

Solitary Confinement: Social Death and its Afterlives. By Lisa Guenther. Minneapolis, MN: University of Minnesota Press, 2013. 321 pp. \$25.00 paperback, \$13.99 Amazon Kindle.

Reviewed by Michelle Brown, Department of Sociology, University of Tennessee

A developing literature in the social sciences has given attention to the rise of super-maximum confinement in contemporary U.S. penal practice, but few scholars have explored with depth its philosophical, experiential, and ethical implications. Lisa Guenther's volume, *Solitary Confinement*, does this by presenting us with a "critical phenomenological" account of the history and contemporary practices of isolation. Much like torture, solitary confinement works, according to Guenther, through a forced self-betrayal where the prisoner's capacity for the relational—the ability to feel, perceive and engage with others—is turned against one's self through a gaping absence of other beings in time and space. Solitary confinement seeks to foreclose the possibility of meaningful existence, distorting the perceptual to the point of "anti-relationality" and violating authentic forms of solitude and sociality, both of which are constitutive to being. Guenther argues that the destruction of personhood is, consequently, central to the practice of "intensive confinement," which she defines as a "range of practices including solitary confinement, small-group confinement, sensory deprivation, and sensory overload: any form of isolation that is structured in a way that diminishes or undermines an open-ended relation to the world and other living beings" (loc 2752). This expansive use of the term directs our attention to worlds that, in their extreme isolation, exceed what we understand as solitary confinement. It also highlights the more mundane environs of mass incarceration where daily life is defined by a perpetual exposure to others—the overcrowded common rooms, dormitory tiers, and holding cells where there is no break from human exposure, a "forced relationality of constant surveillance and control" (loc 3137).

Guenther lays out her argument in three parts. Part 1 examines the foundational role of solitary confinement in the early U.S. penitentiary system, including the transposition of slavery into an ongoing form of racialized hyperincarceration. Building upon the concept of civil death, she highlights the law's role in structuring and sustaining racialized practices of social death, like solitary confinement, pointing to the "loophole" in the Thirteenth Amendment that allows for slippage between slavery and carceral practices, and leaves incomplete the work of abolition. Part 2 pro-

vides a fascinating, brutal, and often omitted account of the role of Cold War psychological research, funded by the Central Intelligence Agency and Department of Defense, in making solitary confinement, with its emphasis on sensory deprivation and stress positions, an accepted form of behavior modification. Here, Guenther describes the violence done to living, relational beings by mechanist, “hard-wired” constructions of the self and how such assumptions produced in solitary confinement a “technology” for the production of mental illness. Part 3 takes on the more familiar story—the contemporary emergence of control prisons—where the “immobilization of inmates has become an end in itself” (loc 158). While social death is central to her account, the most original and innovative aspects of her analysis display how civil and social life are produced in the impossible and deathly spaces of intensive confinement. Political transformation, ethical responsibility, collective activity, and alliances beyond isolation are all found in the myriad ways prisoners resist solitary confinement. The bodily acts of self-harm, violence, and aggression insist “that one is still a living, moving being” in a world that is pathologically structured otherwise (loc 3815). Small acts such as pacing in one’s cell, the creation of a daily schedule, writing a letter, or reading the newspaper, are willed efforts to control and generate a social experience of time in a space that is defined entirely against these ways of being.

Framed by the contemporary and historical testimonies of prisoners (culled from prisoner writings, legal and historical documents, and prison ethnographies), Guenther relies upon perspectives by Husserl, Fanon, Merleau-Ponty, and Heidegger to make her case. But, ultimately, it is the work by Emmanuel Levinas, which allows her to pose a radical critique of the violence of solitary confinement. Focusing less on Levinas’ oft-cited invocation of the “face,” Guenther instead turns to his use of discourse as “a primary ethical orientation toward an other who commands me to respond” (loc 4575), a site for provocative critique and interruptive encounters. Central to Guenther’s conclusions are the ethical and political implications of the radical violence of solitary confinement, a space not of dehumanization, she argues, but worse, of de-animalization where the dignity of all living beings, the incarcerated and nonincarcerated, is violated and exploited. “Supermax prisoners,” she writes, “are unperceived and unimaginable others, but they are our others, and a society that practices long-term wide-scale solitary confinement cannot help but be shaped by our (non)relation to those who have been ‘disappeared’ but who remain among us, and sometimes return to haunt us” (loc 3429). Her volume leaves one feeling how closely and inescapably we are imbricated in one another’s lives, and how overwhelmingly criminal justice (as

opposed to social justice) is directed at violence, dedicated to human floundering rather than the incredible capacity of human beings to flourish. For those who might find Guenther's argument abstract and the goal of abolition far-reaching, her public philosophy speaks otherwise. She facilitates a weekly discussion group with prisoners on Tennessee's death row where together they have formed the Reconciling Every Human Being and Cultivating Humanitarianism (REACH) Coalition, a community outreach collective that has produced art exhibitions, book projects, and conference presentations; she coordinates the Rethinking Prisons blog and organized the Rethinking Prisons Conference in 2013; and she is the founding member of the Tennessee Students and Educators for Social Justice, an assembly dedicated to stopping executions in Tennessee. To borrow her own words, "This is what abolition looks like: not the relocation of slavery from the plantation to the prison but the creation of new ways of thinking, seeing, feeling, speaking, and experiencing a world that is shared in common with all other human (and . . . nonhuman) beings" (loc 1564).

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Legal Orientalism: China, The United States, and Modern Law. By Teemu Ruskola. Cambridge: Harvard University Press, 2013. 338 pp. \$39.95 cloth.

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What does one make of the fact that the U.S. Congress passed an act in 1906 establishing a U.S. court, *in China*? This historical anachronism and its attendant contortions is the focus of Teemu Ruskola's brilliant excavation of the legal products wrought from colonial pillage, orientalist judgments, high-minded legal rhetoric, and gritty international relations. Rhetorically, the U.S. Court of China was intended to provide the rule of law for China, a country deemed terribly deficient in this regard. Practically, as Ruskola points out, the court was needed to try and make U.S. citizens in China behave, as their lawlessness was giving the American empire a bad reputation.

As law was generally linked to territory, putting together a code for U.S. jurisprudence in China was a challenge that was met with almost laughable creativity. Its codes were comprised of "English