to be lacking any relationship to ideas and worldviews, "and is reduced to an empty 'justification' for evil doing" (9). Barnes says that for Solzhenitsyn, ideology effaces any checks on the evil that human nature contains, and the Gulag is the direct consequence of that. Solzhenitsyn's approach here is not directly on the roots of the ideology itself but on the manipulative use of it to justify what was being done in the Gulag. This could be equated to what Habermas calls "instrumental rationality" (144).

The psychological approach that Barnes ascribes to Solzhenitsyn is further justifies by the arguments made by Kate Millet in The Politics of Cruelty. Speaking of Solzhenitsyn's novel The First Circle, Millet says the novel "is about the power and effect of state paranoia on human society, the accumulated effect of decades of fear and suspicion and denunciation" (27). One key word that leads to the psychological aspect of Solzhenitsyn's work is "fear." The fear that the state inflicted on the people who went against it, the fear that the state had of such people are both equally important here.
Whereas the former defines a crucial function of the Gulag, the latter offers a clue about a possible cause for the emergence of this social institution. The psychological aspect of the birth of the Gulag is what is explained by Millet's argument. Millet calls the Gulag as seen in Solzhenitsyn as another country, that is hidden and mysterious, one which acts as a warning to the others (those who are outside) hence becomes "something hidden which nevertheless haunts, controls, and pervades 'ordinary' life elsewhere" (Millet 27). Millet too makes a reference to the economic motive behind the Gulag, but places it below the element of fear which for her is the defining factor behind the system. Torture is what acts as the stimulant of this fear. Millet says:

   Torture makes all the difference. To be arrested knowing you will be tortured is to know absolute helplessness before absolute power. That situation is our subject. This is government through fear, even terror: state terrorism, which is to say the activity of respected and recognised authority. not the activities of a few desperate individuals, but the collective force of the state, with all its attendant powers of police, army, weaponry, prisons; its control over roads, airports, borders, its technology in surveillance, its functionaries trained in deception and cruelty and indemnifies in the functions. Vast, fearsome power. (30)

The mental fear of torture, of being confined to a "box", and being subjected to forced labour and being forced to hide your pride, is what Millet identifies
as haunting Volodin, the protagonist of *The First Circle*. This fear is essentially the most crucial element which ensures the success of imprisonment thereby assuring the continued existence of state authority. Millet sees the torture in the Gulag as one where "all hierarchy intensified, magnified, brought back to its archetypal and most brutal level, the archaic pairing of the master and the slave" (35). Through a carefully carried out procedure, like fingerprinting, photographing etc., the individual at liberty is transformed into the creature under absolute control. The state terror that Gulag represented operates in multiple levels. The individual who fears torture, the society that is unwilling to compromise its own security, the state that ensures that flow of labour and isolation of its enemies are all direct results of the terror that Gulag generated. It can easily be deduced that the Gulag, what is referred to as an archipelago by Solzhenitsyn for the expanse of the area that it occupied, in its massive size (an area more than that of France) and the widespread effect was no less than absolute social institution that interacted with diverse social forces while at the same time keeping itself austere and complete in itself. Millet cited the Section 10 of Article 58 of the Soviet Constitution as the backbone of the Gulag system. The law which saw to it that any act of against the state was promptly punished was the legal back-up of the Gulag. This aspect opens up a further avenue of social/political interaction that the Gulag was engaging itself in. Millet's focus rests on two aspects which she identifies to have caused the existence of the Gulag; fear through torture and state terror.
What Kate Millet identifies are indeed very significant factors in studying the Gulag. Yet they do not contribute towards a fuller understanding of the system. Barnes goes a step further ahead in locating the underlying key aspects that not only erected the Gulag system but also sustained it for a period of over six decades. What he tries fundamentally is to attempt a study of the Gulag in relation to the Bolshevik ideology through analysing the "ever-evolving relationship among Bolshevik ideology, historical circumstances, and the institutions, practices and identities of Gulag" (Barnes 10). In doing this, Barnes is careful not to place the study solely on the basis of Marxism or Bolshevism, because it evolved out of such diverse factors like the tsarists experience with forced labour, the concentration camp invented in the late nineteenth century, the revolutionary period of crime and chaos, and the rapid attempt at industrialisation. This openness to a multidimensional, multi-causal approach is what gives the study its comprehensive nature on historicising the Gulag. Barnes says that comparing propagandist volumes like Belomor to the real institutions, practices and identities developed in the Gulag, facilitates the evaluation of ideology's impact on the development of the Gulag and Soviet polity at large. he uses the example of the Karaganda Gulag in particular for the study.

Barnes identifies Gulag history to have been, "marked by a series of crises, competing demands from central and local authorities, and frequent cynicism about the institution's re-education mandate" (12). The book shows how the constant interaction that ideology made with these elements produced an especially Soviet penal institution that played a crucial role in
building a unique Soviet civilisation. The isolation that Gulag effected was a key aspect of the fear that it generated among the Soviet population. This isolation was doubled in the case of the Gulag, where one was in the state of being imprisoned as well as imprisoned in an isolated part of the country.

Barnes says, "Isolation alone could not make the social body safe. Consequently, penal practice moved beyond isolation to the reformation (healing) of the criminal soul" (14). The driving force behind this transformation was the same as that of the Bolshevik ideology, "to transform society and engineer a new socialist soul" (Barnes 14). This social transformation was thought to have been possible not just through legislative action but through merciless class struggle. The basic assumption of the Soviet ethos was the existence of internal enemies what was dubbed as a contamination of body politic which was thought to be healed not through negotiation or accommodation but through a violent purification of the body politic. This resulted in the Gulag, which became the site for this act of state "purification." In what the Bolsheviks believed to be their race against time the Gulag became their "imprecise, harsh tool for the transformation" (Barnes14). What the Bolsheviks thought, says Barnes, was that, "In the harsh conditions of the Gulag, the social body's filth would either be purified (and returned to the body politic) or cast out (through death)" (14). Criminality was a regarded to be an illness that had to be cured. This cure had to come through the truth of socialism, as was pointed out by the propagandist authors of Belomor. Barnes cites the metaphors like this to be an indicator of how important the Bolsheviks thought their work of "purgation" to be. Barnes
adds that the Bolsheviks did not view themselves as mere physicians curing physical illness but as "engineers reforging human raw material" (14). The metaphor of "reforging" carried with it all the implications of the steel industry, materials made to endure extreme conditions of heat and pressure to transform them into new products. This shows a direct relation to both the economic and the political aspect behind the Gulag. It was not just a socio-legal idea that operated in a static level, like the carceral institutions of the present day. On the other hand, the Gulag represented a working scheme of a grand style where economic processes where organised in place to effect a socio-political transformation. All these complexities do in no way glorify this mass incarceration system, where millions lost their lives for apparently no fault of theirs other than thinking differently from the state.

The complexity of the Gulag was not only in the though process that lead to its formation, but also existed in the level of their organisation. The geographic hierarchy on the arrangement of the corrective labour camps stands witness to this fact. In the first level, there was a scale that was associated with the camps based on their geographic location; their distance from a more habitable location. Distant camps like those in Siberia, Far North or Kazakhstan were reserved for the "most dangerous inmates" (Barnes 17). Even among the distant camps there emerged a further sub-hierarchy in which Kolyma camp occupied a unique space. Barnes says that prisoners in other camps were threatened with transfer to Kolyma for violation of camp order. This allowed for a "finer sorting" of the inmates. This process of hierarchy was integral to the Gulag administration as it served not just to
identify the highly dangerous inmates, but also in locating those who had already been purified and was hence ready to be redeemed to the society. Barnes says, "Gulag history was marked by a constant expansion of the hierarchy of institutions" (17).

Prisons occupied two distinct spaces in this hierarchy of institution in the Gulag; the pre-sentence interrogation prison and the post-sentence prison of absolute isolation. The interrogation prison did not serve the purpose of deciding the fate of the future inmate, but was intended to uncover the past of his person; to know who he was. The interrogation prison was notorious for the torture regime that was part of it. Solzhenitsyn gives accounts of the horrific tortures that the prisoners were subjected to in these interrogation prisons. In the third chapter of The Gulag Archipelago, Solzhenitsyn says that torture in a level that was thought to be barbaric even at the time of Peter the great (late seventeenth to early eighteenth century) was being practised in the twentieth century "not by one scoundrel alone in one secret place only, but by tens of thousands of specially trained human beasts standing over millions of defenceless victims." Solzhenitsyn lists how fabricated cased brought people into the interrogation prison where there actual identity was dug out through torture. "As long ago as 1919 the chief method used by the interrogator was a revolver on the desk. That was how they investigated not only political but also ordinary misdemeanors and violations," says Solzhenitsyn. It can be concluded that the interrogation process was the first real step in revealing the terror into which the convicts were to be subjected later in the Gulag camps. The prisoners were
transferred to various camps at the end of the interrogation. There were some prisoners who were "discovered" to be extremely dangerous. So dangerous that they can neither be made to come to contact with other prisoners not be expected to undergo transformation in the camps so as to be released back into the society. Such dangerous prisoners demanded "places of total isolation" (Barnes 19) which was served by the post-sentence prisons in the camps. Barnes attempts a detailed study of the Kartoga divisions of the prisons which he finds to be especially strict. The extreme location in Siberia and the dangerous tasks that were performed gave this distinction to the Kartoga prisons. The Kartoga system extended to a new group of independent camps dubbed special camps, says Barnes.

Although the economic ideal that most writers associated with the Gulag seems to have failed, the Gulag in itself was not a "failure" to those who wanted it to exist. "The Gulag served as the Soviet penal system" (254), says Barnes. The sheer number of inmates in the Gulag (over the whole period of its existence) indicates the number of lives that it would have affected, directly or indirectly. Barnes adds, "The Gulag was thoroughly integrated into the fabric of the Soviet Union, touching the lives of nearly every Soviet citizen" (254). Those who were not inmates of the Gulag were affected by it through a friend or a close relative who was a Gulag prisoner. The Gulag was a very much a social institution which had multiple roles to play in the Soviet society. While it failed in the more glorifies goals, it did "succeed" in some others. The Gulag was at once a system of detention for political opponents, victims of draconian legal campaigns and a system of
forced labour. It served also as an institution that evaluated the "fitness" of human beings to be part of the socialist society. Those who were considered "fit" were returned to their normal lives whereas those who were not perished in the camps. Barnes says, "Gulag institutions, practices, and identities operated to define and enforce the boundary between death and redemption" (255).

What the Gulag did to penalty is a key issue to be discussed. The complexity that is associated with the institution, its organisation and management was a very important phase in the evolution of penalty in general. The fact that the Gulag system was hidden from public conscience (outside the USSR) at least up to the early 1970s may make one think that it was revealed too late to make any significant contribution to the general evolution of incarceration in the contemporary society. This is an early judgement. Mass incarceration has become the policy of some of the powerful states only as late as the 1990s. Filling prison with the offenders of the state charged with fake crimes is a common practice today. The establishment of prisons in isolated parts, thereby doubling the isolation process of incarceration, as in the case of the Gulag camps, can be seen in such prisons as the Guantanamo Bay. The theoretical investigators who rush to reveal the great terror in the Gulag forgets the fact that something worse than the Gulag still exists in their own country. This is somehow related to the revelation of the complex organisation structure of the Gulag. The Soviet Gulag happened to be a system that existed for about seven decades, which is a long time for any prison system of this scale. Hence the core idea that
operated in the Gulag did in fact contribute to the evolutionary history of contemporary imprisonment. Minus the ideological and economic intentions of the Gulag, it can very well be concluded that this was a system that would have contributed greatly towards the development of the mass incarceration system that can be seen in many places today. Although this influence is not openly admitted, for obvious reasons of not wanting to be powerless to critique the Soviet system, the organisation and the levels involved in the carceral system clearly indicates the influence. If it was not a phase to phase, step by step mode of imitating the Gulag, it is at least a reapplication of the base idea that the system carried with it; mass imprisonment to combat state enemies. In doing so, the psychological factor, of fear, is almost entirely replicated in the contemporary system. So are isolation and the "idea" of purification. Hence the Gulag was not just another prison system that owed its existence to its predecessors, but a system that became precursor to the contemporary penal system. This makes it inaccurate to evaluate the system based only on the economic or propagandist viewpoint. On the other hand it has to be viewed from a more comprehensive vantage point where it becomes possible to analyse the totality of the system. It is important to have such an analysis in place because it is what paints a larger clearer picture of the Gulag which places it at the right spot in the history of the institution called prison. Comprehensive approaches like that by Barnes is what makes such wider conclusions possible and more such studies based on the Gulag archives are expected to further expand this still infant area of Gulag studies.
Memory, race and justice: Nazi concentration camps

One of the most horrific episodes in the twentieth century world history was that of the Nazi concentration camps of the 1930s and 40s. Although theoreticians of the camps mostly hold the opinion that the camps cannot be studied as a prison, the fundamental guiding force that enabled the existence of such a vast system of confinement was nothing other than that of the carceral system. The camps were different from any prison of that day; it is so from any prison of the contemporary times as well. Yet, the Nazi system did in fact contribute to the development of the prison system as we see it today. If not contribute, it did illustrate the "possibilities" that the carceral gives to the state. What makes the camps apparently a prison is the purpose it served; that of isolating the enemies of the state from the society at once. In the name of racial superiority, when the Nazis marginalised the Jews, they were not just being pushed off to the borderline, but were being wiped out of the society with rigour. It would be unjust to say that only Jews were incarcerated in the camps. Contemporary theorists and historians of the camps maintain that the Jewish phase was something that happened towards the end of the camps history. But that is what the camps came to represent once it got disintegrated. Which occurred mainly due to the fact that the history of the camps was studied as integrated to that of the Holocaust. It is true that the Holocaust was one of the most horrendous episodes in the Nazi camps, but to view it as synonymous with the camp system in itself would be erratic. This is precisely what most histories of the camps have been doing until very recent times, which is why there is only a
half drawn image of the camps that we have at hand today. Jane Caplan and Nikolaus Wachsmann, in their "Introduction" to the volume titled *Concentration Camps in Nazi Germany*, says:

The Nazi leadership was irresistibly drawn to the camp as an instrument of discipline and control – and not just for opponents of the regime. There were numerous camps for 'national comrades' (*Volksgenossen*), i.e. the majority of German men and women deemed worthy of membership in the mythical 'national community' (*Volksgemeinschaft*) that was the core of the Nazi vision of a rejuvenated Germany. (1)

The camps were invested with a noble goal, that of "elevating the communal order over individualism and inculcating German citizens with the new ideology" (Caplan 1). This is not to say that the camps were completely positive in its aims and functions. Caplan and Wachsmann themselves adds the other side of the camps in the very next line of their essay. Moreover, the atrocities that were committed against the so called "enemies of the state" are well known from the testimonies, memoirs and histories written by the survivors of the concentration camps. It is true that these writings play a pivotal role in the understanding of the camp system; but they offer much less an idea of the camps than what it actually was. They have left so much unsaid that contemporary historians are still left with a vast area of the system to bring to light. The memoirs and histories, that started appearing soon after the camps were disintegrated, offer a unique account of the
situation inside these camps. They have great philosophical significance as well, as demonstrated by Giorgio Agamben.

Giorgio Agamben's work *The Remnants of Auschwitz* makes a philosophical analysis of the concentration camps through the accounts of the survivors, especially the writer Primo Levi. Agamben's inquiry reaches deep into the foundations of the establishment and exposes the conditions that the victims who perished in the camps faced and also the survivors who escaped it continue to face. The work opens up a particularly new method of analysing the concentration camps of the Second World War. Other things apart, Agamben's work presents certain subtle categorisations among the people who lived in the camps which reveals as crucial in the present study. For example, there is this figure called *Sonderkommando*, deportees responsible for the management of the gas chambers. They were at once subjected to the perils of the camp and were also doing physical labour for the administration. Physical labour is not what matters here; but what exactly they were doing. Gas chambers were the ultimate torture in the camps; and by being appointed to manage them, these inmates were not only being witness to the horror but were also being tortured time after time. This classification also hints at the hierarchical organisation of the camps; which is an important aspect which closes in the gap between the camps and what the present study views as imprisonment. Another crucial area which Agamben's work brings to light is how the camps haunt those who survived it. Being witnesses to the dark era of history, they occupy a unique position in the society in which they live. The camps, which were hidden spectacles at
the time when they existed, continue to be a horrific spectacle that haunts the minds of those who survived them. Thus Agamben opens up the camp into the realm of studying life in captivity; this captivity is so strong that it continues to keep the victims captive even after the physical structures are abandoned. Hence it is important to look into the concentration camps of the Second World War from the perspective of the carceral. How the camps were prisons in themselves and how they contribute to the idea of incarceration in general are two major concerns that need to be addressed while attempting such an analysis. That is precisely what the present study intends to do.

The study of the Nazi camp system is a daunting task. Although reactions against the camp dates back to the times when it existed, one aspect of these reactions (which is the main theme in Agamben's work) makes any historical analysis incomplete or even incompetent. This hurdling factor is that of memory. When the academia was flooded with the memoirs of former camp inmates, it was assumed that nothing more remains to be written about on the camps. With memoirs dealing mainly with emotional reactions to the life in the camps, which does in no way trivialise these works, the contribution that these can make to any socio-historical study can be very limited. The reason for this is obviously the absence of references and supporting documents. This is not to say that historians have not treaded into the terrain of the camps. Although historical studies on the camps have appeared, they were almost exclusively in German and none of them were translated into English. This restricted the reach of these phenomenal
studies. Caplan and Wachsmann lists some of the important German works, that were either forgotten or not addressed to because of the language barrier. They say, "ambitious empirical studies like those of Broszat and Pingel remained exceptions; few German historians showed any serious interest in the history of the Nazi concentration camps; and little of what existed was translated into English" (Caplan 4). The fate of other such studies, like the German historian Heinz Kühnrich's historiographical study (which happens to be the first general history on the camps) published in 1960 or the much original (citing original references from historical archives) study published in 1968 by the French historian Olga Wormer-Migot, had not been different. They were initially neglected by the academia and henceforth been forgotten altogether. Given this context, the study of concentration camps is a relatively young area. The limitation of historical accounts that are available in English; either original or as translations, leave only a handful of accounts from which major inferences can be made in the general analysis of the concentration camps as a mass imprisonment system. Three works stands out most noticeably; Agamben's Remnants of Auschwitz, Caplan and Wachsmann's edited volume Concentration Camps in Nazi Germany and Wolfgang Sofsky's The Order of Terror. These three works provide a comprehensive understanding of the Nazi camp system; with each contributing significantly to certain aspects. Other volumes too like, Paul B. Jaskot's The Architecture of Terror and Omar Bartov edited The Holocaust: Origins, Implementation, Aftermath provide significant insights into specificities of the camp system.
Wolfgang Sofsky's work titled *The Order of Terror: The Concentration Camp*, was the earliest among the former three. Caplan and Wachsmann mentions this work in their "Introduction", as having "provided an analysis of the camp as a system of 'absolute power', which offers original insights into the formation and operation of the camp society" (5). Sofsky sociologically conditioned study offers a meticulously worked out structural analysis of the camps. Commenting on the history of the camps Sofsky says, "The organizational history of the German concentration camps began in an atmosphere marked by improvisation, rivalry, arbitrary decisions, and revenge" (28). The abrogation of the rights to freedom enshrined in the Weimar constitution, which occurred on February 28, 1933 is argued to have created the legal basis for incarcerating opponents without court decision. The authority for the arrest and custody was given to the secret police, SA (*Sturmabteilung* the so called "storm trooper" paramilitary units of the Nazi party) and SS (*Schutzstaffel* another powerful paramilitary unit under Hitler's regime). With the enormous power provided by the Nazi state, these forces began the mass arrest of political opponents; focusing first on the people in the left parties, then the bourgeois centre which included clerical workers and civil servants and finally the Jews. The arrests were not centrally guided by the Nazi government of the Reich, but had more to do with the provincial authority. The rivalry between the provincial governments and the other competing agencies that dealt with this issue is evident in the numbers of incarcerated people in each province. For instance, as on July 31, 1933, a total of 26,789 persons were in protective custody in the Reich; "of these
14,906 were in Prussia, 4,152 in Bavaria and 4,500 in Saxony" (Sofsky 28). It was after Heinrich Himmler assumed control of the political police that the concentration camp underwent a change in form and functions. Himmler was the strongest member in the Nazi government second only to Hitler himself. Himmler was instrumental in removing the SA from the control of the camps that it formally had under control and consolidating all camps under the SS. The SS was to become the central controlling authority of the concentration camps with a separate unit for the "well-being" of the camps. This reordering and expansion process began in May 1934 under the supervision of the then Dachau camp commandant and later inspector of concentration camps Theodor Eicke. The new move was an indication of the fundamental change that the function of the concentration camp system was to undergo in the coming days. Sofsky says, "Instead of a temporary instrument of repression necessary for the consolidation of the new regime, the camps were now to be permanent facilities for the preventive detention of anyone whom those in power might define as opponents" (30). In 1935 a new visionary agency KZ-Inspektion was formed which retained the control of the camps until 1945. Although the SS was a watching superior agency, the KZ-Inspektion had complete freedom in deciding the matters of the camps. Sofksy notes, "those in the KZ-Inspektion able to act with a high degree of independent initiative and make decisions not bound by rules" (31). With the consolidation during 1934 through 1936 came the formalisation of the camp administration as well as the emergence of certain standards in the detention system. These changes indicate how fast the camps evolved into "complete and austere
institutions" that Foucault mentions in *Discipline and Punish*. Systemic patterns and delegation and distribution of duties and responsibilities transformed the camps from shattered centres of detention into centralised institutions working under a unified command. Sofsky gives some details that would help better understand this transformation:

The sentry and the escort service was separated from the administration, and the bureaucracy was structured according to a uniform scheme. This formal structure stabilised the framework of positions. The organisation of the concentration camp was rendered independent of any changes in personnel and their initiatives. Consolidation thus meant not only the concentration of prisoners under a unified leadership, but also the institutionalisation of the camp as social system. (31-32)

How the concentration camp system was transformed from hasty centres for protective custody into perfectly managed centres of absolute power is clear from Sosky's description. This description also indicates another important aspect of the concentration camps; that of the transformation into a social system. What happened in a period of just three years was the complete redefinition of the camps from centres of preventive detention into a well organised system of mass imprisonment which served the dual purpose of keeping protesting population away from the mainstream and also terrorising the people outside to comply with the autocracy of Nazi regime. Thus the camp system becomes a social institution in the line of what is theorised by
David Garland in *Punishment and Modern Society*. The social system which the camps thus became did serve multiple goals and was very much an integral part of the German society. Sofksy points towards this when he says, "The concentration camps, far from being a well-kept state secret, were publicly known institutions. The release of relatively high number of persons from custody was a shrewd way to consolidate further grip of the regime" (32). New camps began to be built by the SS since 1936, which changed the fundamental character of the camps. Absolute power was the defining intention of these camps and torture was the supreme method. This new phase in the history of the camps saw more number of prisoners being deployed as labourers in SS enterprises. Hence the location of new camps did not depend so much on the availability of accommodation facilities as it did on the "production facilities for building materials, granite quarries, and tile and brick factories" (Sofsky 33).

The establishment of new camps saw the emergence of a new class of potential inmates: *Volksschädling* (pest harmful to people). This could include anyone that the regime labelled as social outsider. Political repression, which was the initial driving force of the camps, was replaced by a socio-ethnic policy of the state that made it possible to send anyone whom the state suspected to the camps. New methods were developed, like the *Asozialen-Aktion* "Operation against Asocial Elements" which started in April 1938, to take absolute control of the state. Such methods and strategies resulted in the inmate numbers reaching soaring high; for instance the total number which was seventy-five hundred in the beginning of 1937 more than
tripled to twenty-four thousand by October 1938. These numbers continued to rise up to mid-1939 after which there was a drop in the number of prisoners from about 60,000 to almost 21,400 by August 1939. This drop in the number of inmates was a result of several reasons including the mass murder of several Jews, many of them succumbing to the harsh conditions of the camps and also many of them released after agreeing to the "Aryanization" of their assets.

Yet this decline was short-lived, as it was during this time that the war broke out which "led to a radical caesura" (Sofsky 34). From this time onwards the numbers grew uncontrollably resulting in a totally unmanageable overcrowding in almost all the camps. Even after operations such as "night and fog" which sought suspicious people to be arrested and brought inside the Reich and making them vanish into the "night and fog" without any trace, the number of inmates in the camps did not come down. Sofksy records that by August 1942 the number of inmates had reached to approximately 115,000. With the overcrowding of the old camps, which were built to accommodate small numbers, the administration was forced to build new camps. Hence in 1940 a temporary camp was set-up at the old military barracks at Auschwitz to house Polish prisoners. What started as a temporary camp grew into one of the most dreaded camps in the history of the camp system itself. By mid-1941 the overcrowding at Auschwitz forced the administration to build the largest camp complex at Birkenau located three kilometres from Auschwitz. During the war time Auschwitz was the centre of the camp system, as was Dachau during the early years. These
new camps had a feature that was not seen in the older facilities; they all had death factories built close by which were put to operation in 1943. Mass incarceration and mass murder became the qualifying feature of the concentration camp system from this point onwards. War changed the composition and the methods of the camp system. Nikolaus Wachsmann comments, "The camp system grew sharply" and "it was increasingly geared towards forced labour and mass death" (Wachsmann 26). Forced labour and an ever increasing lethal level of day-to-day violence resulted in the concentration camps slowly transforming into extermination camps. What began as an operation to purify the impure souls in the German society and purge them so as to comply with the national ideology transformed into the most brutal site for the exercise of raw power. Until 1939 the camp system "served primarily to eliminate political opponents, isolate social outsiders, and terrorise the population" (Sofsky 37). When labour deployment was brought in as a central focal point of the camp administration this was a fundamental change that the camp system underwent for the first time. Later on, during the early phase of the war the second significant functional shift took place; "the transition from terroristic arrest and confinement to execution and mass annihilation" (37). The concentration camps shifted to be a place of mass execution. Killing procedures were invented to ease the execution of thousands; the infamous poison gas belongs to this series of new experiments in execution that the SS formulated. By 1945, when the camps were disintegrated, the total number of inmates who perished numbered to more than two million. Those who survived the camps amounts to less than
thirty per cent of the total number of people incarcerated. The camps continued to be lethal even as they were falling apart by the end of the war. When the enemy forces were advancing into the German territory the SS administration shifted inmates from camp to camp and often these prisoners had to walk the long way from one camp to another. This added to the number of people who perished, as the inmates who were already weakened by the torture in the camps could no longer withstand the long walk that they were forced to make. Even this act is seen as a strategy of the SS administration that wanted a complete wipe out of the people who were imprisoned in the camps so that no first-hand accounts would be available.

History proved to be otherwise those who survived the camp seem to have been driven to survive with what Agamben says "the idea of becoming a witness" (Agamben, Remnants 15). There are so many eye-witness accounts of the camps especially those of the war period that has helped the formation and re-formation historical and sociological analysis of the concentration camp system. The well-known writings of Primo Levi or the lesser known writings of people like Dr. Miklos Nyiszli have all positively contributed to this painful process of re-writing history. Agamben starts off his thesis with a crucial re-examination of the ideas of judgement and punishment. While traditional understanding stands that punishment is what judgement leads to, Agamben amends it to say that punishment and judgement are not two separate entities, one leading to the other, on the contrary judgement is the force that sustains law. Even while being unjust, judgement carries that force which transcends it beyond the realm of
punishment. Agamben calls this a "tacit confusion of ethical and juridical categories" whereby law gives the image of having fulfilled its duty, which lies not in the establishment of justice but in the pronouncing of judgement. It is this subtle yet powerful idea that makes Auschwitz to be a forgotten entity. The trials that followed the war gave a message that the issue has been overcome and invisibly propagates the feeling that there is no more of a necessity to examine or re-examine the atrocities that the executioners did and the victims faced in the camps. Agamben says that it took more than fifty years to realise, "that did not exhaust the problem, but rather that the very problem was so enormous as to call into question law itself, dragging it to its own ruin" (Agamben, Remnants 20).

What made the horrifying experiences of the camps at Auschwitz and elsewhere a forgotten entity, namely the trials and its subsequent judgements that claimed to have fulfilled the demands of those who survived the camps could be viewed in a different perspective. The effect of these trials i.e., forgetfulness can be seen as leading to a great force that empowered law/legality (and thereby its force to judge) to build higher and more sophisticated structures of incarceration which the legal apparatus, having safely distanced itself from, nonetheless regards or employs as its most crucial actualisation. Agamben does not mention this possibility, on the other hand what he is concerned with is the subject of victimisation that the study elaborated at length. The Remnants of Auschwitz essays at length about obligatory communication, responsibility, ethical and juridical dimensions, in order to bring out the role of the individual in the camps. A
clear image of how the subject evolves from inmate to *Sonderkommando* (inmates who were responsible for the executions at Auschwitz), from live human to the dead *Muselmann* (a term used in the camps to refer to an inmate who couldn't do anything on his own and hence as good as dead) is given by Agamben. The subject of the victim changes form and function from one state to the other: at once the victim turns victimiser and some succumb to an early retreat. At the point where the victim becomes a *Sonderkommando*, the one who is in charge of executing others to whose rank he too belonged, can there be deduced what Foucault calls the inherent tendency of the punishing authority to distance itself from the act of punishing. While Foucault makes this statement to outline the emergence of the extra-judicial apparatus in the realm of punishment, in the case of the camps this can be seen taking a step further ahead. By entrusting the victim with the responsibility of the execution these extra-judicial apparatus too distances itself from what the judiciary regarded to be the shameful act of punishing.

On the other hand, the *Muselmann* represents the exact opposite of the camp dialectics. What is at stake in front of the victim who is in an extreme situation is whether to remain a human being or not, which, according to Agamben, became an immediate raw material for moral interpretations. There was this subtle, yet somehow present, question of dignity that the victim was trying to answer. A dignity that Agamben warns not to be mistaken with the one found in non-extreme situations. Whereas some inmates turned *Sonderkommandos*, others simply ceased to exist.
Agamben cites Wolfgang Sofsky; who says that although the difference between the living and dead very already very narrow with almost all the inmates not more than walking skeletons, there was this third category of inmates who just "lie stretched out, unable to move, but still breathing slightly" (Sofsky 328). Agamben offers a detailed account of the individual who becomes the subject of the terror regime in the camps based on these two categories. Both the Sonderkommando and the Muselmann represent two mechanical entities that the subject transforms into or gets transformed into in the camps. These two shadow entities become the root for Agamben to reflect on the extreme situation that destroys every dignity and conformity. Agamben says, "The bare life to which human beings were reduced neither demands nor conforms to anything. It itself is the only norm; it is absolutely immanent" (Agamben, Remnants 69). Such a situation does not give any scope whatsoever for ideas of dignity, "the ultimate sentiment of belonging to a species" is no sign of any dignity (Agamben, Remnants 69). Thus Auschwitz, or any camp for that matter, becomes the space where "the state of exception coincides perfectly with the rule and the extreme situation becomes the very paradigm of daily life" (Agamben, Remnants 49).

In the course of focusing on the subject and how the camp system acted upon the subject of the victim, Agamben makes a reference to Foucault's idea of semantics of enunciation which becomes crucial in the scope of the present study. Agamben puts the idea into question and comments on its inaccuracy in getting away with the subject. Foucault presents the idea of enunciation in his 1969 work entitled The Archaeology of
Knowledge wherein he focuses on the ontologies of "statement", i.e., not the text of the discourse but its taking place, in the realm of knowledge. Foucault desubjectifies the subject and comments that discourses circulate in cultures without the necessity of an author (subject); they tend to unfold in the anonymity of a murmur. This becomes relevant in placing the Nazi camp system within the historical context of the evolution of the carceral. Agamben points out:

the metasemantics of disciplinary discourses ended by concealing the semantics of enunciation that had made it possible, and that the constitution of the system of statements as a positivity and historical a priori made it necessary to forget the erasure of the subject that was its presupposition. \textit{(Remnants 142)}

The synthesis of the semantics of enunciation and the centrality of the subject as evident from the detailed analysis made by Agamben is what constitutes the overall outcome of the concentration camps in relation to the broader discourse of the genealogy of prison. What classify the camps as a central factor in this discourse is its archival value in the general sophistry of the contemporary system of incarceration. Archive could be taken to mean "the positive dimension that corresponds to the plane of enunciation" \textit{(Agamben, Remnants 143)}, or "the general system of the formation and transformation of statements" \textit{(Foucault, Archaeology 146)}. Hence the camps make a significant contribution towards the development of the carceral system through its sophisticated architecture, meticulous
methodologies and powerful semantic enunciation. That is what makes the camps appear in any discourse of the carceral as an integral moment or socio-legal rupture which contributed, through the philosophically appealing, creation of the space for the synthesis of an extreme situation with the state of exception. This would be further clarified while the analysis of contemporary prison systems are carried out in a future phase of the study.

**Manufacturing prison: The Stanford Experiment and the psychology of power**

In summer 1971, a psychologist, named Dr. Philip G. Zimbardo, at the Stanford University started a rather unique experiment that was to become the epicentre of several controversies later. He recruited twenty-four male students and randomly assigned half of them the roles of prison guards, and the other half were made prisoners. They were sent to an artificially created prison in the basement of the Stanford psychology building. The aim of this mock exercise was to observe and study the psychological aspects of the power relations that develop between the prisoners and the prison guards.

The goals of the experiment is stated in its web-page thus:

> What happens when you put good people in an evil place? Does humanity win over evil, or does evil triumph? These are some of the questions we posed in this dramatic simulation of prison life conducted in the summer of 1971 at Stanford University. (The Stanford)
Zimbardo and his team was envisaging on a challenging and controversial mission at once. Challenging because its result was highly unpredictable and controversial because he was working with live human subjects. Such a study would not have materialised had there not been the support of the US military, that wanted to know the possible reasons for the increase in the number of conflicts between POWs and soldiers. The study revealed a series of shocking and highly debated truths about human relations and how power interacts and interrupts this complex web inter-personal relationships. Philip Zimbardo outlines some of the basic assumptions that were to be proved by the study in the first chapter of his book *The Lucifer Effect*. These constitute the basic underlying ideas that the Stanford Experiment was able to communicate to the world. Commenting on an illusion by the artist M. C. Escher which shows white angels dancing and horned black demons at the same time he lists three things that the painting represents:

*First, the world is filled with both good and evil – was, is, will always be. Second, the barrier between good and evil is permeable and nebulous. And third, it is possible for angels to become evils and, perhaps more difficult to conceive, for devils to become angels.*

(Zimbardo, *Lucifer 3*)

These psychological truths that reminded one of the so called ultimate transformation of good into evil, of Lucifer into Satan, were proved to be present in the psychological make-up of the individuals who were to be part of the experiment. Detailing the biblical allegory of Satan waging proxy war
on God through humans Zimbardo tells that Satan's "horrific methods would breed a new form of systematic evil the world had never before known" (*Lucifer* 4).

Zimbardo's attempt was to sketch evil on the basis of situational analysis. He details this in the first pages of his study. The biblical allegory that he makes leads him to mark the systematic evil that has been occurring in the post-biblical era and connecting it to what is known as dispositional analysis. Zimbardo maintains that modern systems such as medicine and law are based on the dispositional methodology to focus on the person who is involved. Pathology and heroism are two watch words for this type of analysis. This applies in the case of religion as well. For the focus is on the body of the victim in these areas there emerges categories like guilty party, the sick person and the sinner. On the other hand social psychology focuses on the cause of such usual behaviour. Instead of the "who" questions they ask "what" questions related to the circumstances, situations, conditions, and external factors that contributed to the behaviour. Such an alternative approach of the social psychologists leads to very different ways of dealing with personal and societal problems. Zimbardo's study based on this method helped to understand "how people’s character may be transformed by their being immersed in situations that unleash powerful situational forces" (*Zimbardo, Lucifer* 8). Zimbardo locates the first ever application of dispositional analysis to understand evil in what is regarded to be the bible of Inquisition, *Malleus Maleficarum*. What the analysis found was used as the basis to get rid the world of the "precarious influence" of evil. He warns that
the "tools of the trade are still on display in prisons around the world"
(Zimbardo, *Lucifer 9*). Closer study of these institutions reveals how they
"create mechanisms that translate ideology...into operating procedures"
(Zimbardo, *Lucifer 9*). Individuals, who often become focus of violent
reactions when atrocities are reported, come under the spell of these
ideologically conditioned mechanisms when they assume the roles of the
guardians of these systems. Here the "power elite" who work behind the
scenes and arrange the conditions of life for other people are responsible for
the misbehaviour of the lower level officials in the systems/institutions that
they create. But the judgement of misdoing is often directed towards the
actual doers of the act. They are branded "a few bad apples," and are in
effect the victims of the scheme to isolate the problem from its real cause.
Thus the system, which in itself is the root cause of evil, sustains without any
damage. On the contrary, the judgement which is tactically directed towards
the so called "wrong-doers" gives the system itself a credibility that works to
cement it as an effective methodology in the psychological make-up of the
society.

Such a psychological tactic is coupled with another equally important
measure to ensure the well-being of any system of domination. Along with
ideal judgement situation, the power elite design a propaganda so as to
dehumanise the other (the enemy) whereby the other is labelled worthless,
demonic and a fundamental threat. This generates the clear basement for
dominative power; if in the military is used to "motivate" soldiers to kill without
remorse and in prison it is employed to inculcate a sense of responsibility to
civilise the "barbarians" in the minds of the officials. Zimbardo calls this "hostile imagination" (Lucifer 11), and regards this to be a key factor in the success of any modern power system. Zimbardo gives the example of a study conducted at Stanford to illustrate how powerful "hostile imagination" propaganda can be. Zimbardo’s colleague Albert Bandura carried out an experiment with a group of college students to prove the power of the method:

Imagine you are a college student who has volunteered for a study of group problem solving as part of a three-person team from your school. Your task is to help students from another college improve their group problem-solving performance by punishing their errors. That punishment takes the form of administering electric shocks that can be increased in severity over successive trials. After taking your names and those of the other team, the assistant leaves to tell the experimenter that the study can begin. There will be ten trials during each of which you can decide the shock level to administer to the other student group in the next room.

You don't realize that it is part of the experimental script, but you "accidentally" overhear the assistant complaining over the intercom to the experimenter that the other students "seem like animals." You don't know it, but in two other conditions to which other students like you have been randomly assigned, the assistant
describes the other students as "nice guys" or does not label them at all.

Do these simple labels have any effect? It doesn't seem so initially. On the first trial all the groups respond in the same way by administering low levels of shock, around level 2. But soon it begins to matter what each group has heard about these anonymous others. If you know nothing about them, you give a steady average of about a level 5. If you have come to think of them as "nice guys," you treat them in a more humane fashion, giving them significantly less shock, about a level 3. However, imagining them as "animals" switches off any sense of compassion you might have for them, and when they commit errors, you begin to shock them with ever-increasing levels of intensity, significantly more than in the other conditions, as you steadily move up toward the high level 8. (Zimbardo, *Lucifer* 17-18)

Here the unclear yet confident authority provided by an unknown voice (whom is overheard by the person asking questions) grants the confidence to administer fatal levels of shock. This is precisely how power operates; while at work it gives the feeling that one must do the extreme to bring out the best result, when there is a crisis the actual doer has to bear the judgement.

The Stanford Prison Experiment had earlier exhibited traits of these power strategies (Bandura carried out the experiment in the year 1975 four years after Zimbardo’s controversial prison experiment). The transformation that Zimbardo witnessed unfolding in the experimental prison was shocking.
He recounts, "The Stanford Prison Experiment went from initially being symbolic prison to becoming an all-too-real one in the minds of its prisoners and guards" (*Lucifer* 21). Such a dangerous yet real level of psychological transformation even in a mock setting triggered violent behaviour from the "guards" who were nothing more than student volunteers which apparently the prisoners too were, indicates the magnitude which real propaganda operating in real situation would have generated in the minds of the real guards. This is what connects the Stanford Experiment to the Nazi Camps, the Soviet Gulag and the more recent Abu Ghraib prison.

Zimbardo's experiment began with an orchestrated arrest which gave the impression of being real in the eyes of the neighbours in front of whom the volunteers were "arrested." The prisoners were brought in to the prison blindfolded and the guards (volunteers) began their duty right away. They striped the prisoners and made them stand with raised hands for a long time. They at once ignored the prisoners because "they are busy with last-minute chores, like packing away the prisoners' belongings for safekeeping, fixing up their guards quarters, and arranging beds in the three cells" (*Lucifer* 40). Surprising things begin to happen right at the beginning. Zimbardo recollects, "Without nay staff encouragement, some guards begin to make fun of the prisoners' genitals," (*Lucifer* 40). Such an uncalled for act highlights how immediate power can take effect and that too in the most hidden manner. What follows this initial act of humiliation is no more a surprise. After dressing the prisoners up in their uniform their blindfold was opened and they were made to have a look at themselves in the mirror. Thus began the real
humiliation of being a prisoner at the Stanford County Prison set up by Zimbardo’s team. The series of humiliating acts that followed were identical to what happens in institutions like military boot camps and real prisons. Zimbardo writes:

"Don't move your head; don't move your mouth; don't move your hands; don't move your feet; and don't move anything. Now shut up, and stay where you are," barks Guard Arnett in his first show of authority. He and the other day shift guards, J. Landry and Markus, are already starting to wield their police billy clubs in menacing positions as they undress and outfit the prisoners. The first four prisoners are lined up and told some of the basic rules, which the guards and the warden had formulated during the guard orientation on the previous day. "I don't like the warden to correct my work," says Arnett, "so I will make it desirable for you not to have to correct me. Listen carefully to these rules. You must address prisoners by number and by number only. Address guards as 'Mr. Correctional Officer.'\" (Lucifer 41)

The initial arrests and the subsequent "degradation rituals" (Lucifer 43) happened on a Sunday. By Sunday night the guards were completely transformed to embody the "real spirit" being guardians of the law. Monday morning saw the first rebellion in the prison as the abuse of prisoners continued to be unbearable through the night. Prisoner number 8612 was the key player in the rebellion. A couple of other prisoners join him in refusing to
return to their cells. Some of the rioters are sent to what is called the "hole",
kind of condemned cell created for trouble makers. The situation worsens
and the unrest continues. Rebellion continues through Monday night as well,
with the guards' tortures and inmates' discomfort continuing to rise. The crisis
became so severe that prisoner 8612, who was at the centre of the rebellion,
was released immediately on "ethical/humanitarian" grounds as mentioned in
the analysis written by Craig Haney – one of the research associates of
Zimbardo – which is quoted in *The Lucifer Effect*. The troubled situation in
the "prison" continued to worsen through the week which forced Zimbardo to
end the experiment my Friday, well before the actual planned date. There
were several drastic incident that forced him to take such a decision. After
the release of prisoner 8612, a rumour spread among the inmates that their
released inmate would return the next day with a bunch of his friends to
release them all. This was a threat to Zimbardo and his team. They had to be
prepared to tackle a potential riot. Tuesday brought in other trouble as well,
family visits were scheduled for that day and that had to happen amidst the
threat of an external assault. Zimbardo made failed attempts to the shift his
prison to an abandoned city jail. The next day's schedule was dominated by
the meeting of the Parole Board, which was headed by a former prisoner
who had been denied parole on several occasions. Zimbardo chose him as
the head in order to observe how he would behave with the prisoners who
were in a situation that he himself had experienced several times in his life.
Carlo Prescott, the head of the Parole Board, behaved to Zimbardo's
amazement. The Parole Board meeting continued on Thursday, and finally on Friday the experiment was wound up.

Many shocking psychological observations came out of the Experiment. The way authority works and transforms ordinary people into totalitarian guardians of "discipline" was clearly demonstrated by Zimbardo and his team. Zimbardo himself, acting as the prison superintendent, made plans for the well-being of his prison; a shift of focus that reveals how subtle power operates even among people who are really conscious of this. Drastic transformations that the guards and Carlo Prescott, the head of the Parole Board, underwent illustrate the "legitimising" influence that authority has on ordinary people. They no longer remain ordinary people, they metamorphose as pawns of power. This change is not a total loss of the self, but a trigger that sparks the authoritarian in each of these individual's mind to surface. Such psychological transformations lead to a clearer analysis of the carceral situation around the world. The legitimacy that authority grants to torture, which occurs in the name of discipline or well-being, effects an outright transformation in the psychological make-up of the individuals who are employed to ensure the functioning of the institution. Zimabardo says, "For this exploratory investigation, we were not testing specific hypotheses but rather assessing the extent to which external features of an institutional setting could override the internal dispositions of the actors in that environment" (Lucifer 195). This simple intention was soon surpassed by the intense effect that the Experiment had on the acting prison guards and the inmates. They were not just showing a normal transformation but were
exhibiting pathological behaviour that Zimbardo says were never part of their normal self. What this behaviour, "the toxic impact of bad systems and bad situations" (Zimbardo, *Lucifer* 195), reveals is not the potential psychological weakness of human beings, but on the other hand the depth of influence that the carceral system has in the human psyche. Cutting through the individual realms, the ideal incarceration as the ultimate form of "correctional" institution which ensures the well-being of the society, enters the collective consciousness, where it finds the basement for its continued existence. Zimbardo outlines several psychological processes to facilitate the better understanding of what happened at the Stanford Experiment. Above all these tools that definitely are of help while trying to understand the situation, is the omnipotence of authority that is personified by the institution called prison. This is precisely the underlying reason for the communist regime in Soviet Russia and the Nazi regime in Germany resorted incarceration as their principal mechanism for societal purgation. The key player here is, no doubt, the institution; exhibiting itself through the architecture of oppression called the prison complex and operating with the force of authority conditioned by a complex network of supporting phenomena.

The Stanford Experiment opens up a key aspect for the study of imprisonment. Apart from the corrupting influence on individual behaviour, what appeals more to the present study is the way it exposes the system. By behaving in a strangely cruel fashion the prison guards in the Experiment showed how futile the idea of discipline is in the context of incarceration. On the contrary, what operates in the carceral institution is raw power, which
presents itself conditioned by the slogans of social well-being. What it effects, in turn, is the societal acceptance of the system as the only ideal for its own security. The "banality of evil" that the Stanford Prison Experiment focussed on transcends the level of the individual in the context of the carceral. It functions at a much higher level, or so to say, at the highest possible level; that of a global correctional ideology. The Soviet Gulag and the Nazi Concentration camps stand as the best examples for the macro influence that the idea of evil and the necessity for it be corrected being shouldered by the self-declared harbingers of normality. This aspect of the carceral, which is further clarifying itself to be a social institution that Garland referred to, would become further evident from what will be detailed in the next chapter.