

Consequences of Imprisonment in John Galsworthy's *Justice*

Şebnem KAYA*

Abstract

John Galsworthy, in *Justice* (1910), concentrates upon the practices of punishment in a British prison where lawbreakers are held punitively and especially underlines that this penal system reliant on imprisonment is far from achieving the aims of punishment like the rehabilitation of the offender and the protection of society. First, the system in question brings about inmates' mental and physical deterioration during and after custody; second, following their release, owing to their newly-acquired identity as criminals, former inmates cannot reintegrate with society and therefore tend to reoffend the law which finally causes harm to society as well as the offender himself. The argument presented within the framework of this article, to a large extent, rests on *Discipline and Punish: The Birth of the Prison* (1975) in which Michel Foucault interprets issues such as power and domination and deals with the evolution of Western penal systems pinpointing the flaws of these systems.

Key Words: John Galsworthy, *Justice*, crime, punishment, detention, recidivism, Foucault

Özet

John Galsworthy, *Justice* (1910) adlı oyununda kanuna aykırı hareket eden kişilerin tutuldukları bir İngiliz hapisanesindeki cezai uygulamalar üzerinde durmakta; alıkoyma esasına dayalı bu ceza sistemi ile tutuklunun tedavisi ve toplumun korunması gibi ceza verilirken amaçlanan sonuçlara ulaşamayacağını özellikle vurgulamaktadır. Söz konusu sistem, hem alıkonma süresi boyunca hem de takip eden dönemde tutuklunun zihinsel ve fiziksel sağlığını kötü yönde etkilemektedir. Ayrıca, hapisten çıktıktan sonra yeni edindikleri "suçlu" kimliği nedeniyle toplum tarafından kabul görmeyen eski mahkumlar tekrar suça itilmekte ve sonuçta bu durumdan birey kadar toplum da zarar görmektedir. Bu makale kapsamında öne sürülen bu görüşler, büyük ölçüde Michel Foucault'nun güç ve tahakküm gibi konular üzerinde yorumlar yaparak Batı dünyasındaki ceza sistemlerinin tarihi ile kusurlu yönlerini ele aldığı *Discipline and Punish: The Birth of the Prison* (1975) başlıklı eserine dayandırılmaktadır.

Anahtar Sözcükler: John Galsworthy, *Justice*, suç, ceza, alıkoyma, yeniden suç işleme eğilimi, Foucault

* Yrd. Doç. Dr., Hacettepe Üniversitesi, Edebiyat Fakültesi, İngiliz Dili ve Edebiyatı Bölümü,
sebnemk@hacettepe.edu.tr

Not all the time can punishment be perceived as a wholly negative thing. The sentences judges pass, Foucault (1979) writes in *Discipline and Punish: The Birth of the Prison*, are not “always activated by a desire to punish; they are intended to correct, reclaim, ‘cure’; a technique of improvement represses, in the penalty, the strict expiation of evil doing” (p. 10). In complete parallel to this statement, John Galsworthy (1910), a highly productive and acclaimed early twentieth-century novelist and playwright, makes the claim that punishment as a teleological process is, in reality, oriented towards a series of beneficial effects like the rehabilitation of the offender and the protection of society (pp. 1, 2).

Galsworthy, in *Justice* (1910), concentrates upon the practices of punishment in a British prison where lawbreakers, minor or serious, are held punitively. He underlines that this penal system reliant on imprisonment is far from achieving the aims of punishment because, first, for the detainees who bear up under loss of family, loss of control, lack of stimulation, and isolation together with the removal of liberty, detention is a formidable experience, and prison is a place of mental and physical degradation; second, though prison established as a crime control device forces offenders into conformity to eliminate wrongdoing and thus to protect society, following their release, by reason of their newly acquired identity as criminals, former inmates cannot reintegrate with society and therefore plunge deeper and deeper into crime instead of leading law-abiding lives. Their repeated criminality designates that the attempts at their reformation are all wasted, and that prison is an imperfect penal institution which, with its manifestly harsh but ineffectual methods of dealing with crime, falls short of serving the public. While trying to correct offenders, paradoxically enough, it strengthens and increases criminality, in the end giving harm to society as well as the offender himself.

For the awareness that torture does not conduce to remorse but only intensifies pride causing the severely treated person to completely refuse to accept the justice that brings the punishment (Foucault, 1979, p. 262), the body in modern times is no longer exposed to torture during public executions. Cruel displays of physical abuse have been deserted also because such scenes – particularly when the punishment is disproportionately harsh for the committed crime – makes “the executioner resemble a criminal, judges murderers” and “the tortured criminal an object of pity or admiration” (Foucault, 1979, p. 9). Therefore, a much less physical kind of punishment, that is an almost all-encompassing range of deprivations and enforced conditions running “under the seal of secrecy” (Foucault, 1979, p. 10), takes the place of torture. The body, though still continues to be envisaged as an instrument of punishment, is now merely imprisoned. One should not, however, be misled to regard this as a light punishment. By imprisoning the body, in Foucault’s (1979) point of view, it becomes possible to deprive an individual of a liberty he or she used to see as a right or property (p. 11). Besides, to take away someone’s liberty is, “unlike the fine, ... an ‘egalitarian’ punishment” since

loss of liberty means the same for everybody (Foucault, 1979, p. 232). The money extracted as a penalty is more detrimental to the poor than the wealthy whereas lack of freedom gives discomfort to all equally. This fundamental deprivation the rationale of punishment entails is accompanied by other suspended rights used as a means of inflicting suffering on prison inmates. Going into prison gives way to many obvious changes one of which is leaving behind family and friends the convicted person confides in (Cooke, Baldwin, & Howison, 1990, p. 56). In Galsworthy's *Justice*, the twenty-three year old protagonist William Falder, "an honest and conscientious" clerk (Gindin, 1987, p. 203) working in the office of James How and Sons, solicitors, forges a check his employer issued for nine pounds to ninety and unlawfully takes the difference dreaming that he can use the money to go to South America with the woman he loves, Ruth Honeywill, who is married with two children and repetitively beaten by her drunkard husband (Gindin, 1987, p. 203). When forgery is discovered, Falder states his absolute intention to pay the money back, but he is turned over to the police by his law-respecting employer, found guilty in a trial, convicted of felony, sentenced to three years, and subsequently sent to prison which marks the beginning of difficult times for him. To begin with, he loses contact with what is beyond the prison walls and is abandoned by the remaining members of his family, already very few in number, as Cokeson, How's managing clerk, tells the Governor: "His [Falder's] sister came to me – he's got no father and mother – and she was in some distress. 'My husband won't let me go and see him,' she said; 'says he's disgraced the family. And his other sister,' she said, 'is an invalid'" (3.1.65). Added to such separation, from where he is at present kept, Falder can neither control nor affect the course of events in the outside world. Throughout the duration of his absence, for instance, Ruth, for whom the parting in question must be equally difficult to endure, is not murdered by her brutal husband, but she is pushed into prostitution as her dialogue with Cokeson reveals:

RUTH. [*With a shrug*] Tried the same as when I left him before . . . making shirt . . . cheap things. It was the best I could get, but I never made more than ten shillings a week, buying my own cotton and working all day; I hardly ever got to bed till past twelve. I kept at it for nine months. [*Fiercely*] Well, I'm not fit for that; I wasn't made for it. I'd rather die.

. . .

It was starvation for the children too – after what they'd always had. I soon got not to care. I used to be too tired. [*She is silent*]

COKESON. [*With fearful curiosity*] And – what happened then?

RUTH. [*With a laugh*] My employer happened then – he's happened ever since. (4.90-91)

What is more, while communication with those for whom the inmate fosters a feeling of fondness would perhaps ease the agitation consequent upon this painful situation, restricting visiting rights comes to the fore as a naturalised and key aspect of the prison system which without reservation reduces inmates to complete powerlessness. The impediments to visits from the anxiously awaited relatives and intimates surface in the Governor's words to Cokeson who puts forth great effort to get a permission for Ruth to see Falder: "I couldn't make an exception; he won't be allowed a visit till he goes to a convict prison" (3.2.71).

Actually, inmates are bound to look to the staff for a wide variety of different sorts of things. They are, Vagg (1994) notes, "dependent upon prison staff for the organization of virtually every aspect of their lives from meals to visits, and from obtaining library books to being protected from other prisoners" (p. 68). All the books Falder is allowed to keep on the wooden shelf in his cell, as a case in point, appear to comply with the "taste" of the staff. The stage directions state that "piled in a symmetrical pyramid" (3.3.83), a shape evocative of the Benthamite Panopticon the variations of which are "the semi-circle, the cross-plan, the star shape," all opening onto "a central point from which a permanent gaze may control prisoners" (Foucault, 1979, p. 250), there "is a Bible and several little devotional books" (3.3.83) stressing the precedence of determining powers like God and most probably accustoming inmates to the interactive relationship between the subject and the object and to their present status as acted upon, submissive objects, along with R.D. Blackmore's historical romance, *Lorna Doone* (3.3.83), a "harmless" work which might have been requested "nicely" or "correctly" and granted as a privilege. These people's inability to any longer have directing influence over their own lives is accentuated also via the bodily exercises they are coerced to take in an "exercise yard, where men, in yellow clothes marked with arrows, and yellow brimless caps, are seen in single file at a distance of four yards from each other, walking rapidly on serpentine white lines marked on the concrete floor of the yard" (3.1.61). By the same token, inmates are made to work, which places special emphasis on the reality that the system of punishment introduced in *Justice* proposes some amount of physical exertion as an indispensable part of penalty and does not altogether refrain from touching the body. Falder's duty is to put buttonholes to a shirt (3.3.83); O'Cleary makes a rush mat (3.2.77); and Clipton works on a pair of trousers in his inadequately lit small room (3.2.75). The mentality behind forced labour is that work has the potential to function as "an agent of carceral transformation" (Foucault, 1979, p. 240). While in essence prison is not a workshop, it should, according to Danjou, incessantly occupy inmates with the intention of "filling their moments" because "[w]hen the body is agitated, when the mind applies itself to a particular object, importunate ideas depart, calm is born once again in the soul" (cited in Foucault, 1979, p. 242). Moreover, as called to attention by McGaha

(n.d.), constant regulation of the movements of the body instils discipline. Those who live and work in conformity with unbreakable guidelines make use of their time “constructively” which equips them with the orderly conduct and the capability of productivity necessary for their survival in the world outside after their release (“Michel Foucault”). Nevertheless, however noble the motive may seem, inmates under these particular circumstances lack the ability to do what they want to do. They lose the ability to choose: “Prisoners cannot even choose when to do the most basic human functions, like washing, dressing, going to the toilet, going to sleep, or choosing when or what to eat. All these very ordinary, but very important behaviours are outside the prisoner’s control” (Cooke et al., 1990, pp. 55-56).

The descriptive word French inmates employ for this experience, which a good many of them cannot help perceiving as a source of humiliation since it is gone through in childhood, is “infantilisation” (Cooke et al., 1990, p. 56; Vagg, 1994, p. 68). In *Justice*, it is expressed that Falder has some toiletries such as “a black hair brush, tooth-brush, and a bit of soap” (3.3.83) on his shelf; nonetheless, there is no mention of in-cell sanitation. Accordingly, inmates must either be issued chamber pots or are obliged to ask permission for access to toilets in which case the utterly simple act of turning a key turns into an important decision. Depending on the nature of the regime, the staff can easily manipulate and cause trouble to inmates by ignoring their request and keeping doors shut tight.

Similar to infantilisation, put differently, creation of dependence which ensures obedience and control (Vagg, 1994, p. 69), monitoring inmates can be resorted to as another strategy to successfully manage the penal institution despite the fact that the privacy of the inmate’s very intimate self is violated under a close watch.

The prison, the place where the penalty is carried out, is also the place of observation of punished individuals. This takes two forms: surveillance, of course, but also knowledge of each inmate, of his behaviour, his deeper states of mind, his gradual improvement; the prisons must be conceived as places for the formation of clinical knowledge about the convicts; “the penitentiary system cannot be an a priori conception; it is an induction of the social state. There are moral diseases, as well as breakdowns in health, where the treatment depends on the site and direction of the illness” (Faucher, 6).¹ This involves two essential mechanisms. It must be possible to hold the prisoner under permanent observation; every report that can be made about him must be recorded and computed. (Foucault, 1979, p. 249)

Using records and data of the mentioned kind, the staff become able to “render docile those who are liable to transgress the law” (Foucault, 1979, p. 272) and to create “normal” people willing to obey the rules. Due to this close connection between the

¹ The quotation is taken from Léon Faucher’s *De la réforme des prisons* (1838).

knowledge provided by the human sciences – like psychology, medicine, and criminology – and power, namely, the power to command or to punish, which forms the core of Foucault's argument in *Discipline and Punish: The Birth of the Prison*, such careful observation is one of the system's distinctive characteristics that cannot be easily dispensed with. The Governor, the Instructor, the Doctor, in addition to warders, to be more accurate, alert institutional managers comprising the substructure of control in *Justice*, too, systematically follow and analyse what the inmates in their care do in order to understand and assess their behaviour and personality. The Instructor gives descriptions of their each and every move in reports hanging on cell doors with peep-holes "at the level of a man's eye, covered by a little round disc, which, raised upwards, affords a view of the cell" (3.2.71-72); the Governor scrutinises the reports (3.2.78); and just afterwards, with the aid of these observations, they determine whether the inmate, in this system of punishment made up of progressive stages, deserves to be promoted. And one can get a promotion, as McConville (1998) puts it, "only by earning the required number of marks" (p. 135) to be obtained by conducting a "good and useful" life.

The officers depicted in Galsworthy's play must have a keen interest in the collection of information also for the reason that by deliberating the psychological impacts of being incarcerated "we describe the signs which tell whether someone is depressed or anxious. We consider why people might be driven to take or even attempt to take their own lives, and we describe the methods that a skilled officer can use to alleviate some of the psychological pressures on prisoners in his charge" (Cooke et al., 1990, p. 7). In that sense, officers' concern appears to be primarily with the welfare of inmates which is, needless to say, quite commendable. Nevertheless, the effectiveness of their positivistic approach and ways of treating the psychological problems along with the medical ones threatening inmates remains quite open to dispute. They actually push the inmates they are trying to normalise towards deviance and risk their sanity which can be, within this context, thought of as a case of discrepancy between intent and result. To illustrate, whereas Cokeson voices his conviction that being shut up on his own is going to ruin Falder, for Doctor Clements, a specialised staff member who is supposed to possess moral assets and medical and/or psychological knowledge to relieve inmates' pains, he is safe and sound. Clements' is, as a matter of fact, nothing but an erroneous assumption not corresponding at all with the adverse reality because in sharp contrast to how he interprets the situation from his peculiar vantage point, Falder is the least capable of struggling against the loneliness and monotony of solitary confinement he has to put up with for three full months. It consumes him both mentally and physically and makes him feel like hitting his head against the walls of prison (3.1.69) which, as the Chaplain states in a straightforward manner, does not operate like a hospital (3.1.70).

Inmates undergo a harsh test of separate confinement in special units or cells situated along a corridor receiving daylight solely “through a heavily barred window at the end” (3.2.71). In other words, they are isolated not only from their families, from the outside world but also from one another. The design of this type of prison buildings is such that it incapacitates inmates from coming together, and it aims “to stifle plots and revolts” (Foucault, 1979, p. 236). Also during the period of confinement, again the Chaplain says, officers can “make some impression” on inmates (3.1.69) who are, to a high degree, desperate for a sound.

[S]olitude is the primary condition of total submission: “Just imagine,” said Charles Lucas, referring to the role of the governor, the instructor, the chaplain and other “charitable persons” as regards the isolated convict, “just imagine the power of human speech intervening in the midst of the terrible discipline of silence to speak to the heart, to the soul, to the human person” (Lucas, I, 167).² Isolation provides an intimate exchange between the convict and the power that is exercised over him. (Foucault, 1979, p. 237)

This utmost hidden phase of the penal process additionally aims to “soften up” the inmate’s head and hard heart (McConville, 1998, p. 122). Beaumont and Tocqueville maintain that solitude leads to remorse, and remorse to the rehabilitation of the inmate. “Thrown into solitude,” they write, “the convict reflects. Placed alone in the presence of his crime, he learns to hate it, and, if his soul is not yet blunted by evil, it is in isolation that remorse will come to assail him” (cited in Foucault, 1979, p. 237). Reductively formulated, alone without companions, it is presumed, the inmate improves or trains himself by himself.

Here an impossible-not-to-notice problem emerges, though. “Some silence may be good” (Galsworthy, 1910, p. 2), but permanent silence is not natural for a human being. A most touching scene in the play, which underlines the necessity to take cognisance of the psychological factors involved during the process of breaking or purging the spirit, exposes in minute detail how it pains Falder to be forced into maximum silence for days and days on and on:

In fast-failing daylight, FALDER in his stockings, is seen standing motionless, with his head inclined towards the door, listening. He moves a little closer to the door, his stockinged feet making no noise. He stops at the door. He is trying harder and harder to hear something, any little thing that is going on outside. He springs suddenly upright – as if at a sound – and remains perfectly motionless. Then, with a heavy sigh, he moves to his work ... : he does a stitch or two, having the air of a man so lost in sadness that each stitch is, as it were, a coming to life. Then, turning abruptly, he begins pacing the cell, moving his head, like an animal pacing its cage.

² The quotation is from the mentioned author’s *De la réforme des prisons* (1836).

He stops again at the door, listens, and, placing the palms of his hands against it with his fingers spread out, leans his forehead against the iron. Turning from it presently, he moves slowly back towards the window tracing his way with his finger along the top line of the distemper that runs round the walls. He stops under the window, and, picking up the lid of one of the tins, peers into it, as if trying to make a companion of his own face. ... Suddenly the lid falls out of his hand with a clatter – the only sound that has broken the silence – and he stands staring intently at the wall where the stuff of the shirt is hanging rather white in the darkness – he seems to be seeing somebody or something there. There is a sharp tap and click; the cell light behind the glass screen has been turned up. ... FALDER is seen gasping for breath.

A sound from far away, as of distant, dull beating on thick metal, is suddenly audible. FALDER shrinks back, not able to bear this sudden clamour. But the sound grows, as though some great tumbril were rolling towards the cell. And gradually it seems to hypnotise him. He begins creeping inch by inch nearer to the door. The banging sound, travelling from cell to cell, draws closer and closer; FALDER's hands are seen moving as if his spirit had already joined in this beating, and the sound swells till it seems to have entered the very cell. He suddenly raises his clenched fists. Panting violently, he flings himself at his door, and beats on it. (3.3.83-85)

The tell-tale indications of psychological disorders among prison dwellers within the framework of *Justice* stand out well. Inmates, for one thing, are exposed to anxiety which lies beyond their knowledge to diagnose accurately, and being distanced from their loved ones with the ability to somewhat lessen their worries, there is not much they can do to overcome this disorder of the mind. As argued by Cooke, Baldwin, and Howison (1990), an inmate, devoid of the awareness that what he is undergoing is plain anxiety, may even fear that he is growing insane and in consequence resolve to remedy the problem in his own special ways. When he feels the tension he can neither understand nor cure rising, he may shout at whoever is around or injure himself, if not others, with the object of turning the tension into relaxation (p. 61). These moments of abreaction in which irrepressible destructive emotions are discharged and cleansed help him to treat his neurosis. In compliance with the above observations, akin to Falder who has been “running [his] head against a stone wall” (3.2.79), O’Cleary, the Irishman, bangs himself on the cell door (3.1.63), a behaviour which is, according to the Governor’s incorrect understanding, summarisable as “womanish” (3.2.77).

Inmates, again, fall victim to depression and, as in the case of anxiety, they are not offered the opportunity to enter into contact with others who would know how to boost their morale and spirit or drag them away from unpleasure. Nor can they do enjoyable things to fight this disruptive condition. The reaction to such state of affairs assumes the form of lack of stimulation in the first place. Falder, to take one example, unable to summon the energy to talk, speaks “[i]n a breathless voice” (3.2.78). That is to say, Falder falters due to his psychological disturbance, therewith his worsening

consumption and general bodily condition. Furthermore, even if at the expense of losing marks, which matter incredibly much, he is “behind with his work” (3.2.72) to the effect that he refuses to participate in regular physical activities. Alongside the pointed out symptoms is his hopelessness concerning the future, an indication of which is the outspoken expression of his belief that he will never get out of prison alive (3.2.79). And these can still be regarded as mild signs of depression when compared to a far more alarming and serious one, namely, seeing death as the mere means of escape, or rather suicide.

In fact, Falder does not seem suicidal in general, yet it is prudent to bear in mind that “a high proportion of prison suicides are not predictable: they occur more or less randomly within the mainstream population” (Morgan, 1994, p. 934). There are a large number of people who did not look depressed prior to their suicide (Cooke et al., 1990, p. 62). And if Falder inclines towards taking his own life, the tools required to carry out the action, inclusive of two bedding sheets, a nail on the wall, and a thick glass screen (3.3.83), have long been available in his cell. However, as Morgan (1994) remarks, to say this is not to say that inmates should be segregated in “an environment within which suicide is made physically impossible: by definition, ‘strip cells’ of the sort that used regularly to be employed can only deepen the slough of despond” (pp. 934-935). The real point to be taken into account is inmates’ ultimate need to enjoy the company of others with whom they can discuss the difficulties they contend with so that these can be spotted and disposed of, rather than brood by themselves in cells which, stripped or equipped, serve no evident beneficial purpose. Even the Doctor himself admits, “I don’t think the separate’s doing him [Falder] any good” (3.2.81). Actually, in virtue of “the separate,” Falder whose description at the onset of the play chiefly emphasises the paleness of his complexion is, in the continuation of the action, disfigured into a “thin, pale, older” (4.93) man with “more restless” eyes (4.93).

Costing the inmate his health aside, the coercive control measures, when applied to maintain order in particular, lead to reverse consequences. As implied in Cooke, Baldwin, and Howison’s (1990) argument, if barred from choosing the place they will stay in or the activities they will take part in, inmates set about to control their environment doing things which can possibly throw the institution, characterised by well-defined, recognised rules and practices apart from a static quality, into disorder inasmuch as “[i]solation can have strange effects on even the strongest prisoners. One prisoner who served several years in effective solitary confinement described how he slipped in and out of madness; his thoughts became odd, he lost track of where he was, time became distorted. He became more dangerous” (p. 59). And in the event that the regime is not liberal enough, the group solidarity among inmates gains strength encouraging the formation of a counter-culture which undermines the operational policy

and official aims such as training and rehabilitation (Morgan, 1994, pp. 928-929). Inmates create their own microcosm within prison and continue the so-called criminal culture brought from the outside. As Foucault (1979) states, “prison makes possible, even encourages, the organization of a milieu of delinquents, loyal to one another, ... ready to aid and abet any future criminal act ...” (p. 267).

The formation of groups is a response to the physical and psychological assaults inmates are subjected to, a response whereby they display their reluctance to accommodate themselves to the authority of their oppressors. It enables them to retain some self-esteem, adapt to the life inside, and make the pains of imprisonment easier to bear, too (Morgan, 1994, pp. 928-929). Nonetheless, despite its positive contributions to inmates’ overall sense of wellbeing, grouping in prison possesses a considerable potential for generating aggression. Relationships in this enclosed environment endangering inmates’ interests are, to a large extent, inclined to get strained and erupt into riots and violent disturbances. One of the Governor’s hands is, for example, gloved, “for two fingers are missing” (3.1.61) which is an implication that prisons are not invariably strong, orderly places. The Governor may have found himself in the middle of a situation, be it the case of an attack against the institutional disciplinary code or the status quo, when he was obliged to resort to the use of force with an eye to gain the unwilling consent of inmates. Or the lost fingers are the price he paid for having failed to predict an escape attempt, notwithstanding his suggestion that he has sufficient acquaintance with criminological psychology: “they,” he is heard saying, “seem to know when there is one of these tries at escape going on. It makes them restive – there’s a regular wave going through them just now” (3.1.62-63). After all, such attempts should be commonplace in this insecure setting. In an inmate’s mattress, as an illustration, Mr Wooder, the chief warden, finds a saw with which he “sawed his window bar” (3.1.62); in a similar vein, the cupboard the Governor opens is seen to hold a collection of numerous objects presumably intended either for violent purposes or escape: “a number of quaint ropes, hooks, and metal tools with labels tied on them” (3.1.63), to name a few.

The Governor locks the cupboard stressing the necessity to “punish this poor devil” (3.1.64), more specifically Moaney, the “maker of saws” (3.2.73), an old inmate who keeps on “breaking in and breaking out” (3.1.62). The Chaplain receives the Governor’s statement affirmatively and repeats his idea with slightly altered wording: “Extraordinary perverted will-power – some of them. Nothing to be done till it’s broken” (3.1.64). Thanks to this manner of judgment, if solitary confinement does not work as an efficient means of breaking the strength of the troublesome ones’ resistance, officers have recourse to yet another strategy. They modulate the penalty by changing the date of release because, as McConville (1998) asserts, “[p]risoners are most animated by the prospect of freedom, and giving them a way to affect the duration of their confinement

is a powerful form of behavioral control” (p. 123). Punishment comprises successive stages at each one of which severity is gradually reduced until the punished person reaches the very final stage, viz. freedom. As with bad behaviour which in all probability takes away the marks the inmate has so far earned and brings discomfort (McConville, 1998, p. 123), absolute submission is apparently destined to terminate in early release because officers adjust the length of the penalty period to the useful or constructive transformation the inmate experiences during his prison term just as, McConville (1998) writes, “the prudent physician ends his medication or continues it according to whether the patient has or has not arrived at a perfect cure” (p. 244).

Once thought reformed, the inmate is set free to revisit society. All the same, the liberty he is in expectation of cherishing will possibly be no more than temporary on account of the fact that the arbitrary penal system has power to send the offender back to where he just came from if it so wishes. Any behaviour failure makes the offender return to the previous stages of his penalty. As McConville (1998) explains, “[t]hose who won early re-lease knew that they were being watched and could be recalled even if their misbehavior is not criminal. A recalled convict served out the unexpired portion of his sentence, often under even more punitive conditions” (p. 123). From the release in question onwards, “[p]rison and police form a twin mechanism” (Foucault, 1979, p. 282). Prison starts working in cooperation with the police who are officially assigned to take offenders under surveillance and isolate them from other offenders so as to deter them from committing other illegalities that would menace the public order and security. Police, as a governmental organisation, may be deemed to be part of what Foucault (1979) calls “the carceral archipelago” (p. 298) or the arms of the disciplinary system stretching and penetrating deeply into society. To be more accurate, the strategies followed in prison operate also in wider society, the meaning of which is that there is a “carceral continuum” and “no outside” (Foucault, 1979, pp. 301, 303).

Falder is released on a ticket of leave which McConville (1998) defines as “the forerunner of parole” (p. 123). Though now “skin and bone” (4.89), worded differently a dreadful sight, he is back in society with a full intention to begin everything anew. Even so, it looks like society is not in the slightest prepared to welcome or embrace him. He succeeds in finding a small job; nevertheless, the opportunity slips through his fingers since “one day, all of a sudden, the other clerks [get] wind of it” (4.94). Then, before James How, he articulates his wish to be re-employed; however, How calls him a “gaol-bird” (4.98), perhaps a slip of tongue or mind, revealing that Falder has been stigmatised and already excluded from society, for “[t]he label ‘criminal’ is associated with undesirable traits and so, in the public eye, the criminal is a person to be avoided and treated with suspicion” (Hollin, 1991, p. 11). This may also be an outcome of the “patient attempt” among the upper class people like How – the elite of society who,

according to Foucault (1979), try to subjugate the rest of society or the lower classes so that these oppressed masses cannot bring about a social change and shatter their advantageous position in the power structure – “to impose a highly specific grid on the common perception of delinquents: to present them as close by, everywhere present and everywhere to be feared” (p. 286). At long last, upon Ruth’s imploring, How agrees to give him a chance to “[m]ake a fresh start” (4.104), but this is conditional on Falder’s desertion of Ruth, the only person who cares about Falder and the only person for the sake of whom Falder went through all that series of predicaments and hard times. The stated proviso is grounded on the undeniable actuality that Ruth is still a married woman. Yet How, who, in a sense, functions as the mouthpiece of society as an integral whole acting by consensus in terms of views and values, misses some points here. Falder and Ruth did not commit adultery (Sternlicht, 1987, p. 105), nor did they elope together. So he condemns the two although what they have engaged in cannot be categorised as a crime or an act prohibited by law, which is, as Hollin (1991) states, termed “actus reus” (p. 4). No matter how wrong their love for each other may appear to others in the moral sense, it is nothing that transgresses the law. Nonetheless, How, in whose view the situation is “impossible” (4.105), convinces Ruth to abandon Falder for good saying, “His future is in your hands” (4.105) while Falder regrettably has the mistaken opinion that they are going to join together once and for all immediately after she obtains a divorce. It then becomes crystal clear that Falder will not ever be able to attune himself to this almost antagonistic society which, in the name of assuring his moral regeneration, either stigmatises or at best stoops to accept him in return for extreme sacrifices.

The way society with which Falder is involved in a discordant relation runs itself is a remarkable exemplification of abuse of power. Society, reminiscent of prison, not only imposes stringent limitations on Falder, disadvantaging him and causing him an excessive amount of distress besides difficulty, but also yields him no alternative other than to commit offences again. In between his losing the previously touched upon small job and turning to James How for a solution, Falder writes a fake reference in order to obtain another small job since otherwise prolonging his existence is altogether out of question. That is why, whereas at first glance it seems perfectly possible for one to be drawn to the rash conclusion that people can always and without exception choose between criminal and non-criminal conduct, in Falder’s case, any reference to the concept of free will is going to be inevitably evaluated or rather criticised as ill-fitted and extremely objectionable. His is not a decision between progress and relapse but, in a nutshell, a matter of survival. Also of equal importance is the label “criminal” society confers on Falder; it may well be another underlying factor of his apparent recidivism: “the individual comes to believe society’s judgement and so modifies his or her self image to match the label. The prophecy becomes self-fulfilling: the individual becomes

the person described by the label. As the label becomes a role for the labelled individual, so the role is reinforced so that the person's life changes to suit the role" (Hollin, 1991, pp. 11-12).

Yet the apprehension of receiving one more penalty, probably a harsher one, weighs so heavily upon him that he leaves the job (4.95) and commits another offence, a minor one, by avoiding to report himself to his ticket-of-leave officer (4.107). Detective-Sergeant Wister thereupon enters How's office, the very setting where he arrested Falder two and a half years ago, to pronounce the following: "there's a serious matter of obtaining employment with a forged reference. What with the two things together – we must have him" (4.107); and by so doing, he highlights that "police-prison-delinquency," as an ensemble, "support one another and form a circuit that is never interrupted. Police surveillance provides the prison with offenders, which the prison transforms into delinquents, the targets and auxiliaries of police supervisions, which regularly send back a certain number of them to prison" (Foucault, 1979, p. 282). Strange as it may seem, in the face of this cruelty, even How, "a servant of the Law" (4.107) who submitted Falder to the authorities two and a half years ago with no mercy now puts aside his former apathy and manifests his determination not to hand him over, a sign that one's opinions about crime and criminals do not mirror fixed standards and are liable to change in the course of time, in spite of the risk that his reaction might be interpreted as indicative of sheltering: "If you want him you must find him without us" (4.108); How's son Walter protests in the same fashion and pleads for forgiveness: "Let him go this time, for God's sake!" (4.108). But there again, the inexorable Wister presses the matter and hereby drives Falder to run away "half dragging WISTER after him" (4.109). Shortly afterwards, "[t]here are sounds of footsteps descending the stone stairs; suddenly a dull thud, a faint 'My God!' in WISTER's voice" (4.109). So Falder at long last commits what he avoided earlier in prison. Under intolerable pressure, he jumps and breaks his neck rather than going back to prison associated with unpleasant experiences for, in Wister's exact words, "just a few months!" (4.110).

Falder, albeit by means of suicide, escapes. Nevertheless, there are still "old lags" or habitual offenders like Moaney who have been imprisoned many times and who have not changed for the better regardless of the many sentences given to them. Entrapped within a vicious circle which eludes real solutions, they go on incessantly with their uncontrollable efforts to break the monotony of their extremely restricted environment by trying to escape from prison in order only to return to it:

THE GOVERNOR. [*Beckoning him out into the corridor, and holding up the saw – with the manner of an officer speaking to a private*] Anything to say about this, my man? [*MOANEY is silent*] Come!

MOANEY. It passed the time.

THE GOVERNOR. [*Pointing into the cell*] Not enough to do, eh?

MOANEY. It don't occupy your mind.

THE GOVERNOR. [*Tapping the saw*] You might find a better way than this.

MOANEY. [*Sullenly*] Well! What way? I must keep my hand in against the time I get out. What's the good of anything else to me at my time of life? [*With a gradual change to civility, as his tongue warms*] Ye know that, sir. I'll be in again within a year or two, after I've done this lot. I don't want to disgrace meself when I'm out. You've got your pride keeping the prison smart; well, I've got mine. (3.2.73)

To conclude, for all that detention for punishment is legal, owing to the flaws in its application, this practice in John Galsworthy's *Justice*, which in the main concerns the operation of a British prison and calls into question to what extent the objectives of punishment are accomplished therein, binds down inmates by an ample set of provisions and restrictions, along with expressly taking away their freedom, and brings about their mental and physical deterioration during and after custody. The fact of being imprisoned affects inmates in different negative ways which "might range from mild anxiety to feelings of utter despair and thoughts of suicide" (Cooke et al., 1990, p. 66). That is to say, with some of them the psychological effects of confinement in a penal institution might be minimal, but with others who are more sensitive like Falder this experience turns into a trauma leading up to catastrophic consequences. The utilitarian failures of the sort of punishment under discussion are foregrounded within social context, too. Offenders, let alone being rehabilitated, can with ease become immunised to the supposedly deterrent elements of the penal process. Furthermore, as they suffer from lack of social acceptance subsequent to their release, they tend to reoffend the law. Those who leave prison are highly prone to go back to it which points out that detention and the disciplinary strategies related with it, especially solitary confinement, do not produce the intended or desired result of safeguarding the public. As Foucault (1979) succinctly expresses it, "by the very type of exercise that it imposes on its inmates: whether they are isolated in cells or whether they are given useless work, for which they will find no employment ..." (p. 266), prison can at best produce delinquents; or the only thing it accomplishes is, in Charles Lucas' words, to create "an unnatural, useless and dangerous existence" (cited in Foucault, 1979, p. 266). Finally, it must be defensible to assert that detention presented in *Justice* merely gives way to recidivism; it does not diminish criminality.

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