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Cold War carceral liberalism and other counternarratives: the case of Alan Paton's *Cry, the Beloved Country*

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ABSTRACT

This article traces a transnational cultural genealogy of postwar and early Cold War liberalism specifically shaped by prisons. Central to this genealogy is Alan Paton's *Cry, the Beloved Country*, the South African novel that became a metonym for the tradition of South African political liberalism and liberal anti-apartheid fiction. The novel's carceral aspects have never been discussed in relation to Paton's prison reform articles from the same period, or within the framework of carceral studies. Reading the novel alongside Paton's prison writings highlights the constitutive role of the carceral state – a regime of modern power spread across different sites – in liberal reformist agendas of the 1940s and 1950s. This case study traces Cold War carceral state building on a cultural terrain and provides opportunities to reflect on evolutions of present day “carceral solidarities” – modes of culture and politics mediated by an expanding and globalized carceral state.

KEYWORDS

Alan Paton; liberalism; Cold War; apartheid; carceral studies; carceral state

Racism is the state-sanctioned and/or extralegal production and exploitation of group-differentiated vulnerability to premature death. Prison expansion is a new iteration of this theme.¹

Introduction: *Cry, the Beloved Country*, liberal affect, and the carceral state

Cry, the Beloved Country by Alan Paton has become a metonym for both the tradition of South African political liberalism as well as for liberal fiction.² Written in 1946 and first published in the United States in 1948 – some months before the National Party came to power in South Africa under the official banner of “apartheid” – the novel quickly acquired a global and “hypercanonical” status, in Andrew Van der Vlies’ suggestive use of Jonathan Arac’s term.³ Rapidly canonized as an instant classic of anti-apartheid literature, Paton’s novel became a “multimedia phenomenon for a global audience – dramatized in London, staged as a jazz opera on Broadway, filmed, abridged, and repackaged in several book club and college editions.”⁴ Nor was its appeal transitory. Rita Barnard, following sociologist Eva Illouz, has pointed to what she terms the

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¹Gilmore, *Golden Gulag*, 247.

²Blair, “The Liberal Tradition,” 481.

³Van der Vlies, “Local Writing,” 20; and Arac, *Huckleberry Finn*, 7.

⁴Van der Vlies, “Local Writing,” 20.

“globalization of suffering,” referring to the mobilization and mediatization of the novel by Oprah Winfrey. Crucially for this context, Barnard points to the constructs of suffering and narratives of overcoming strife central to Oprah’s global mediascape.⁵ “The novel,” Barnard writes, “is transformed into a national allegory of moral victory and reconciliation.”⁶ Louise Bethlehem engages with Barnard’s argument to suggest that the affective and political currency of liberalism is manifest in the circulation of Paton’s novel, such that particularly liberal constructs of suffering are distilled from it – an understanding tacit in Barnard’s account.⁷ *Cry, the Beloved Country* constitutes a deeply flawed response to local predicaments arising on the cusp between colonialism and nascent apartheid. Its deployment of sentimental stereotypes deriving from liberal constructs of suffering distract from an appraisal of systemic racial injustice and inequality while nevertheless allowing the novel to resonate with, and circulate into, a North American discursive domain, as scholars have argued.⁸

While the production of sanctioned liberal affect on the part of an American middle-row readership is integral to the production of what this special issue terms “cultural solidarities” during the early Cold War period, there is perhaps a more important point to be made. The liberalism of *Cry, the Beloved Country* is closely aligned with a particular understanding of delinquency, incarceration, and penal reform that circulates in tandem with its more familiar affective dimensions.⁹ Despite massive critical scrutiny over decades, few commentators have observed that Paton’s particular deployment of liberal discourse took place within contexts of prison expansion and carceral state building. Through closer attention to the central role of prisons in Paton’s writings, Paton’s liberal imaginary can be recast as a vector of specifically carceral solidarities. The novel’s carceral contexts emerge into view with greater salience when *Cry, the Beloved Country* is considered against the background of Paton’s non-fictional writing from the 13 years he spent working as the Principal of Diepkloof Reformatory for delinquent African youth, from 1935 to 1948. Drawing from the paradigm of carceral studies, this paper argues that Paton’s political and fictional writings from the 1940s were especially shaped by and participated in localized and transnational liberal discourses about delinquency, prison reform, crime and punishment, and law-and-order.

In broad terms, carceral studies often build on Michel Foucault’s *Discipline and Punish*. I follow critiques of Foucault – such as those articulated by Angela Davis, Joy James, and Achille Mbembe – that bring attention to situated histories of racialized punishment, torture, and death occluded by Foucault’s Eurocentric history of the modern prison.¹⁰ Seen through this paradigm, *Cry, the Beloved Country* reads differently. Liberal anxieties of the period regarding crime and punishment that form such a prominent part

⁵Barnard, “Oprah’s Paton,” 10; and Illouz, *Oprah Winfrey*.

⁶Ibid., 11.

⁷Bethlehem, “Scientific Proposal,” 6.

⁸Van der Vlies, “Local Writing,”; Barnard, “Oprah’s Paton,”; and Cowling “The Beloved South African.”

⁹Van der Vlies, “Local Writing.” Van der Vlies writes of a “widespread disaffection with novels of protest” at this time, instigated by the liberal critic Lionel Trilling’s dismissal of the damaging effects of social protest literature, 23. “Reviews of Paton’s novel were unsurprisingly positive for a work which avoided revolutionary political polemic, providing emotional uplift and suggesting an acceptable, non-Communist model for gradualist, ameliorative stewardship,” he comments, *ibid.*

¹⁰Carceral studies approaches the modern carceral state as a regime of modern power spread across different sites, from prisons to reformatories to detention centers. Berger, *Captive Nation*, 26. Berger’s formulation follows Dylan Rodríguez’s *Forced Passages*. For key works in carceral studies see: Foucault, *Discipline and Punish*; Davis, “Racialized Punishment”; and James, *Resisting State Violence*; and Mbembe, “Necropolitics.”

of the novel and of the social context that it depicts fueled much needed basic prison reforms and an increased visibility of prisons, as we will explore in greater detail below. However, liberal prison reform also inadvertently expanded an already unequal and contradictory system of racialized law and punishment. Examining the carceral aspects of Paton's fictional and non-fictional writing highlights discourses of black criminality rooted in multiple uneven sites of global racialized violence. Paton's carceral writings also reveal how reform in fact requires an extension of the reach of juridical power rooted in colonial settings. Reform expands systems of racialized state coercion, devaluation and death, offering an important lens on such processes in South Africa and the United States during the early Cold War.¹¹

Recent scholarship has shown that post-WWII liberal policymaking and prison reform contributed to laying the foundations for the apartheid security apparatus in South Africa and the current crisis of mass incarceration in the United States.¹² In both contexts, liberal calls for law-and-order contributed to the expansion of prison systems by attempting to root out acts of individual prejudice from the criminal justice process and solving what they perceived as the central problem of "black crime." Central to liberal law-and-order were affective constructs of what Naomi Murakawa terms racial pity.¹³ Narratives of racial pity approach criminality as a moral or psychological problem in need of individual reform. Liberal racialization in the postwar period focused on the figure of the black male criminal, engineered for frustration and violence by a racist environment. These constructs of liberal affect were used to call for the political improvement of the lives of black people, thereby preventing a future of black criminality that "destroyed white lives and social order."¹⁴ In the postwar period, constructs of racial pity ultimately reified racist tropes of black criminality and legitimized carceral state-building in multiple uneven contexts of racialized modernity.

Formulations of what Murakawa terms racial liberalism are pivotal here. For Murakawa, racial liberalism is "...the historically grounded understanding of the American race 'problem' as psychological in nature, with 'solutions' of teaching tolerance and creating colorblind institutions [...]."¹⁵ Emerging in the shadow of WWII and the Nazi genocide, racial liberalism attempted to eclipse the paradigm of biological racism and racial science, on one hand, but on the other it also worked against transnational conceptions of structural racism that were being articulated in this period by intellectuals and activists, especially by civil rights organizations in the United States. These organizations linked anti-colonialism with US civil rights struggles through a global critique of capitalism, which became marginalized and delegitimized as a fringe "Communist" perspective.¹⁶ Through deploying discourses of liberal law-and-order, white liberals

¹¹My formulations here have benefited greatly from the comments of the two anonymous readers of this article whose insights I wish to acknowledge. The language of state-sanctioned devaluation and death echoes Mbembe's concept of necropolitics, or modern state power that kills and wounds, where sovereignty is established through the creation of conditions of death or "living death" and the ability to decide who is disposable. Mbembe, "Necropolitics," 21, 27.

¹²Murakawa, *First Civil Right*; and Gillespie, "Containing the Wandering Native."

¹³Murakawa, *First Civil Right*, 11. Murakawa shows that in the US context, liberal agendas to create a more efficient and modernized criminal justice system in the postwar period fueled and legitimized carceral state-building. "As a sensibility of racial pity and administrative quality, liberal law-and-order could not contain or even critique the distinctive features of the late-twentieth-century carceral state – its scale and its intense racial concentration," *ibid.*, 13.

¹⁴*Ibid.*, 15.

¹⁵*Ibid.*, 11.

¹⁶Von Eschen, *Race against Empire*, 3, 107–12, 114–5, 122–44.

constructed historical narratives that erased ongoing entangled histories of racialized state violence. This reified structural racism, or the production and exploitation of group-differentiated exposure to vulnerability and premature death.¹⁷ Within a transnational historical frame, Paton's prison-related writings chart the cultural makings of a Cold War liberal conception of freedom imbricated in structural racism and an emerging globalized carceral state.¹⁸ More specifically, Paton's liberal carceral writings from the 1940s and 50s – the prison reform articles, *Cry, the Beloved Country*, and journalistic writings for an American audience – provide an opportunity to more precisely explore the limits of and contradictions forged within postwar and early Cold War liberal discourses, all of which persist today. Finally, the transnational carceral solidarities that Paton's novel mediates between South Africa and the United States call attention to radical carceral counter-imaginaries. These counter-imaginaries articulate oppositional world orders and narratives of freedom that offer alternative political possibilities for the globalized carceral present.

***Cry, the Beloved Country*, the prison reform articles, and South African liberalism**

In 1934, Jan Hofmeyr – the liberal minister of education in Smuts' government – transferred all of South Africa's reformatories from the Prisons Department to the Education Department. Paton was among several Principals appointed to transform the reformatories from prisons into schools. This propelled Paton's political career, and led to him eventually founding the Liberal Party in 1952. Paton remained a courageous critic of apartheid until his death in 1988. He maintained throughout his life that being the head of Diepkloof Reformatory was his most meaningful experience, waking him up to the racial problems of South Africa and converting him to the liberal ideal of a “non-racial” or colorblind society.¹⁹

Paton wrote *Cry, the Beloved Country* during the year he was on leave from Diepkloof, on a research tour of prisons and reformatories in Europe and North America. Just before that, between 1943 and 1945, he wrote a series of articles for South Africa's political magazine *The Forum* and elsewhere on the topic of “society and the offender,” and the problem of “native crime.” When *Cry, the Beloved Country* was published, Paton was already celebrated in South Africa as a prominent liberal prison reformer, known for tearing down barbed wire fences and planting geraniums.²⁰ Paton was also deemed an expert on what white liberals perceived as South Africa's main problem: black crime. Paton's ideas about black criminality centrally shaped his fiction, especially the beloved 1948 novel.²¹

¹⁷Gilmore, *Golden Gulag*, 28.

¹⁸A genealogy of liberal carceral culture spanning the United States and South Africa belongs to a longer history of imperial entanglements and discursive flows between these two sites of racialized global modernity. As Kirk Sides argues, while a consideration of such entanglements risks collapsing difference, the intent to do so works against discourses of exceptionalism surrounding both South Africa and the United States. “Precedence and Warning,” 224.

¹⁹Alexander, *Alan Paton*, 132–4.

²⁰*Ibid.*, 140.

²¹Many of the short stories from *Debbie Go Home* (published as *Tales from a Troubled Land* in the United States) are also based on people and incidents from Diepkloof.

Cry, the Beloved Country tells the story of two men, the white farmer James Jarvis and the Zulu Reverend Stephen Kumalo, who are neighbors in the rural Natal, and their two sons, Arthur Jarvis and Absalom Kumalo. The plot follows Stephen Kumalo's journey from the rural Natal to the slums of Johannesburg to track down three missing family members: his brother John, a corrupt politician; his sister Gertrude, a prostitute and seller of illegal liquor; and his son Absalom, who has disappeared into the city's criminal underworld. Reverend Kumalo travels through the streets of Johannesburg with the priest Msimangu, Kumalo's moral and spiritual guide. Soon Reverend Kumalo discovers that Absalom is in prison after a botched burglary that left a white liberal South African writer and public figure, Arthur Jarvis, dead. Absalom mournfully repents in his testimony in court but is nevertheless sentenced to death. He hangs in the end for his crime. Both Stephen Kumalo and James Jarvis undergo moral and spiritual transformations, finding "comfort in desolation," the original subtitle of the novel. Arthur Jarvis sees the light of the liberal spirit in his dead son's writings, transforming his old racial prejudices and inspiring acts of charity for the African boys' club and Stephen Kumalo's starving and impoverished village and church. Kumalo finds hope and faith through his encounter with the evils of the metropolis and the tragic fate of his son, as well as through the forgiveness and charity of Jarvis.

The novel's immediate international success was largely due to its success in the United States,²² as well as its widespread reception as part "social document" and part great literature.²³ As Van der Vlies discusses, positive South African reviews of the novel from the time of its publication mirrored the white paternalism of Paton's approach, constructing black Africans as primitive, pre-linguistic, childlike, and animalistic.²⁴ Through the liberal political writings of Arthur Jarvis – closely mirroring Paton's own political work – the novel endorses a paternalistic model of colonial white trusteeship, rendering it a source of critique and debate since the time of its publication.²⁵ Debates continue to revolve around whether Paton's liberal vision of freedom, when properly historicized, can offer viable political resources for the present.²⁶ When properly historicized in relation to the prison reform articles, and read through the lens of carceral studies, the contradictions at the heart of Paton's liberal imaginary and their implications for the carceral present become even more vivid.

Cry, the Beloved Country is part of the "Jim Comes to Joburg" subgenre of South African liberal fiction, in which the rural black man encounters the white industrial city. Rita Barnard locates this subgenre as a narrative account of the contradictions of colonial modernity, tied to the figure of the migrant.²⁷ Barnard points to the historically

²²Van der Vlies, "Whose *Beloved Country*?" 136.

²³Van der Vlies, *South African Textual Cultures*, 74.

²⁴*Ibid.*, 82.

²⁵*Ibid.*, 83. Van der Vlies discusses how Lewis Nkosi and Ezekiel Mphahlele, for example, both critiqued the novel's liberalism, expressed through its portrayal of black characters as resigned and submissive, and its sentimental solutions for racial violence and inequality. Paton's novel ultimately allows white liberals to evade responsibility for racial injustice. The novel occludes any mention of effective black oppositional politics, and only white liberals are portrayed as having "the brains," "the voice," and "the heart" necessary for progressive politics.

²⁶Foley, *Imagination of Freedom*, 1–3, 61–64. Because the novel was shaped by liberal political philosophy, Foley argues, it "reveals an ability to comprehend and address the fundamental problems of his country in a way which even from this vantage point in time appears remarkably perspicacious and illuminating," *ibid.*, 64.

²⁷Barnard, "Tsotsis."

bifurcated colonial state – as theorized by John Comaroff and Mahmood Mamdani – as the source of this enduring narrative form.²⁸ Under colonial administration and segregation – which is the world that *Cry, the Beloved Country* describes – white settlers were granted citizenship in the full sense of the word, with full rights and privileges of the modern state. Black South Africans were interpellated in two different and anti-thetical ways, depending on geographical location. In the cities, they were citizens but barred from full privileges and rights; in the countryside and tribal reserves they were racialized subjects under a state-enforced system and customary law. As Mamdani argues, civil society was a racist creation of colonial society, creating an in-between group of migrants and workers “suspended in juridical limbo.”²⁹ This group was composed of mostly urban-based working and middle-class Africans, “exempt from the lash of customary law but not from modern, racially discriminatory civil legislation.”³⁰ This in-between group, captured by the figure of the migrant, is “a class *in* civil society but not *of* civil society.”³¹ Because of this, Jim comes to Joburg – a narrative account of this contradictory subject position – is, as Barnard argues, “one of the most important and enduring genres of South African writing.”³²

The racial contradictions of colonial modernity were also built into the criminal justice system. At this historical moment in South Africa, there were essentially two separate prison systems, one for black prisoners and for one white prisoners. White prisons followed the European model famously described by Foucault, of panopticon, discipline, and rehabilitation.³³ Black prisons were more closely modeled on mining compounds, where prisoners were used as laborers, and corporal punishment was more viciously employed.³⁴ This was the situation at Diepkloof – located at the outskirts of Johannesburg – when Paton arrived in 1934, after having been Principal of an elite white high school in his hometown of Pietermaritzburg. Some of his first actions at Diepkloof were to create more sanitary and humane conditions on the most basic levels, to curb high rates of illness and death.³⁵ In response to the racial inequalities that Paton encountered at Diepkloof, *Cry, the Beloved Country* calls upon its audience to rectify problems in South Africa produced through the colonial encounter, such as land dispossession and forced removals to the depleted and famine-stricken “tribal homelands.” Jarvis’ political writings also directly reflect – as Paton’s do – the growing white liberal concern with the problem of black crime.

From 1943–44, Paton wrote a series of six articles for the “Punishment and Crime” series of *The Forum*. *The Forum* was a South African independent weekly political newspaper published by the Central News Agency in Johannesburg, and geared toward a white liberal audience.³⁶ In the first article, the editors announce that they

²⁸Ibid., 545–6. As Barnard explains, drawing from Mamdani and Comaroff, the bifurcated colonial state refers to the combination of direct and indirect colonial rule, and the system of graded and racialized citizenship and rights. Mamdani, *Citizen and Subject*; and Comaroff, “Reflections on the Colonial State.”

²⁹Mamdani, *Citizen and Subject*, 19.

³⁰Ibid.

³¹Ibid., 218.

³²Barnard, “Tsotsis,” 547.

³³Foucault, *Discipline and Punish*.

³⁴Chisolm, “Education,”; and Gillespie, “Containing the Wandering Native.”

³⁵Alexander, *Alan Paton*, 131–6.

³⁶I assume this is the targeted readership, based on how the editors introduce and frame their crime and punishment series in ways that map onto Gillespie’s descriptions of white liberal prison reform discourses in the 1940s.

commissioned the series because the “question of crime and punishment – of society’s treatment of the transgressor – will constitute one of the most important fields for reconstruction in the post-war world.”³⁷ This locates South African liberal concerns about crime and punishment within a postwar political landscape, through emerging transnational discourses of liberal law-and-order. Paton’s articles reflect what Kelly Gillespie identifies as a “symbolic relation between prisons and civilization” in the rhetoric of white South African liberals in the 1940s.³⁸ In these discourses, the prison stood in for “the project of the law, that great liberal arbiter” while it also became a site for working out colonial notions of custodial racial responsibilities.³⁹

Gillespie analyzes the white liberal preoccupation with prison reform in the 1940s as a response to black urbanization in the 1930s. This preoccupation is expressed through contradictory impulses between African inclusion and universal citizenship on one hand, and racial jurisdiction and colonial governance on the other. Black urbanization in the 1930s – and the endemic poverty that accompanied it due to low wages and exploitation in the mines – led to increased black criminalization within an already contradictory and racialized colonial legal regime.⁴⁰ Calls to make the law more accessible to Africans, for example, did not address the fundamental contradictions built into the legacy of legal pluralism and the bifurcated history of the colonial African state.⁴¹

This period thus saw an increase in the machinery of the criminal justice system over black bodies through a range of statutory provisions such as pass laws, liquor laws, and Master and Servant laws.⁴² This criminalization provided the foundation for the structure of apartheid cities. As Gillespie writes:

The increasing numbers of Africans caught in this urban legal-industrial arrangement created a surge in criminality (both ‘naturally’ and statutorily defined) and called into being an expanding apparatus of law and punishment – policing, courts, prisons, all of it officially and unofficially racialized – that became crucial to the working of apartheid cities. Criminality increased far faster than the general increase in population, and with it the prison population. As this infrastructure grew, so too did debate, contestation and anxiety about the project of justice and security.⁴³

Gillespie shows that liberal prison reforms were salutary but also deeply contradictory, etching racialized institutions of law and punishment all the more deeply into the social fabric. The South African Institute of Race Relations, of which Paton was a prominent member, commissioned and participated in a flurry of government-appointed reports on issues pertaining to the welfare and governance of black South Africans, especially prison reform.⁴⁴ These reforms would be sorely missed during the increasing terror and secrecy of the apartheid era. However, underneath liberal anxieties about “crime and

³⁷Paton, “Punishment and Crime,” 5.

³⁸Gillespie, “Containing the Wandering Native,” 509.

³⁹Ibid.

⁴⁰Gillespie, “Containing the Wandering Native,” 513.

⁴¹Barnard, “Tsotsis,” 543. Barnard calls for literary scholars to consider the bifurcated history of the colonial African state, “a structure that undermines colonial governments’ claims to universality or modernity, and that continues to exert its dubious legacy in the persistence of customary law, even under new, progressive constitutions,” *ibid.*

⁴²Gillespie, “Containing the Wandering Native,” 503.

⁴³Ibid.

⁴⁴Ibid., 501.

punishment,” was still “the Native Question,” a “series of colonialist concerns about how best to manage and govern Africans.”⁴⁵ These are the tensions and contradictions in Paton’s prison reform articles.

The editors of *The Forum* introduce Paton as an enlightened authority on crime and punishment. The first article, published in 1943, argues against the effectiveness of short-term punishment, whether on the body (through lashes) or the soul (through the reformatory). Instead Paton advocates for a diversified system of longer punishments in which individual moral and psychological reform – specifically through instilling a “respect for law and order” – is the primary goal. To make these claims, Paton creates several fictional criminal profiles, exposing the necessarily racialized, gendered, and sexualized logic of colonial modernity built into transnational discourses of liberal law-and-order. The embedding of fiction in Paton’s political writing also exposes the mutual imbrication of literature and law. As Mark Sanders theorizes, law comes into being through an ambiguity built into itself, produced by the central role of narrative testimony at the center of the legal process.⁴⁶ Paton’s fictional profiles – central to the philosophy of liberal law-and-order that develops throughout the articles – reflect the law’s engagement with and imbrication in “cultural explanation, linguistic idiom, and even literary form.”⁴⁷

To expose the false reasoning behind societal uses of punishment, Paton first uses the fictional profile of John, a house-burglar and a rapist. When John is portrayed as seeing a “lonely woman on a lonely road,” 3 years already served in prison for rape cannot deter him, according to Paton’s narrative arc, for she “stirs his imagination as nothing else in the world can.”⁴⁸ The story ends: “no memory of imprisonment undergone, no fear of imprisonment to come, can find place in this tragic mind that is already filled by lust.”⁴⁹ Here a construct of racial pity, meant to inspire white empathy, rests upon a description of the tragic mind of the black male criminal driven by an inherent lust, which no prison sentence can deter. This narrative reifies a central figure of anti-black racism: the black male rapist. The *Forum* series begins with racially unmarked language, but as the articles progress, the profile of the criminal to which Paton refers is consistently and explicitly the African male. The figure of the black male rapist – traversing white racist imaginaries of global modernity – is rooted in long histories of “black peril” panics in South Africa, used to justify repressive measures against black Africans.⁵⁰ Racial pity is thus the affective basis upon which Paton develops his arguments that liberal reform – through a moral and social conversion to “respect for law and order” – is more effective than punishment.

The program Paton lays down for reforming society calls for more opportunities for education and employment for Africans, as well as participation in local government (with the caveat of being restricted to native-only areas). He also calls for the creation of native courts, native probation officers and police, and abolishing the compound labor system for married workers.⁵¹ Though Paton argues for liminal social, economic, and

⁴⁵Ibid., 504.

⁴⁶Sanders, *Ambiguities of Witnessing*, 6.

⁴⁷Ibid., 9.

⁴⁸Paton, “Punishment and Crime,” 6.

⁴⁹Ibid.

⁵⁰Van Onselen, *Witches of Suburbia*; Graham, *State of Peril*.

⁵¹Paton, “Real Way to Solve Crime,” 24.

political equality for Africans, his calls for law-and-order simultaneously prescribe more policing and surveillance over criminalized black bodies, thereby reifying the legalized contradictions and exclusions of the white colonial-capitalist state.

The contradictions at the heart of Paton's vision are especially vividly displayed in his concept of "freedom as an instrument of reform." Paton's final article in the series is titled, "Let's build model prisons: Enlightened reform would result in a vast saving in human material." Even in the title, the colonial logic of using black bodies for the purpose and gain of white capital underlies the call for liberal prison reform, and its valorization of labor as a rehabilitative tool.⁵² To express his vision of "enlightened reform," Paton outlines the model and architecture for the mildest minimal sentencing prison. He describes a system of graded freedom designed "to train the offender for freedom."⁵³ Part of this includes paying the prisoners fairer wages, which he argues, is not "sentimental" but "cold hard sense, an attempt to salvage human material."⁵⁴ The reformer "offers privileges and wages and just treatment, but he demands in exchange a sincere attempt to reform."⁵⁵ This road to reforming the black criminal involves, for Paton, the reforming of a racially unequal society, but one where white civilization and its laws would continue to manage and govern "non-Europeans" under the apparatus of a white colonial state.

At Diepkloof, Paton instituted such a system of graded freedom – a mode of standard penal systems of reward and punishment where the better you conformed and behaved, the more freedom and privileges you received.⁵⁶ Linda Chisholm locates Paton's idea of the efficacy of "freedom" and "community" as a means of instilling a "respect for law and order" as common within prison reforms across Europe and North America by the 1930s. This mode of liberal prison reform was based mainly in British anthropology and the field of education, specifically the so-called new "science of human behavior" about juvenile delinquency.⁵⁷ Reformatory work aimed to adjust individuals (especially youth) to society by stabilizing the mentality of offenders, who were assumed to be innocent but corrupted by their environment, thus malleable and capable of reform.⁵⁸

Paton's notion of freedom as an instrument of reform rested on a liberal theory of the state where the ideal government relies on market forces, based on the assumption that all people enter the marketplace fundamentally free and equal.⁵⁹ This was deeply contradictory in practice, particularly within a context of colonial modernity. As Chisholm writes:

⁵²Gillespie, "Containing the Wandering Native," 513. As Gillespie shows, the valorization of labor and the development of its credibility as a rehabilitative tool by liberal prison reformers of the 1940s continued to reify modes of white colonial governance, expanding the state's security apparatus as "a more effective means of distributing African labor for the purposes of white capital," *ibid.*

⁵³Paton, "Let's Build," 24.

⁵⁴*Ibid.*

⁵⁵*Ibid.*

⁵⁶Chisholm, "Education," 27.

⁵⁷*Ibid.*, 24. Chisholm lists several British penal theorists as pivotal to this endeavor, particularly the child-centered pedagogy and penology popular by the 1930s: Cyril Burt, Sheldon and Eleanor Glueck, and Homer Lane. These theories promoted the idea that freedom and not captivity was necessary for reforming the young.

⁵⁸*Ibid.*, 26.

⁵⁹*Ibid.*, 31.

Paton maintained the fiction of “freedom as a reformatory instrument” while training African boys for a poverty, farm labour, and “unfreedom” which they did not choose. The conditions that produced delinquency were not free nor chosen. There was also a paradox in reducing the shackles of reformatory control over the delinquent (in the form of removing barbed wire fences, and allowing boys limited freedom of movement at specified times) while wanting extended state surveillance over black youth, albeit through means other than the classic reformatory. The interventionist state was thus promoted by men such as Paton who did not see themselves as “statist.”⁶⁰

In other words, reformatory work aimed to adjust individuals to a status quo of unfreedom, and liberal law-and-order called for an expanded carceral state by other means.

The narrative that Paton constructs in the prison reform articles closely mirrors the story that would soon put South African literature on the world map. In 1950 – on the heels of his literary fame – Paton wrote an article for *The Howard Journal* about the 1947 Report of the Penal Reform Commission, appointed by the Smuts government, of which he was a member. The article introduces him as acclaimed author of *Beloved Country*. Paton writes:

Now in South Africa most crimes of violence and murder are committed by black men, who, having lost the inner restraints of the tribal society, have not acquired in the loose industrial society of the cities, any other to replace them. What is more, our defective arrangements for the education, socialization, and employment of our native city children cause there to be a never-failing supply of recruits for that class which finds its outlet in crimes of violence and murder.⁶¹

In Paton’s liberal imaginary, the central figure of the black male criminal – juxtaposed with central objects of racial pity, native city children – is represented as fundamentally at odds with the modern industrial city and in need of moral re-education.

Paton concludes from the report that the main cause of “native crime” is the “confused and directionless state of native urban society, its poverty, its looseness, its illiteracy, and the sorry state of its home and family life.”⁶² Central to Paton’s representation of black urban modernity – in his prison reform writings and, as we will see, in his fiction – is what Gillespie calls the figure of the “wandering native.” Gillespie writes:

Repeatedly in the archive of the 1940s, this figure is presented as the marker of danger. The unemployed young black man, untethered to work; the unhoused, recently-migrated “tribal” in the city; the temporary worker; the after-hours black worker looking for entertainment beyond the compound, are examples of the kind of “matter out of place” that became objectified as problematic, his energies in need of containment.⁶³

Paton’s liberal carceral imaginary constructs a historical narrative that spatializes a lost tribal morality in the rural homelands against the “loose and idle” problem of black urban modernity. Though working to contest white supremacist calls for more and more legalized segregation, Paton’s prison writings reify discourses that became central to the apartheid regime’s ideological and spatial apparatus of racial segregation, through

⁶⁰Ibid., 40.

⁶¹Paton, “South Africa’s Report,” 7.

⁶²Ibid.

⁶³Gillespie, “Containing the Wandering Native,” 504.

an insistence on the contradiction between black South Africans and urban modernity.⁶⁴ This was the narrative Paton sent out into the world in *Cry, the Beloved Country*.

Reading *Cry, the Beloved Country* through a carceral lens: figures of outlaw

The novel's central heroes – Stephen Kumalo, Msimangu, and Arthur Jarvis – all diagnose South Africa's central problem as one of “black crime” and “white fear,” and articulate its solution in similar ways. Stephen Kumalo first articulates the problem when he arrives in Johannesburg, and finds a sympathetic audience in the comfort of Msimangu's church community:

So they all talked of the sickness of the land, of the broken tribe and the broken house, of young men and young girls that went away and forgot their customs, and lived loose and idle lives. They talked of young criminal children, and older and more dangerous criminals, and how white Johannesburg was afraid of black crime.⁶⁵

This moral and political diagnosis of the problem of black urbanity – inextricable from the problem of black crime – repeats throughout the novel. Again, objects of racial pity – “young criminal children” – are juxtaposed with their racist counterpart, the “more dangerous” black male criminal. The liberal writings of Arthur Jarvis repeat the same historical narrative of Paton's political writings, locating the problem of black crime within a “broken tribe” rather than in legal violence and an exploitative, repressive political economy.⁶⁶

The sense of irresolvable violence that critics long celebrated as the novel's mode of tragedy (the “broken tribe”), is in fact a deeper structural and legal violence that, as Stephen Watson argues, the novel's liberal vision cannot address.⁶⁷ As Watson argues, in Paton's tragic liberal mode,

[...] the law is deified, put into a position where it cannot be questioned; it is treated as a divine institution which requires unquestioning awe and respect as an utterly objective arbiter over the subjective follies and anarchies of men [...].⁶⁸

The novel's figures of outlaw – such as the characters of Absalom, Gertrude, and John Kumalo – trouble the image of the law as divine, exposing the limited reach and contradictions of the novel's liberal vision.

The black male criminal in Paton's liberal carceral imaginary – the outlaw – is a figure of disruption and anxiety throughout his writings. Absalom is a central yet conflictual character, whose point of view is missing, and whose tragic death in the end

⁶⁴Dubow, “The Apartheid Election,” 13.

⁶⁵Paton, *Beloved Country*, 52.

⁶⁶Ibid., 179. In one famous passage, Jarvis writes, “The old tribal system was, for all its violence and savagery, for all its superstition and witchcraft, a moral system. Our natives today produce criminals and prostitutes and drunkards, not because it is their nature to do so, but because their simple system of order and tradition and convention has been destroyed. It was destroyed by the impact of our own civilization. Our civilization has therefore an inescapable duty to set up another system of order and tradition and convention,” *ibid.*

⁶⁷This is reflected in the famous passage by Msimangu: “The tragedy is not that things are broken. The tragedy is that they are not mended again. The white man has broken the tribe. And it is my belief – and again I ask your pardon – that it cannot be mended again. But the house that is broken, and the man that falls apart when the house is broken, these are the tragic things. That is why children break the law, and old white people are robbed and beaten,” 56.

⁶⁸Watson, *Cry, the Beloved Country*, 37.

exposes an irresolvable violence in the novel's liberal vision. As legal scholar Adam Sitze explains, the outlaw is an aporetic figure of modernity who exposes an incomprehensibility or contradiction built into Western liberal law itself, a contradiction or exclusion from personhood that connects colonial jurisprudence to the era of apartheid. As Sitze writes:

...the very same colonial administrative apparatus that spoke of itself, using the lexicon of nineteenth-century-liberalism, as a 'guardian' and 'trustee' for native populations, could and did double as an *occupying army*, an apparatus whose normalized exceptions to law – pass laws, above all – resembled nothing so much as perpetual 'martial law.'⁶⁹

This contradiction or doubleness is built into "the law of the person," the cornerstone of the modern state's notion of rights developed from ancient Roman law. Sitze further explains,

In English colonial jurisprudence, to say nothing of US common law, the law of the person was more than just a cornerstone of modern rights. It was one of the cornerstones of legalized racism.⁷⁰

Apartheid, like Jim Crow in the United States, was an extension and subset of the law of the person that was already built into colonial modernity, through divisions and distributions of land and labor, and the legal hierarchies built into ancient and modern empires.⁷¹ Apartheid, then, is what Sitze calls a "newly incomprehensible" postwar iteration of the law of the person, extending older forms of racialized governance and punishment into an expanding carceral state.⁷²

Within this new incomprehensibility of the law in an era of carceral state-building, the figure of the outlaw becomes especially important. Across uneven sites of racialized modernity, the figure of outlaw in the liberal cultural imaginary reflects the law's incoherence, the violence and exclusion that constitutes the law. Sitze focuses on the figure of the outlaw under apartheid, whose becoming outlaw is demanded by the law itself. The outlaw, then, is the "personification of the sovereign power of the excluded African majority" which presses "one of the most exposed nerves in modern political philosophy."⁷³ The outlaws of *Cry, the Beloved Country* – released, under the sensational banner of apartheid, into a postwar liberal cultural domain – are threshold figures, pressing on the exposed nerve of the racialized carceral state in the liberal world order.⁷⁴

Alongside the figure of the black male criminal in the colonial carceral imaginary, feminine figures of outlaw also centrally shape the novel's narratives – and counter-narratives – of racial pity. Gertrude's "sickness" of prostitution that propels the entire plot – summoning Kumalo to Johannesburg – is "healed" in the end through the moral values of the Christian family, providing one narrative resolution that would have comforted liberal and conservative readers alike. The central scenes in which

⁶⁹Sitze, "Mandela and the Law," 139.

⁷⁰*Ibid.*, 141.

⁷¹*Ibid.*, 142.

⁷²*Ibid.*, 143.

⁷³*Ibid.*, 152.

⁷⁴Irwin, *Gordian Knot*. The phrase "liberal world order" is taken from Irwin, who approaches apartheid as a mediator of Cold War foreign policy, in which racial contradictions within geopolitics were negotiated.

Reverend Kumalo's heart is filled with "pity" all center around restoring the sexual morality of black women. In Gertrude's first appearance in the novel, she is described as having "no shame," crouching on the floor and looking at Kumalo "sullenly, like an animal that is tormented."⁷⁵ After her confession that she is a "bad woman," Kumalo's "heart filled with pity."⁷⁶ The chapter ends: "One day in Johannesburg, and already the tribe was being rebuilt, the house and the soul restored."⁷⁷ The novel aims to restore the black woman's sexuality as central to the nuclear family, imbricated within histories of racialized and sexualized colonial violence.⁷⁸ This narrative of racial and sexual morality would have especially appealed to white middlebrow audiences in the United States, as it worked to contain a similar panic around "miscegenation" amidst ongoing campaigns against legal segregation, or the legislation of race through legal and extralegal legislations of sexual desire.

Kumalo performs another sexual conversion on the nameless teenage girl who is pregnant with Absalom's child. Kumalo offers to marry her to Absalom and bring her and the child to Ixopo to live as part of their family. To test her morality, he asks her if she'd be willing to take him (Reverend Kumalo) as a lover in return. She answers yes out of desperation, and then falls to the ground "sobbing, a creature shamed and tormented."⁷⁹ The scene continues:

And the deep pity welled up in him, and he put his hand on her head. And whether it was the priestly touch, or whether the deep pity flowed into the fingers and the palm, or whether it was some other reason – but the sobbing was quietened, and he could feel the head quiet under his hand. And he lifted her hands with his other, and felt the scars of her meaningless duties about this forlorn house.⁸⁰

Read against the grain, elements of this scene trouble and form a counternarrative to the logic of racial pity that it enacts. The scene exposes the violence constituting "the house" – casting it as a space of racialized and gendered captivity alongside the novel's other "big house," the prison. Built into the dominant liberal construct of racial pity and law-and-order, then, is an ambiguity – a doubleness, contradiction, and counternarrative – expressed through the feeling of her "scars," left by ongoing histories of racialized and sexualized colonial violence.

Prisons as *aporia* in Cold War liberal imaginaries: Paton in the USA

In *Cry, the Beloved Country*, Paton's approach to the "race problem" as a primarily socio-religious one would have appealed to mainstream white American readers, as Van der Vlies discusses.⁸¹ The novel's central concern with "black crime" and the profile of the black male criminal would have also intensely resonated in America because of emerging discourses of racial carceral liberalism. In this period, as Murakawa argues,

⁷⁵Paton, *Beloved Country*, 61.

⁷⁶Ibid.

⁷⁷Ibid.

⁷⁸The figure of the prostitute carries with it a history of South African immorality acts against prostitution, beginning in 1902, and culminating with apartheid's well-known Immorality Act. These were racist legislations passed against prostitution in the name of preventing "miscegenation." Van Onselen, *New Babylon*, 163.

⁷⁹Paton, *Beloved Country*, 147.

⁸⁰Ibid.

⁸¹Van der Vlies, "Local Writing," 25.

“the United States did not face a crime problem that was racialized; it faced a race problem that was criminalized.”⁸² In the postwar and early Cold War period, the liberal profile of the black criminal took center stage in the rhetoric of the so-called race liberals, or “those who applied liberalism to race and racism with wishes of incorporation based on individually assessed merit.”⁸³ In this period, as Murakawa shows, liberal and conservative lawmakers converged around calls for more law-and-order, expanding the criminal justice system, and laying the foundations for the unprecedented scale and racial concentration of mass incarceration in the United States.⁸⁴

Paton’s liberal carceral writing gained even more currency within an early Cold War American context. In 1954, as a consequence of Paton’s fame as the author of *Cry, the Beloved Country*, *Collier’s* magazine – a prominent weekly geared toward a white liberal audience, with a reputation for social reform and new fiction – invited Paton to write two articles reporting on the situation of “the Negro in America today.” Paton enthusiastically frames the articles by situating himself as being on “this side of the iron curtain” – as well as in favor of a ruling against segregation in the pending *Brown v. Board of education* decision.⁸⁵ The articles construct a familiar narrative of Cold War racial liberalism – or American progress toward freedom based on the official rights-based inclusion of African Americans. Paton consistently contrasts the American movement away from legal segregation and toward freedom against South Africa’s movement toward apartheid and more legal segregation.⁸⁶ This is his evidence that America is fit to lead the world into peace and freedom, and that the US constitution is “fit for all mankind.”⁸⁷

Paton’s *Colliers* articles reflect Louise Bethlehem’s recasting of apartheid as an apparatus of transnational Cold War cultural production. Tracing the diffusion of South African culture during apartheid – through political exile, music, texts, and images – builds on a cultural turn in Cold War historiography.⁸⁸ To examine the networks and processes by which apartheid became localized within other national contexts is to “adjudicate more precisely the mediation of itinerant South African expressive culture during the Cold War along multiple axes: aesthetic, linguistic, generic, institutional, ideological, and political.”⁸⁹ This approach defamiliarizes existing Eurocentric historiographies and renders apartheid “a powerful analytic capable of revealing *contradictions within Western liberalism* in the Cold War era, with particular reference to racial inequality.”⁹⁰ Reading Paton’s *Collier’s* articles within the context of Cold War racial

⁸²Murakawa, *First Civil Right*, 3.

⁸³*Ibid.*, 53.

⁸⁴Murakawa, *First Civil Right*; and Alexander, *The New Jim Crow*. Alexander’s study exposes the workings of the contemporary US carceral state – a system of racially targeted legal and extralegal exclusion of incarcerated and formerly incarcerated people – in the era of liberal colorblindness.

⁸⁵Paton, “The Negro in America Today,” 52.

⁸⁶Paton, “The Negro in America,” 54–55, 60.

⁸⁷Paton, “The Negro in the North,” 80.

⁸⁸Bethlehem, “Restless Itineraries,” 49. Bethlehem’s concept of the “restlessness” of apartheid – as a transnational cultural apparatus that defamiliarizes existing historiographies – bears the imprint of sociologist Robin Wagner-Pacifi’s use of the term and extends it to the terrain of culture.

⁸⁹*Ibid.*, 52.

⁹⁰Bethlehem, “Scientific Proposal,” 2–3. Bethlehem’s model of apartheid as an apparatus of transnational cultural production charts the “uneven ascendancy of Western liberalism after World War II; challenges to central institutions of liberal internationalism; as well as the consolidation of neoliberalism in the globalized present,” all “intimately bound up with decolonization and the Cold War,” *ibid.*, 3.

liberalism in the United States further highlights the limited reach of Paton's liberal carceral vision, in a different context of racialized carceral state-building.⁹¹

In both articles, Paton's liberal narrative of freedom – and related discussion of racism as an antiquated prejudice of the dying Segregated South⁹² – is everywhere contradicted and interrupted by his eye-witness accounts of state-sanctioned and white vigilante violence in both the South and the North. Sprinkled throughout his accounts of progress and hope are brief mentions of racial profiling by police, and black fear of police all over the country; violent vigilante practices to enforce housing discrimination in the North, which police seem to do little to prevent; and regular lynchings in the South.⁹³ In the end, he uses literary flourish to tell a story of “the Negro” as a true American non-Communist tragic hero, who in the face of suffering leads the world into democracy and freedom, because he “used, persistently, as free men should, the power of law and court.”⁹⁴

Paton's focus on law-and-order as a divine solution to racial injustice mirrors how discourses of racial liberalism, specifically liberal law-and-order functioned in this period, in Murakawa's words, as “a project to secure the legitimacy of state violence.”⁹⁵ As Murakawa explains, the backlash of white violence after civil rights victories made liberals believe that racial prejudice needed stronger law-and-order to be contained.⁹⁶ This reflects the core logic of “the liberal paradigm of racial animus,” which “cycled white violence ‘back’ to black criminality.”⁹⁷ The common rhetoric of territorializing racism to the South ultimately normalized other forms of racial violence in the North, neglecting the “routine violence of standard policing and legal incarceration throughout the nation.”⁹⁸ This functioned to expand the US prison system, closing down “structural approaches to race, equity, and justice.”⁹⁹

Paton briefly but significantly refers to Swedish sociologist Gunnar Myrdal's 1944 report, *An American Dilemma*, situating his own take on American race relations as a healing of the racial divide that Myrdal famously observed. Myrdal's thesis is captured by the well-known line from the report: “The American Negro problem is a problem in the heart of the American.”¹⁰⁰ Paton's admiring reference to Myrdal's vision of US racism situates Paton's liberal carceral imaginary within a flurry of well-known government documents of liberal law-and-order from this period, that all located racism as a problem primarily of “the heart,” and inadvertently worked to fortify and expand the US carceral state.¹⁰¹ Myrdal's report,

⁹¹ Bethlehem, “Scientific Proposal,” 6. Paton's *Collier's* articles are an important coordinate in Bethlehem's model, raising questions of how the “hypertransmission” of *Cry, the Beloved Country* in the US lent Paton authority on matters of race in America.

⁹² Paton, “The Negro in America,” 55. Paton describes the inequality and white supremacy of the deep South as “slowly retreating” in the face of world opinion and the US constitution.

⁹³ Paton, “The Negro in America Today,” 54; and Paton, “The Negro in the North,” 70, 72–75.

⁹⁴ Paton, “The Negro in the North,” 80.

⁹⁵ Murakawa, *First Civil Right*, 54–55.

⁹⁶ *Ibid.*, 57.

⁹⁷ *Ibid.*, 49.

⁹⁸ *Ibid.*, 67.

⁹⁹ *Ibid.*, 49.

¹⁰⁰ Paton, “The Negro in the North,” 72. Paton writes: “The Swedish sociologist Gunnar Myrdal saw this [racial] split clearly (as he saw most things else) in his study of the Negro, an American Dilemma [sic]. But since his book was published in 1944, America has taken giant steps toward ‘one nation indivisible,’” *ibid.*

¹⁰¹ *First Civil Right*, 15, 50–54, 77; and Hinton, *From the War on Poverty*. See Murakawa's discussions of Myrdal's *An American Dilemma*, the Truman 1947 government report *To Secure These Rights*, and the Moynihan Report of 1965 in terms of liberal law-and-order, fixing to blackness to criminality and expanding the carceral state. Hinton discusses the 1960 Kennedy Committee on juvenile delinquency in similar terms. These culturalist theories about black criminality brought black family life into the crime control equation and justified expanded police surveillance in impoverished and underserved neighborhoods, another key moment in the US carceral state building.

significantly for this argument, also centers around the figure of the black male criminal: the fictional character of Bigger Thomas from Richard Wright's 1940 novel *Native Son*. Bigger Thomas is a black man who murders a white woman and a black woman, and his defense lawyer "delivered the now-familiar thesis of socially engineered black rage."¹⁰² Again, a fictional profile of the black male criminal is written into policy and culture through discourses of liberal law-and-order, fixing blackness to criminality. Ultimately, throughout Paton's comparisons of racial inequality in South Africa and the United States, a Cold War conception of liberal law-and-order occludes any analysis of legalized violence and the expanding carceral state. This reflects the granting of the carceral state limitless violence, as long as it followed the law and due process – normalizing and legitimizing routine state violence of policing, legalized murders, and unjust incarceration.¹⁰³ The administrative process "through which the state cages and kills" could no longer be considered violence.¹⁰⁴

By focusing on the National Association for the Advancement of Colored People (NAACP), Paton's rhetoric echoes a liberal civil rights agenda that became dominant after the Truman Doctrine, which delegitimized black diasporic politics and erased global critiques of structural racism.¹⁰⁵ In one representative moment, Paton describes the dangers of unnamed global struggles – of "numberless millions of people seeking for life and liberty," which "may set the world aflame," – and simultaneously expresses solidarity with these struggles in the name of "emancipation," "joy," and "hope."¹⁰⁶ Here Paton's paradoxical language reflects again the contradictions and doubleness of liberal law-and-order – as well as the complicated capacities of carceral solidarity – in a single breath. Throughout the articles, Paton's belief in liberal law-and-order stands alongside and in contradiction with the epistemologies of civil rights activists and organizations that he admiringly references and interviews. As Murakawa discusses, organizations like the National Negro Congress, Civil Rights Congress, NAACP, and the Anti-Defamation League in the postwar years modeled a "structural fight against law and order" in which they critiqued "all state-sanctioned racism and demanded the elimination of carceral practices and institutions that maintained or exacerbated race-differentiated vulnerability to premature death."¹⁰⁷ Here Murakawa intentionally echoes the definition of structural racism put forward by the Civil Rights Congress in the "We Charge Genocide" petition to the UN in 1951, which accused the US government of an ongoing genocide against African Americans.

This remarkable petition, never answered by the UN – and signed by prominent transnational activists such as W.E.B. Du Bois and Paul Robeson, among many others – points to how global critiques of liberal law-and-order and the carceral state functioned in this period as an alternative epistemology of freedom. The petition makes its claims

¹⁰²Murakawa, *First Civil Right*, 51.

¹⁰³*Ibid.*, 43. As Murakawa theorizes, "liberal law-and-order established a division between legitimate and illegitimate force: legitimate force was exercised when the state followed predictable rules; illegitimate force was exercised when private citizens did not follow the state's rules." This granted the carceral state "limitless violence so long as it conformed to clearly defined laws, administrative protocol, and due process," *ibid.*

¹⁰⁴*Ibid.*

¹⁰⁵Von Eschen, *Race Against Empire*, 109. As Von Eschen discusses, the NAACP changed in the late 1940s, after the Truman Doctrine. Previous modes of black diasporic politics were no longer granted legitimacy because of the Cold War, and global anticolonial critiques were eclipsed by the argument that racism at home threatened US foreign policy, or America's position as the moral leader of the free world.

¹⁰⁶Paton, "The Negro in the North," 80.

¹⁰⁷Murakawa, *First Civil Right*, 17.

by relating ongoing histories of racial violence in the United States to the Nazi genocide, through the newly established category of “genocide” inscribed into international law by the Genocide Convention of 1951. This petition brings uneven yet entangled histories of racialized violence into what Michael Rothberg calls “multidirectional” memory and relation, producing new possibilities for transnational solidarity and visions of justice in an unfolding present.¹⁰⁸

Liberal feeling in contemporary carceral imaginaries

In a 1976 interview with Paton at the University of Michigan TV station in Ann Arbor, Paton’s worldview comes into direct dialogue with an oppositional world order, gently articulated by a black Sierra-Leone-born poet and professor at the University of Michigan named Lemuel Johnson.¹⁰⁹ The 30-min interview begins and ends with the exposed nerve of the prison in Paton’s liberal vision. He begins by reading his poem “Death of a Priest,” a tribute to an Imam detained under the Terrorism Act, who died suspiciously in prison. He comments that conditions are worsening in the areas of “law and order” and “security,” with a sad resignation that “under the law one is not allowed to divulge conditions in prisons.” This kind of aporetic space, this mode of power – where under the law one cannot divulge the conditions of that space – illustrates important aspects of the modern carceral state.¹¹⁰

Throughout the interview, Paton is unable to answer to any of Johnson’s critiques. In the end, Paton claims that his earlier prediction in *Cry, the Beloved Country* has come true. This prediction is spoken through the mouth of Msimangu, who fears that “one day when they [the whites] turn to loving, they will find that we [the blacks] have turned to hating.”¹¹¹ Johnson quickly responds to this blanket dismissal of all black politics as based in hate by asking what Paton does when people come up to him and tell him – as they surely must – that his way of seeing the world is simply wrong. Paton answers: “Yes, they might say, ‘you’re too idealistic, you don’t understand human nature.’ I was head of a reformatory for 13 years, and if one doesn’t learn something about human nature in that period, one never will.”

Paton never learned. The prison remains an aporia in postwar liberalisms, occupying what Ruth Wilson Gilmore calls a “forgotten place.” To define this, Gilmore develops and specifies Greenberg’s and Shneider’s formulation of “marginal people on marginal lands” within the context of prisons. Gilmore writes:

People in these locales, exhausted by the daily violence of environmental degradation, racism, underemployment, overwork, shrinking social wages, and the disappearance of whole ways of life *and* those who lived them, nevertheless refuse to give up hope. What capacities might such people animate, and at what scales, to make the future better than

¹⁰⁸In *Multidirectional Memory*, Rothberg argues that Holocaust memory and legacies of colonialism merged in the public sphere in productive, dynamic tension in the post-WWII era of decolonization. These uneven racialized histories, when co-articulated, produce new transnational visions of justice and solidarity.

¹⁰⁹“Alan Paton: A Profile,” interview with University of Michigan Television Center, interviewed by Wesley Ray and Lemuel Johnson, University of Michigan Media Resources Center, DVD box 9, TN 44,846, Alan Paton Video 1976, Ann Arbor, MI.

¹¹⁰Murakawa, *First Civil Right*, 213. Murakawa refers to theorists Katherine Beckett and Bernard Harcourt, to define the carceral state as “the liminal space where moral opprobrium meets government-sanctioned punishment,” *ibid*.

¹¹¹Paton, *Beloved Country*, 71.

the present? What does *better* mean? How do people make broadly contested sensibilities – indeed *feelings* – the basis for political struggle, especially when their social identities are not fixed by characteristics that point toward certain proven patterns (or theories) for action? In terms of prisons and prisoners the goal is double: to find relief for all from the expanding use of cages as all-purpose solutions to social and economic problems and to use the extreme (marginal) case to figure out how social justice activists might reinvigorate an organizational movement after it has spent several decades underground, under-theorized, or under cover of the not-for-profit sector.¹¹²

Paton's liberal carceral oeuvre traces the emergence of dominant constructs of white liberal feeling – or racial pity – that support the political logic of using cages as all-purpose solutions to social and economic problems. Working against this are alternative possibilities of carceral solidarity and analysis, built into the doubleness or contradictions of liberal law-and-order, and based in the extreme marginal case of prisons and prisoners.

Gilmore's notion of unhoused feeling as the basis for political struggle exists in sharp contrast to Paton's definition of liberalism housed within dominant conceptions of otherness, freedom, law, and love. In a speech at Yale in 1973, Paton defined what liberalism means to him in these terms:

By liberalism I don't mean the creed of any party or any century. I mean a generosity of spirit, a tolerance of others, an attempt to comprehend otherness, a commitment to the rule of law, a high ideal of the worth and dignity of man, a repugnance for authoritarianism, and a love of freedom.¹¹³

Paton's feeling of liberal freedom is imbricated within and circumscribed by multiple histories of racialized violence, captivity, devaluation, and death. This liberal structure of feeling – in Raymond Williams' well-known sense¹¹⁴ – persists in the present through the absence of dismantling the carceral state in most public policy agendas. The necessarily reformist agendas of liberal law-and-order inadvertently extend the reach of colonial juridical power in South Africa and legacies slavery and legal segregation in the United States, through the capitalization of racialized labor built into the globalized, contemporary carceral state. Prisons shape and disrupt Paton's liberal ideals throughout his long public life, haunting his literary constructions of racial pity and suffering, and producing both his courageous and contradictory moments. All of these moments invite possibilities for oppositional world orders, out of the prison place, to emerge.

Against the emergence of the postwar liberal world order are global critiques of liberal law-and-order linking uneven racialized carceral spaces and histories.¹¹⁵ The long history of imperial and discursive flows between the United States and South Africa offers a rich terrain in which to examine such alternative carceral solidarities and counternarratives. As Kirk Sides powerfully comments:

¹¹²Gilmore, "Forgotten Places," 32.

¹¹³Paton, qtd. in Alexander, *Alan Paton*, 383.

¹¹⁴Williams, *Marxism and Literature*, 128–35. A structure of feeling is an emergent form of culture and politics not yet settled or defined, that can either become oppositional to or incorporated into dominant structures of power.

¹¹⁵Berger, *Captive Nation*, 29. Berger's study of radical black prison organizing in the civil rights era importantly locates a radical prison imaginary in these terms. Berger shows that the prison increasingly became the core of civil rights and black power culture alike.

...the historical legacies of transatlantic slavery as well as the southern African experience of apartheid [...] continue to mark the boundaries and chart the terrain of a racialized global modernity, a modernity reverberating across the Atlantic, from Ferguson to Marikana.¹¹⁶

Against liberal law-and-order, critiques of the carceral state – from the global anti-apartheid struggle to the contemporary Black Lives Matter movement – articulate freedom as an oppositional world order. For these movements, it is not enough to simply change the laws, though decriminalization is a key first step. Rather, as Gilman theorizes, out of the prison place emerges a more radical democratic project of the anti-state state. This means, for example, organizing to demand that tax dollars and public resources used for prison expansion or inequality are turned instead to life-enhancing use.¹¹⁷ In this way, the carceral state has the capacity to mobilize transnational activist linkages – between families separated and locked up at borders, people locked up in prisons for part or all of their lives, and everyone locked out of public opportunities for education, employment, or housing. Scholars and contemporary movements for social justice must put prisons and prisoners at the center of their struggles, harnessing the aporetic power of the carceral state, and creating new modes of solidarity and visions of justice for the present.

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Notes on contributor

Sarika Talve-Goodman received a PhD in Literature from University of California, San Diego in 2016. She completed the majority of this project as a postdoctoral student at the Hebrew University in Jerusalem. She is now an independent scholar and training to be a trauma therapist.

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¹¹⁶Ferguson refers to Ferguson, Missouri, where an ongoing organized anti-racist protest movement erupted in August 2014, following the murder of 17-year-old Michael Brown, Jr. by police officer Darren Wilson. This protest is considered Ground Zero of the Black Lives Matter movement. Marikana refers to the murder of over 40 mine workers by South African police following a miners' strike and police standoff in August 2012. This incident has been described as one of the deadliest uses of state force in post-apartheid South African history.

¹¹⁷Gilmore, *Golden Gulag*, 245.

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