Torture persists in countries around the world. Danielle Celermajer's *The Prevention of Torture* offers one approach toward better questions about why that is, and about what we might do about it differently. Hers is, of course, not the only one, and nor is it unique in many of its elements: even in Sri Lanka there has been at least one other attempt in recent years to devise a model for torture prevention that shares with Celermajer's a concern for situational diagnoses and interventions (Cheesman, 2019). But compared to others, hers is uncommonly sophisticated, far-sighted, and systematic. Above all, it comes with a compelling message: to change the ecology of the production of torture, an ecology of prevention is necessary.

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The Deviant Prison: Philadelphia's Eastern State Penitentiary and the Origins of America's Modern Penal System, 1829–1913. By Ashley T. Rubin. Cambridge and New York: Cambridge University Press, 2021. 368 pp. $59.99 hardcover

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Eastern State penitentiary, in Philadelphia, which opened in 1829, was one of the pioneer American prisons—one of the first, if not the first, of the "big houses." Eastern was a massive building, quite unlike the ramshackle jails of earlier times, an expensive and architecturally impressive structure. It attracted a great deal of attention, both because of its size and scale and because of what it meant in terms of methods for punishment of crime. Eminent visitors were drawn to it: Charles Dickens, for one, and Alexis de Tocqueville, who, together with a collaborator, wrote a study of American prisons. Later visitors included an American President (Polk), the Prince of Wales, and the Emperor of Brazil, among others. Eastern State has also proved to be a survivor. After it was closed as a prison (1971), it suffered a near death experience. After all, it is located in the very heart of a great city, and it sits on real estate of enormous value. There were plans to demolish it and turn it into a shopping mall. Fortunately, this did not happen. Eastern state was saved from destruction. It now has the noble status of a National Historic Landmark (which it most certainly deserves). Tourists flock to the prison, for both daylight tours and eerie nighttime tours. Its Haunted House Halloween Event, which began in the 1990s, has morphed into a number of tours and parties that exploit the grim and creepy atmosphere of the abandoned prison. And indeed, in a sense ghosts of thousands of prisoners haunt Eastern State—ghosts of those who passed through the portals into dead silence, into a regime of total subjection and isolation.

Historically, Eastern State represented something new in the way society punished crime. Within its thick walls, it embodied a system of complete regimentation. Each new prisoner in Eastern State was conveyed to a cell, where he would live alone, and which he would never leave for the whole period of his sentence. No prisoner was allowed to utter a word. No prisoner had any way to communicate with any other prisoners. Inside, it was the silence of the tomb. Prisoners were required to work; but they worked in their cells. They exercised in a small walled enclosure that was attached to their cell. Silence, work, total uniformity, and absolute isolation were thus the hallmarks of Eastern State. The men who ran the prison believed strongly in the virtues of this system. They thought of it as humane and, what is more, as the true path to reform and moral regeneration. Crime grew out of idleness, drink, and bad company. Congregate prisons were schools of vice. Radical removal from society was the only sure cure for the disease of criminality.

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In the first half of the 19th century, state after state built penitentiaries. These were, like Eastern State, massive and imposing buildings. They shared many features of Eastern State—but not all of them. Eastern was one model of the penitentiary system. Its chief rival was the so-called Auburn system. Most of the other classic penitentiaries (Sing Sing, for example) adhered to the Auburn system. Like Eastern State, they accepted silence, prison labor, and regimentation as norms. But prisoners in Auburn prisons did not work as solitary individuals; they worked in "large, factory-like rooms, performing assembly-line labor"; at the end of the day, they marched back in lockstep to their cells (xxiv). As in Eastern State, they were expected (and required) to hold their tongues; they wore striped uniforms and led regimented lives; but the isolation under the Auburn system was plainly not as complete as it was in Eastern State.

Auburn and Eastern State were competitors for favor: two penitentiary models. Auburn was the decisive winner of this rivalry. Eastern State became more and more of an exception, to the point where it was the only real survivor. Rubin's book—the title is significant—is mainly concerned with how and why the prison survived, how it resisted the temptation to switch over to the Auburn system; and how over the years it tried to secure its position, advancing arguments to justify its anomalous place in the spectrum of incarceration. The Eastern system did, in fact, decay over time and was ultimately totally abandoned. But prison officials stuck it out as long as they could, clinging like barnacles to the way Eastern State operated; it was, they thought, the emerald city of penal practice. They expended enormous energy defending it against its rival, the Auburn system. They resisted and refuted every criticism leveled against Eastern state, and worked to "neutralize" all of the "calumnious myths" that its rivals spread about life inside Eastern State. Rubin's book is mainly about this struggle. She devotes whole chapters to the subject, showing how the administrators fought (verbally for the most part) to preserve their "deviant" prison and why these men carried on their struggle, for so many years, against great odds. Indeed, the main theme of the book is an attempt to use the story of Eastern State to advance a "conception of organizational deviance," grounded in "neoinstitutional" theory (xxxviii).

Eastern State's administrators fought for their "deviant" system; but all the while, the purity of the system was slowly decaying. Exceptions began to crop up, even with regard to core aspects of the Eastern State way of life. For example, it was sacred dogma at Eastern that a prisoner should never leave his cell. The prison was so "designed … that the prisoner could work, eat, pray, and sleep" in that same home cell (213). Labor was to be performed right there. But it was much easier to design jobs for prisoners in prisons that used the Auburn system. Not too many kinds of work can be done by solitary individuals in a cell. In Eastern State, almost from the very beginning, some prisoners were allowed to work outside of their cell. Cooks and bakers, for example, could hardly be expected to cook and bake inside a prison cell.

In Eastern's world, solitary confinement was key: one man, one cell. But as early as the 1840s, prison administrators began to make exceptions here too. For example, mentally ill prisoners got cellmates, probably in the hope of "alleviating… the mental illness that was caused by their solitary confinement" (208). Later on, double-celling became an absolute necessity, simply because more prisoners were admitted than there were cells to put them in. Prison officials begged the legislature to expand the prison, to give them more cells, to avoid the catastrophe of double celling. But legislatures were loath to spend the money. The legislative response was always too little and too late. Double-celling (and worse) became almost the norm. Overcrowding, of course, doomed the system of silence. You could hardly expect cell-mates to honor the code of silence. The utter isolation of prison life was also abandoned in time. At first, no visitors were allowed. Prisoners were supposed to be shut off totally from the outside world. But this strict rule was not strictly adhered to, for whatever reason. By the end of the 1870s, family visits, once allowed only with special permission, had simply become routine.

To be sure, these developments were not problems only for Eastern State. They were almost as lethal for the Auburn system. That system also depended on silence and solitary confinement. The winds of change blew strongly over Auburn as well as over Eastern State. Social change battered both

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the "deviant" prison and its rivals. Much the same factors doomed both systems: stingy legislatures, for one thing; changes in penal philosophy for another. Penal theory had moved on. Eastern and Auburn believed in treating all prisoners alike. This was an essential element of their systems. In the late 19th century, however, penology that had become more of a "science," or at least more professional, focused more attention on the *individual* prisoner. Distinctions had to be made. Not all prisoners were the same. Some were rotten to the core; others could be saved and reformed and returned to society. Some were young, some were older. Some came from good families, some did not. No single medicine was a universal cure for crime. The late 19th century brought in many reforms—parole, probation, and the indeterminate sentence—in which Individual assessment was a key notion.. Distinctions among prisoners also led to the development of specialized prisons, like the Elmira Reformatory, which opened in New York in 1876. This was meant to offer a "customized treatment plan for young or first-time offenders" (213). Pennsylvania got its own Reformatory in 1889. Eastern's administrators may have been stubborn and persistent, but they eventually had to give up the old religion, in favor of new penological faiths. They could hardly do otherwise. The old believers, the die-hards, gradually died off. They were not replaced.

The book, to be fair, does let us see this story—the story of evolution in the theory and practice of corrections—at least in broad outline. But clearly, it is not the main subject of the book. The core of the book is its detailed examination of the tactics, strategies, and psychology of the administrators: the way these men defended their "deviant" prison from outside criticism, the way they enhanced their self-images, and justified their actions to the world. To the author, the book is essentially a case study. It is about organizational theory, about "neoinstitutionalism." It explores the way a "deviant" institution can survive in a hostile environment. It examines, in great detail, the annual reports of the administrators, and similar documents, for insights into the minds of these men. Eastern's history, the author feels, can tell us a great deal about what she calls "dead branches;" that is, "policies or practices discarded in favor of other developments" (332). This is one of the strengths of the book; but it is also one of its weaknesses. We do learn something about the way the administrators actually ran the prison. But we learn these things almost incidentally, almost as side issues. Frankly, most readers will probably have more interest in the inner workings of the prison, than in the way in which administrators saw their role, and how they glorified themselves and their institution. They will probably want to know more about the way that social change *outside* the prison community impacted what happened *inside* Eastern State.

We also learn very little in the book about the prisoners themselves. This might be unavoidable. The prison regimented and homogenized the convicts. Instead of names, they had numbers. They dressed alike, ate alike, lived alike. Perhaps the archival material is simply not there. Maybe the prisoners, like soft-bodied creatures, left very little in the way of fossils behind. Once in a while, one gets a tantalizing glimpse of prison life. For example, we read about a young black prisoner, named George Henson or Hinson, No. 2936, who was "violent and outrageous in his conduct… tearing up his bunk," and attacking "whoever appeared at his cell door." His behavior was blamed on "self-abuse;" but later he was labeled insane, and put "under the care… of No. 2986, a steady and well disposed prisoner" (220). It would be great to know more about incidents of this type, about race relations in the prison, about the reactions and attitudes of the prisoners themselves, and many other matters. But this would be a different book.

One of a reviewer's greatest sins is to critique a book which the author did not want to write, did not try to write, and in fact never wrote. I hope not to commit this sin. The author is quite up front about what she wanted to do in this book. She would want us, I think, to assess this book as a contribution to the sociology of organizations, to the study of institutional life cycles, to the history of "dead branches." In that regard, it is successful. There is a lot to be learned about issues that are quite important to the sociology of law and to sociolegal history. And, of course, along the way we do learn a lot about American correctional theory in the 19th century and about the strange career of a "deviant" prison, which is still standing today, in this age of mass incarceration, as a phantom witness to the long-gone past of our carceral society.

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