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## ILYA VINITSKY (Princeton)

#### IMAGINARY DOSTOYEVSKY

«The House of the Dead» and American Prison Literature<sup>1</sup>

If prison reformers like myself know anything about Dostoevsky, it is his supposed authorship of a sentence consisting of fourteen words.

James E. Robertson, editor-in-chief emeritus, Criminal Law Bulletin, from an email to the author

Prison is hell for the majority, but salvation for the few.

Michel Foucault, Discipline and Punish: The Birth of the Prison (1975; trans. by Ivan Narodny, 1995 ©)

This essay focuses on the origins and mythologization of one of the most famous quotes which has been attributed to Fyodor Dostoevsky in the United States starting from the late 1960s. It has been cited, very often as an epigraph or a closing remark, by numerous American activists, lawyers, senators, judges, writers, journalists, and scholars (but tellingly, not by Dostoevsky experts). Borrowed, as it is believed, from Dostoevsky's semi-autobiographical prison novel *Notes from the Dead House* (1860-62), the quotation exemplifies the American vision of Dostoevsky as a kind of human rights activist. The article shows that Dostoevsky did not author the dictum and traces its cultural and political origins to Western debates on the prison reform in the late 1960s.

Keywords: fake quotation, American human rights and prison reform movement, reception of Dostoevsky in the USA

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<sup>&</sup>lt;sup>1</sup> The original version of this essay was published on December 23, 2020 in *The Los Angeles Review of Books* (I thank Boris Dralyuk for his kind permission to republish it in the present academic journal. I am very grateful to Peter Brooks, Amy D. Ronner, James E. Robertson, Dale E. Peterson, Alexander Dolinin, Michael A. Wachtel, Kevin M. F. Platt, Tim Langen, Kirsten Lodge, Igor Pilshchikov, Elizabeth Geballe, and Chiara Benetollo for their generous advice and helpful critical comments. I also thank Jana Makarova for obtaining a copy of the pseudo-Dostoyevsky portrait from a rare edition.

#### Мнимый Достоевский

«Записки из Мертвого дома» и американская правозащитная традиция

Статья посвящена истокам и мифологизации одной из самых известных цитат, приписываемых Федору Достоевскому в США с конца 1960-х годов. Ее часто приводили как эпиграф или заключительное слово многие американские активисты, юристы, сенаторы, судьи, писатели, журналисты и ученые (но, что характерно, не филологи, специалисты по Достоевскому). Считается, что заимствованная из полуавтобиографического тюремного романа Достоевского «Записки из мертвого дома» (1860–1862), эта цитата иллюстрирует американское видение Достоевского как своего рода правозащитника. В статье показано, что Достоевский не является автором этого изречения, и прослеживается культурный и политический генезис этой цитаты к западным полемикам о тюремной реформе в конце 1960-х годов.

Ключевые слова: Достоевский, фальшивая цитата, американские правозащитное движение и тюремная реформа, восприятие Лостоевского в США

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1

Our age of all-pervasive fake news is also an age of compulsive fact-checking, made possible by the expanding resources of the internet. And this new wealth of information allows us not only to determine which fact or quotation is wrong or misleading, but also — perhaps more interestingly — to reconstruct the cultural and historical origins of concealed falsehoods and myths, to consider misleading information as a cultural phenomenon that speaks volumes about its time and about the biases and aspirations of those involved, wittingly and unwittingly, in the mystification.

I have recently become intrigued by a quotation that has been attributed to Dostoyevsky for decades. Until the late 1990s, it was known only in English, and consisted of 14 words: «The degree of civilization in a society can be judged by entering its prisons». It has been quoted, very often as an epigraph or

a closing remark, by numerous American and British activists, lawyers, senators, judges (including Justice Anthony Kennedy), writers, journalists (from «The New York Times» to «The Los Angeles Times» to «The Guardian»), and scholars (but, tellingly, not by Dostoyevsky experts). Writing in «The Globe and Mail» in 2017, Patrick White wryly observed that one can hear this Dostoyevsky quote «at correctional conferences with nauseating regularity»: «It's ubiquitous because it's good». Indeed, it's even good enough for Hollywood, appearing on the silver screen as the opening quote in the trailer for «Con Air» (1997).

The Library of Congress dictionary of quotations «Respectfully Quoted» comments on its origins: «Attributed to Fyodor Dostoevsky. Unverified». Other American dictionaries of quotations and Wikiquote indicate that its source is Dostoyevsky's semi-autobiographical prison novel «The House of the Dead» (1862). Some American publications even refer to page 76 of the 1957 Grove edition of Constance Garnett's translation.

Yet this is all untrue, because (a) there is no such quote in Dostoyevsky's original text (or in any other work written by him) and (b) there is no such quote in Garnett's translation (page 76 of the 1957 edition describes the kindly soul called Nastasya Ivanovna: «Some people maintain (I have heard it and read it) that the purest love for one's neighbour is at the same time the greatest egoism. What egoism there could be in this case, I can't understand».

Moreover, Dostoyevsky could not possibly have uttered these words since they had nothing to do with his actual (and, to be sure, paradoxical) views of prison as expressed in the novel. Dostoyevsky, who had spent four years in chains, from 1849 to 1854, at a prison camp (katorga) in Siberia, was immensely interested in Western penal theories and literature on punishment and the prison experience; as a matter of fact, in 1861, the journal co-edited by Dostoyevsky and his brother published a Russian translation of Giacomo Casanova's prison

 $<sup>^{1}</sup>$  White P. Robert Clark's Down Inside Explores Canada's Prison System // The Globe and Mail Book Review. 2017. 2 June.

<sup>&</sup>lt;sup>2</sup> Respectfully Quoted: A Dictionary of Quotations. The Essential Reference Guide for Writers and Speechmakers. Mineola (NY), 2010. P. 286. № 1527.

memoirs, Histoire de ma fuite des prisons de la République de Venise qu'on appelle les Plombs. He should have been familiar, as Anna Schur suggests in «Wages of Evil: Dostoevsky and Punishment» (2012), with the Western idea that punishment is a product of a nation's degree of «civilization» — a view that had been known to educated Russians since Catherine the Great's enlightened «Instruction» (1767) and was «frequently aired on the pages of Russian periodicals» in the age of the great legal reforms of Alexander II.<sup>1</sup>

However, the writer's religious views of punishment and prisons strikingly differ from the secular ideas of Cesare Beccaria, the founding father of Western penology, Catherine, or 19th-century Russian philanthropists and legal scholars. Although «The House of the Dead» does portray the corruption, fundamental injustice, and total ineffectiveness of the Russian penitentiary system, it does not question, Schur notes, «the need for the existence of punishment» and never calls for prison reform per se (p. 44). The novel's protagonist, the disgraced nobleman and wife-murderer Goryanchikov, perceives the horrifying institution as a test of his own spirit, rather than as a test of civilization (a foreign word that had negative connotations for Dostoyevsky). Dostoyevsky's focus is on the painful resurrection of the fallen man, both as an individual soul and as the embodiment of Russia's folk spirit, not on the improvement of physical conditions.

Unsurprisingly, Dostoyevsky portrays prison as «a dead thing». It is what it is: hell — more precisely, «the hell of suffering to spiritual salvation,» as Robert Louis Jackson puts it in «The Art of Dostoevsky: Deliriums and Nocturnes» (1981).² The prison in and of itself does not attract hatred; instead, it forces Goryanchikov to judge his past, reevaluate his secular beliefs, and eventually bless the fate that enabled his Christian revival. «And who was to blame, whose fault was it?» asks the protagonist about the tragic lot of the multitude of gifted, strong people buried within the walls of the prison. «That's

<sup>&</sup>lt;sup>1</sup> Schur A. Wages of Evil: Dostoevsky and Punishment. Evanston, 2012. P. 35.

 $<sup>^2</sup>$  Jackson R. L. The Art of Dostoevsky: Deliriums and Nocturnes. Princeton, 1981. P. 136–137.

just it, who was to blame?»¹. Aptly, an unknown reader of my copy of the 1957 Grove edition left two angry question marks in the margins next to this rhetorical question.

It's clear, then, that the quote that graced the screen in «Con Air» is a con, fundamentally alien to Dostoyevsky's beliefs. It is a curious product of cultural misreading, or, in Harold Bloom's terminology, «creative misprision» and mythmaking.<sup>2</sup> In what follows, I will try to reconstruct the history of this misprision. I must warn the reader in advance that this essay, to paraphrase famous words traditionally (and wrongly) attributed to Emperor Joseph II, has an awful lot of quotes. But rest assured: they are all real and documented.

 $\mathbf{2}$ 

As I discovered, the English quotation has been in circulation since the late 1960s and evolved, in the late 20th century, into a longer, less commonly used, version: «A society should be judged not by the way it treats its outstanding citizens, but by the way it treats its criminals». The initial version shows up not only in newspaper articles, public speeches, and court hearings, but also on activists' shirts and posters and the drawings of inmates. What, then, was its source?

In 1964, the Canadian playwright and ex-inmate John Herbert wrote a sensational prison play that bore the Shakespearean title «Fortune and Men's Eyes» and focused on a first-time convict's entry into «an isolated, desperate, all-male society in which homosexual acts are the institutionalized basis of the political and social structure».<sup>3</sup> In interviews, Herbert constantly cited Dostoyevsky's words about prisons and civilization as a kind of epigraph to his play, without any reference to their actual source.<sup>4</sup> First presented in New York City by the Broadway impresario David Rothenberg in 1967, Herbert's play has

<sup>&</sup>lt;sup>1</sup> Dostoyevsky F. The House of the Dead / From the Russian by Constance Garnett. New York, 1915. P. 282.

<sup>&</sup>lt;sup>2</sup> Bloom H. A Map of Misreading. New York; Oxford, 1975. P. 86-87.

<sup>&</sup>lt;sup>3</sup> Smith M. Theatre Journal // The Village Voice. 1967. 2 March. P. 21.

<sup>&</sup>lt;sup>4</sup> See: Lanken D. Playwright John Herbert Stays on the Outside // The Montreal Gazette. 1970. 7 Nov.; Prosnitz F. The Fortune Society Offers Hope // Asbury Park Press. 1968. 3 Aug.

subsequently been produced more than 400 times in over 100 countries, including a 1969 show directed by James Baldwin in Istanbul. In 1971, a film based on the play was released.

The play even lent its name to the influential prisoners' rights group «Fortune Society», led by Rothenberg (the group is still active in New York). As Rothenberg stated in October 1968, Dostoyevsky's words became the slogan of the Society, whose goal was «to create a greater public awareness of the prison system in America today» and «to reveal complexities and problems faced by inmates during their incarceration».¹ Since its founding in 1969, the Society has been broadcasting its weekly radio program «Both Sides of the Bars» and publishing the monthly newsletter «The Fortune News» with the words attributed to Dostoyevsky's «The House of the Dead» as its motto, which always appears on the front page in the upper right corner.



In the spring of 1969, «The Village Voice» reported that Rothenberg has used his publicity talents on behalf of

¹ See: Jackson K. A Friend in Need... // Federal Probation. Vol. XXXV. 1971. March. № 1. P. 43.

ex-convicts, sharing his office with them and accompanying them «on speaking engagements». Elaborating on Dostoyevsky's quote, the newspaper concluded that «the crusade for decent and effective prisons is an uphill battle but one well worth engaging in if we are ever to approximate our boast of being civilized».<sup>1</sup>

Dostoyevsky's supposed dictum, very much in keeping with the 1960s and '70s Western progressive agenda epitomized by Foucault's «Surveiller et punir: Naissance de la prison», was adopted by American activists as the motto for the prison reform movement.

3

My hypothesis is that we are dealing with a mystification, perhaps unintended, that originated in Herbert's circle. Herbert may have thought (wrongly) that this statement summarized the Russian writer's views of the subject, as expressed in his prison novel. It is possible that the Canadian playwright simply invoked, and attributed by association, a common idea that had circulated in various versions and in different languages for more than a century. One can find similar declarations, without references to the Russian writer, in sources ranging from Barthélemy Maurice's 1840 «Histoire politique et anecdotique des prisons de la Seine» («Voulez-vous apprécier le degré de moralité auguel un peuple est parvenu, mesurer, pour ainsi dire, sa civilisation? voyez comment ce peuple traite ses prisonniers»<sup>2</sup>), to Kenneth Ruck's introduction to the 1929 Everyman edition of John Howard's 1777 «The State of the Prisons in England and Wales» («the condition of its prisons and its prisoners is no bad indication of the development of any society and its degree of civilization»<sup>3</sup>), to Judge Walter V. Schaefer's 1957 Oliver Wendell Holmes Lecture («The quality of a nation's civilization can be largely measured by the methods it uses

<sup>&</sup>lt;sup>1</sup> Lerner S. Reforming the Prisons: An Uphill Crusade // The Village Voice. 1969. 6 March. P. 27.

 $<sup>^2</sup>$   $\it Maurice~B.$  Histoire Politique Et Anecdotique Des Prisons de la Seine. Paris, 1840. P. 2.

<sup>&</sup>lt;sup>3</sup> Ruck K. Introduction // Howard J. The State of the Prisons in England and Wales (cited in: Smith R. Prisons Health Care. London, 1984. P. 5).

in the enforcement of its criminal law»<sup>1</sup>), to a 1958 essay by the prominent French lawyer and historian Maurice Garçon («On peut dire que, dans une certaine mesure, on apprécie la moralité et le degré de civilisation d'un peuple à la manière dont il traite ses prisonniers»<sup>2</sup>).

Historically, the sentiment under investigation originates in Montesquieu's teaching of the degrees of civilization in «The Spirit of the Laws» (1748), which inspired Beccaria to write, in «On Crimes and Punishments» (1764), «If there were an exact and universal scale of crimes and punishments. we should have an approximate and common measure of the gradations of tyranny and liberty, and of the basic humanity and evil of the different nations»3. Beccaria's words had a deep influence on 19th-century penal reform movements, including Russian ones, and by the mid-20th century had become a kind of «fatherless» absolute statement widely used in legal documents and manuals. For example, it opens the 1963 «Minimum Jail Standards: Recommended Standards for Administration, Construction, Programs of the Californian prison system»: «The treatment of crime and criminals may some day be used by historians as one measure of the degree of civilization achieved by nations».4

By the time Herbert and the «Fortune Society» canonized and disseminated the quotation on prisons and civilization as belonging to Dostoyevsky, there was already an established tradition of using the Russian writer's real words on the ineffectiveness of solitary confinement in American literature about prisons; for instance, Howard B. Gill's article «Correctional Philosophy and Architecture» (1963), from «The

 $<sup>^1</sup>$  Schaefer W. V. Federalism and State Criminal Procedure // Harvard Law Review. 1956. Vol 1.  $\ensuremath{\mathbb{N}}$  26. P. 26.

<sup>&</sup>lt;sup>2</sup> Les Annales conferencia: Journal de l'Université des annales. 1958. Vol. 65. P. 4.

<sup>&</sup>lt;sup>3</sup> Beccaria C. "On Crimes and Punishments" and Other Writings / Ed. by R. Bellamy; Translated by R. Davies. Cambridge, 1995. P. 20.

<sup>&</sup>lt;sup>4</sup> Minimum Jail Standards: Recommended Standards for Administration, Construction, Programs. Mandatory standards for food, clothing, bedding for city and county jail inmates (to implement section 4015, Penal code) established by the State Board of Corrections, Parts 1–2. [Sacramento], 1963. P. 11.

Journal of Criminal Law, Criminology, and Police Science», bears a famous Dostoyevskian epigraph: «It is acknowledged that neither convict prisons, nor the hulks, nor any system of hard labour ever cured a criminal».¹ Tellingly, in 1960s publications, these words were often seconded by Winston Churchill's dictum, dated 1910: «The mood and temper of the public with regard to the treatment of crime and criminals is one of the most unfailing tests of the civilization of any country».² One can speculate that in this context our quotation was the random result of ascribing Dostoyevsky's name and aura to a popular old statement, associated with Churchill's actual words.

4

But why Dostoyevsky? To be sure, plenty other candidates for the dictum's authorship were named in various Western sources: Benjamin Disraeli, Charles Dickens, George Bernard Shaw, Churchill, George Orwell, and Nelson Mandela.<sup>3</sup> In the Italian tradition, it has regularly been attributed to Voltaire («Non fatemi vedere i vostri palazzi ma le vostre carceri, poiché èda esse che si misura il grado di civiltà di una Nazione» <sup>4</sup>), and in the French tradition, to Albert Camus («Nous ne pouvons juger du degré de civilisation d'une nation qu'en visitant ses prisons» <sup>5</sup>).

<sup>&</sup>lt;sup>1</sup> Gill H. B. Correctional Philosophy and Architecture // The Journal of Criminal Law, Criminology, and Police Science. 1962. Vol. 53. № 2. P. 312.

<sup>&</sup>lt;sup>2</sup> See in «Dread, harsh orders not now heard in jails» (The Leader-Post. 1956. 23 July). These words were rendered in Churchill's 1951 book «The Second World War: Closing the Ring» as «nothing can be more abhorrent to democracy than to imprison a person or keep him in prison because he is unpopular. This is really the test of civilization» (*Churchill W.* The Second World War: Closing the Ring. Boston (MA), 1951. P. 679).

<sup>&</sup>lt;sup>3</sup> Mandela expanded upon the quotation in his memoirs: «A nation should not be judged by how it treats its highest citizens, but its lowest ones — and South Africa treated its imprisoned African citizens like animals» (Mandela N. Long Walk to Freedom: The Autobiography of Nelson Mandela. Boston (MA), 1994. P. 233).

 $<sup>^4</sup>$  See, for instance, in: http://www.ristretti.org/index.php?option=com\_content&view=article&id=82550:stati-uniti-viaggio-nelle-prigioni-del-paese-dellincarcerazione-di-massa&catid=220:le-notizie-di-ristretti&Itemid=1 (дата обращения 24.06.2020).

<sup>&</sup>lt;sup>5</sup> Dardel J., de. Exporter la prison américaine: Le système carcéral colombien à l'ère du tournant punitif. Neuchâtel, 2016. P. 11.

However, in the end, all these candidates have been passed over in favor of the Russian writer.

In «The Making of a Counter-culture Icon: Henry Miller's Dostoevsky» (2007), Maria Bloshteyn asserts that «The House of the Dead» was the first of his works to capture the imagination of American readers. With this novel, Dostoyevsky «entered the American consciousness» as an autobiographical writer to be revered for «the authenticity of his observations» 1. Marketed by early publishers with the title «Buried Alive: Or, Ten Years of Penal Servitude in Siberia» (1881), the novel was perceived by late 19th- and early 20th-century readers as a severe critique of Russia's oppressive regime.

In the late 1950s and '60s, Dostoyevsky's prison novel gained new momentum in the American and British public imaginations, as evidenced by the editions of 1957, 1959, 1962 and 1965,

published with Ernest J. Simmons's and H. Sutherland Edwards's introductions detailing the author's prison life. The writer Robert Payne also dedicated a chapter to Dostoyevsky's ordeal in his well-received 1961 biography «Dostoyevsky: A Human Portrait», which included the following haunting portrait, captioned «Dostoyevsky in prison,» attributed to the Russian realist artist Klavdii V. Lebedev, and likely taken from the only known reproduction of the mysterious portrait Dostoevsky in Exile, which was published in an émigré edition of Dostoyevsky's writings in the 1920s.



Suspiciously, the catalog of Lebedev's works contains no portrait of Dostoyevsky. Moreover, the dark-haired man depicted is clearly not Dostoyevsky but, more likely, a random peasant or artisan with a tobacco pouch. In fact, a page earlier, Payne had written that upon arrival at the prison camp, Dostoyevsky had been shaved («half of his mustache removed, and all his

<sup>&</sup>lt;sup>1</sup> Bloshteyn M. R. The Making of a Counter-culture Icon: Henry Miller's Dostoevsky. Toronto, 2007. P. 29.

beard») and was made to wear gray canvas trousers, a gray coat, and «a kind of sailor cap without brim or visor». Later on, this alleged «prison portrait» of Dostoyevsky was reproduced in American newspapers and even used for the cover page of some editions of «Crime and Punishment». Presented as the iconic image of a mysterious Russian author, the portrait bears a closer resemblance to the generic, almost mythological image of pensive, long-bearded, long-suffering Russian writers from Lev Tolstoy to Aleksandr Solzhenitsyn.

Nevertheless, the rekindled fascination with Dostoyevsky's prison novel and personal experiences in the 1960s opened up a new way of looking at him in the West. The «House of the Dead» was read not only as a Russian story that severely criticized the tsarist prison system in exotic Siberia, but rather as a powerful statement against the inhumane treatment of inmates everywhere. For example, on June 22, 1964, «The Globe and Mail» published an article by John Kraglund about Leoš Janáček's opera «From the "House of the Dead"». Kraglund observed that «the composer's principal concern» was «to let a number of prisoners tell their own stories and to show the effect of imprisonment which reduced all prisoners to the same physical and spiritual level of negative existence — upon those who differed only in initial character» (p. 11). And south of the Canadian border, interest in the Russian writer and ex-convict was roused by post-Stalinist prison writing, especially the work and public presence of Aleksandr Solzhenitsyn. Tellingly, one 1971 anthology of prison poetry included an anonymous inmate's poem addressed to Solzhenitsyn: «This is why there is no sadness. / I lick your tears, / Your salt writes our names on my tongue, / Our rings of salt mean forever».2

In a word, Dostoyevsky's «The House of the Dead» was successfully domesticated by American audiences. In the social and political imagination of the 1960s and '70s, the novel seemed to propagate a broader, anti-bourgeois, anti-totalitarian vision of human society. And as Bloshteyn points out, Dostoyevsky's work

<sup>&</sup>lt;sup>1</sup> Payne R. Dostoevsky: A Human Portrait. New York, 1961.

<sup>&</sup>lt;sup>2</sup> Words from the House of the Dead: An Anthology of Prison / Ed. by J. Bruchac, <sup>3</sup> W. Witherup. Greenfield (NJ), 1971. P. 59.

might have had a particularly significant impact upon a number of African-American writers, who praised the Russian's «interest in the psychology of the pariah or outcast» and considered him «a witness» and model writer who helped them to «legitimize» their struggles with literary form. As James Baldwin observed in 1963, in «Life» magazine, «It was Dostoevsky and Dickens who taught me that the things that tormented me most were the very things that connected me with all the people who were alive, or who ever had been alive. Only if we face these open wounds in ourselves can we understand them in other people».

To quote Dale Peterson's excellent analysis, Dostoyevsky's novel was comprehended by African-American writers as one of the major «'soul-trying ordeals' that affirm the pain of divided minds being stretched to accommodate the birth of a cultural hybridity, a multiple culturedness that more and more is becoming the measure of our common humanity».<sup>3</sup>

Unsurprisingly, the quotation on prisons and civilization allegedly drawn from the powerful work of «a Russian giant» was widely used by African-American human rights



activists, as evidenced, for instance, both by its role as an epigraph to the article «The Black Prisoner as Victim,» published by the noted lawyer and civil rights activist William Haywood Burns in «The Black Law Journal» (1971. Vol. 1. P. 120), and in this poster.

<sup>&</sup>lt;sup>1</sup> Bloshteyn M. Rage and Revolt: Dostoevsky and Three African-American Writers // Comparative Literature Studies. 2001. Vol. 38. № 4. P. 282, 295; see also: Peterson D. E. Notes from the Underworld: Dostoevsky, DuBois, and the Unveiling of Ethnic Soul // The Massachusetts Review. 2013. Vol. 54. № 3. P. 433–453.

 $<sup>^2</sup>$   $Howard\ J.$  «Doom and glory of knowing who you are» // Life. 1963. 24 May. P. 89.

<sup>&</sup>lt;sup>3</sup> Peterson D. E. «Underground Notes»: Dostoevsky, Bakhtin, and the African American Confessional Novel // Bakhtin and the Nation / Ed. Donald A. Wesling et al. Lewisburg (PA), 2000. P. 43.

Although the first citation of Dostoyevsky's alleged dictum in association with Herbert's play and the «Fortune Society» group is dated August 3, 1968, the frequency of citation peaked in the years 1971–'72, following fierce public discussion of the bloody Attica prison riot. Consider the following entry for 1971 in Clarence S. Kailin's «The Black Chronicle: An American History Textbook Supplement» (1974):

On September 23, inhuman prison conditions, long suppressed from public notice, led to an uprising by Attica Prison inmates. The uprising was suppressed when Governor Rockefeller sent in one thousand state troopers. Forty-two inmates and guards were killed, apparently by police fire («Hostages Killed By Bullets, Not Knives. No Guns Held By Inmates», Madison Capital Times, September 24, 1971). «The degree of civilization in a society can be judged by entering its prisons» — Dostoevsky.

In this context, the quotation by a Russian writer known for his strong anti-Western sentiments sounds less like a basic legal principle and more like a sarcastic exposé of the deceptiveness of white American civilization as a whole.<sup>2</sup>

5

It would not be an exaggeration to say that David Rothenberg, his «Fortune Society», and many other activists of the age considered the author of «The House of the Dead» to be a father figure for their own social and literary experiments. Starting in the early issues of «The Fortune News», members of the group published and advertised literary works written by convicts and ex-convicts. US newspapers observed «the growth of prison publications» and spoke of «prison authors» as a contemporary phenomenon influenced, in part, by Dostoyevsky's novel:

<sup>&</sup>lt;sup>1</sup> Kailin C. S. Black Chronicle: An American History Textbook Supplement. [Madison (WI)], 1974. P. 27.

<sup>&</sup>lt;sup>2</sup> In «Dostoevsky and the Law» (2015), the legal scholar Amy D. Ronner offers a striking example of American readings of the novel not as a portrayal of Russia's archaic penal system, a «world apart from our own,» but rather as an illuminating story of «the unsettling likeness between Dostoevsky's Omsk fortress and our own prisons,» a «recreation of Dead House» in the contemporary United States.

During the last year, «The News» had published the writings of several convict-authors, providing, we had hoped, an insight into the minds of the prisoners and of their environment behind the wall <...> Prison authors, whether their writing has been smuggled outside the wall or passed by the censor, have to be credited with revealing some of the violent conditions existing in prisons. In «The House of the Dead» Feodor Dostoevski wrote, «The degree of civilization in a society can be judged by entering its prisons». Society now is being judged by the prison authors.<sup>1</sup>

According to an article by John Hamer from 1972, one of the most prolific American «convict-authors» who (to paraphrase another famous dictum, falsely attributed to the writer) came out of Dostovevsky's prison clothes and «discovered a vast readership outside the prison walls» was Frank Bisignano.<sup>2</sup> Bisignano killed an off-duty police officer in Newark in 1961 and became the first man on death row in New Jersey's history to gain his freedom by parole.3 The reformers represented Bisignano as a man who had «entered prison as a high school dropout with an 8th grade education,» «completed his G. E. D. in 1963,» «slowly and quietly triumphed over» his «demons,» published several articles in «The Village Voice», including a partly fictionalized account of prison life titled «The World as Seen Through a Not Quite Dead Man's Eye,» and was eventually hired as a public relations employee at Trenton State College. «We are a special breed,» Bisignano declared to Hamer, «special in that we possess more raw material, more pen power, more nitty-gritty than any two writers on the street; but, as writers in prison, we stand less chance of making it, of marketing our work, than any hack in the free world». To be sure, the degree of success of the reformers' educational experiment in this particular case can be judged by the titles of the repentant sinner's novels, published under the penname Warren Bisig before or immediately after his release in 1973: «My Sexy Mom and I»; «The Sweet Taste of Daddy»; «Mother

<sup>&</sup>lt;sup>1</sup> New Castle News, 1972, 26 Jan. P. 4.

 $<sup>^2</sup>$   $\it Hamer J.$  Convict Writers Find a Public // The Record. 1972. 26 Jan. P. 18.

<sup>&</sup>lt;sup>3</sup> Bisignano F. Literary Future for Cons // Fortune News. 1971. Dec.

Takes a Sin Trip»; «The New Prison Nurse»; «Willing Virgin»; «The Garment Industry Girls»; «Deeper Throat»; «Open Legs»; and «The Child of Gomorrah». A random, and possibly the most innocent, quote from this offspring of Dostoyevsky runs: «Orgasm! she thought, feeling it begin. Nothing else mattered — not Uncle John, not tomorrow, not anything. Nothing except reaching the place where pussies and pricks and assholes and mouths united» («Diane's Lessons in Bondage»).¹

Bisignano's pseudonym «Warren Bisig» clearly indicates the collaborative nature of his writings. He was discovered by a Californian literary agent, named James A. Warren, who had «sent out some 465 letters to prisons all over the country appealing for manuscripts». Hamer reported that Warren received more than 2,500 responses and about 200 actual manuscripts, including several he called «sure-fire winners» and many others he considered «promising» (p. 4). When Warren contacted him, Bisignano had only 95 cents in his prison account. Luckily, «pornography pays», and the convict-writer «noted with amusement that between August 1971 and January 1972 he turned out seven sex books and earned more than \$6,000».<sup>2</sup>

Of course, Dostoyevsky (or, more precisely, his fictional alter ego and murderer-turned-author Goryanchikov) inspired a number of «gifted offenders» with aspirations beyond pornography and profit. One of them, portrayed in a 1969 article in «The Village Voice», compared his fate with Raskolnikov's «death of jail» and spiritual rebirth: «Prison was a turning point for me. I took a vow there that I would never take things for granted». Another convict, mentioned by the «Voice», commented on Dostoyevsky's alleged dictum from «The House of the Dead»: «It's true. You see what it's all about. People say, "But that's a jail". I say, "No, it's America. It's what's underneath"». In fact, the idea of America

 $<sup>^{1}</sup>$  Bisig W. Diane's Lessons in Bondage. Kobenhaven; Chatsworth (CA), 1972. P. 189.

 $<sup>^2</sup>$  Zeitz C. He's Starting Over After 11 Years on Death Row // The Philadelphia Inquirer. 1973. 30 Apr. 3-B-J.

<sup>&</sup>lt;sup>3</sup> Chevigny B. G. After the Death of Jail, Rebirth Like Raskolnikov // The Village Voice. 1969. 10 July. P. 15.

as the «prison house of the Black nation» was central to the prison literature of 1964–72, as manifested in the works of its major practitioners, Malcolm X, Eldridge Cleaver, George Jackson, Etheridge Knight, and Sam Melville (the latter was an ardent reader of Dostoyevsky). In «Prison Literature in America: The Victim as Criminal and Artist» (1989), Howard Bruce Franklin, distinguished two overlapping groups of prison writers that emerged during this period: «...the political activist thrust into prison, and the common criminal thrust into political activism».¹ Both groups were fascinated with Dostoyevsky's «The House of the Dead» as searing defense of a prisoner's human dignity and «the measure of our common humanity».²

The period also witnessed the emergence of a new genre: anthologies of work authored by the convicts of a given correctional institution. As the editor of one such collection, «Words from the House of the Dead: Prison Writings from Soledad Prison» (1971), eloquently explained in his introduction.

Dostoevski wrote a book of his prison experiences and titled it «The House of the Dead». The title is still appropriate even though the Russian novelist was writing about conditions a century ago and in another culture. The physical environment of prison has changed perhaps for the better since then, from the dark, damp, stony dungeon to the electrically lit, waxed and buffed concrete cell with its own sink and flush toilet. At least this is the situation on the main line in most of the California prisons. But this is all a smokescreen. <...> The truth is behind the smokescreen. The jailer with the whip and knout is



<sup>&</sup>lt;sup>1</sup> Franklin H. B. Prison Literature in America: The Victim as Criminal and Artist. Oxford, 1989. P. 242.

<sup>&</sup>lt;sup>2</sup> Peterson D. E. «Underground Notes». P. 43.

still there but he has modern psychological weapons. Prison is still the house of the dead. Every day someone dies spiritually.

Yet some authors disagreed with this radical generalization and tried to «send» Dostoyevsky's novel and the quotation on prisons and civilization back to Russia in order to vindicate the US penitentiary system. «It is ironic», wrote criminologist Charles H. Logan in «Private Prisons: Cons and Pros» (1990), «that some critics of private prisons are fond of quoting Dostoevsky — that the degree of a nation's civilization can be seen in the way it treats its prisoners — and wondering aloud what Dostoevsky would think of private prisons». According to Logan, if Dostovevsky had lived in the Soviet Union, «he would have been witness to one of the most brutal and lawless prison systems in history», with political prisoners «jammed shoulder to shoulder into airless cells and box-cars and shipped to punitive slave camps where they were worked, starved, and frozen to death». However, «if he visited contemporary American prisons, including private prisons, Dostoevsky would probably be impressed by the civil and human rights protections, the food and medical care, the standards of decency, even the space, he would generally find there, at least in comparison to the Soviet Gulag». Overall, the quotation «would indeed say something about our civilization, but nothing that would discourage private sector involvement in the running of prisons».2

Dostoyevsky's «famous words» on prisons and civilization are still very much alive and frequently used in the Anglophone press in accounts of the horrors of «houses of the dead». They were cited in the May 1, 2019, issue of my «home» newspaper, «The Daily Princetonian»:

Fyodor Dostoevsky wrote that «the degree of civilization in a society can be judged by entering its prisons». Enter America's prisons and it becomes clear that we are nowhere near as just a society as we claim to be. If we want to get closer to the values we idealize, we should rethink whether incarceration is the answer at all.<sup>3</sup>

<sup>&</sup>lt;sup>1</sup> Words from the House of the Dead, P. 6.

<sup>&</sup>lt;sup>2</sup> Logan C. H. Private Prisons: Cons and Pros. Oxford, 1990. P. 213.

<sup>&</sup>lt;sup>3</sup> Chaffers J. My New Perspective on Prison Abolition // The Daily Princetonian, 2019, 24 June.

Most recently, human rights activists have used the quotation as a weapon to critique secret prisons across the globe and the «Trump regime's unwavering support for incarceration of adult immigrants and their innocent children».

6

The irony of history has also seen the Russian writer's alleged dictum return to Russia (usually in the form of «об уровне цивилизации народа можно судить, когда открываешь ворота его тюрем»). To the best of my knowledge, its first appearance dates back to 1977, when it cropped up in the Russian translation of Howard Zinn's «Postwar America» (1973), who credited the words to Dostoyevsky. Characteristically, the famously well-trained Soviet translators smelled the rat and deleted the name of the Russian writer from their rendition: «Но если об уровне цивилизации общества можно судить по его тюрьмам, то американские тюрьмы дают еще один яркий пример того, что никакие либеральные реформы не смогли что-либо существенно изменить в США».²

The attribution to Dostoyevsky entered Russian public discourse only in the late 1990s and early 2000s, likely first popularized by the Russian-American film director Andrei Mikhalkov-Konchalovsky, who used it in interviews and in his 2006 essay «Crimes and Punishments». Another source for the quote's «Russification» appears to be a Russian translation of the English review of oligarch and political dissident Mikhail Khodorkovsky's 2012 prison memoirs: « "The degree of civilization in a society can be judged by entering its prisons," wrote Dostoevsky in "The House of the Dead." Khodorkovsky's testimony is that this is a corrupt system with little or no effort to do more than coop up the hopeless, the drug-addicted, the vicious — and the occasional visionary» («О степени цивилизованности общества можно судить по его

<sup>&</sup>lt;sup>1</sup> The Shinborn Star. 2019. 5 July. On the further "spiritualist" development of our story, see: *Vinitsky I*. Beyond a Reasonable Doubt: A Dostoyevsky Quote Revisited (LARB. 2020. 20 June) URL: https://lareviewofbooks.org/short-takes/beyond-reasonable-doubt-dostoyevsky-quote-revisited/ (дата обращения 13.08.2020)

<sup>&</sup>lt;sup>2</sup> Зинн X. США после Второй мировой войны / Сокр. пер. с англ. П. С. Белянина и др. М., 1977. С. 217; comp.: Zinn H. Postwar America. Indianapolis (IN), 1973. P. 217.

тюрьмам», — писал Достоевский в «Записках из мертвого дома». Ходорковский заявляет, что это коррумпированная система, которая почти или совсем не пытается сделать больше того, чем просто держать взаперти неисправимых, наркозависимых, порочных людей и, в отдельных случаях, мечтателей»). 1

Although Khodorkovsky never quotes Dostoyevsky's apocryphal words in his book, the ultimate goal of his prison memoir, as formulated in its introduction, seems to be informed by this American statement: «I wrote about the country in which our remarkable people continue to live in penury and without rights. And I wrote about a future Russia that we will be able to feel proud of without a trace of shame — the Russia that will ultimately take the road of European civilization. A road we all share» («<я> писал <o> стране, в которой живет наш замечательный народ в бесправии и нищете, и о той России, которой можно будет гордиться без привкуса стыда и которая в конце концов пойдет дорогой европейской цивилизации. Нашей общей дорогой»).²

Today, Russian politicians, activists, and journalists frequently use Dostoyevsky's alleged words to excoriate the Russian penal system. In turn, the Russian Federal Penitentiary Service adopted it as a kind of ideological décor. This «very fair statement» («очень правильная цитата»), as Yaroslav Nilov, a deputy of the State Duma, observes, hangs at the entrance of the women's penal colony in Kolosovka in Kaliningrad Province.<sup>3</sup> Another visitor of the colony suggested that «it is possibly due to this slogan that we are at 100% production сарасіту!» («Может, из-за этой надписи в Колосовке 100%-я загрузка всех производственных мощностей»).<sup>4</sup>

Russian bloggers — as well, as their American, French, and German counterparts — have been searching for the source of the quotation in Dostoyevsky's works for almost 10 years, to no avail.

<sup>&</sup>lt;sup>1</sup> Financial Times. 2014. 11 Apr.; see the Russian text here.

<sup>&</sup>lt;sup>2</sup> Khodorkovsky M. My Fellow Prisoners. New York, 2014; Ходорковский М. Тюремные люди. М., 2014.

<sup>&</sup>lt;sup>3</sup> Депутат Нилов: Проблемы с содержанием в тюрьмах есть даже в тех странах, где всё хорошо // https://kgd.ru/news/society/item/25842-deputat-nilov-problemy-s-soderzhaniem-v-tyurmah-est-dazhe-v-teh-stranah-gde-vsjo-horosho (обращение 24.07.2020).

<sup>&</sup>lt;sup>4</sup> *Хлебников В.* Дело за решеткой // RUGRAD. EU, 30 мая 2013. https://www.rugrad.eu/interview/596570/ (обращение 24.07.2020).

7

The phenomenon of a «fake Dostoyevsky» is by no means new. The most famous of his apocryphal savings, paraphrased earlier in this article, is that all Russian authors «came out of Gogol's 'Overcoat'». In 2013, Eric Naiman uncovered a magnificent English hoax dealing with Dostovevsky's alleged encounter with Charles Dickens.2 Yet, as we have seen, the American history of our quotation presents a very different case. It reveals not only the statement's origin and false attribution, but also the American reception of Dostovevsky and the differences between his and Western interpretations of prison. Whereas many liberal criminalists and reformers in the United States have tried to gradually improve the nation's penal system and a number of radical activists have condemned prison as an incorrigibly corrupt and oppressive bourgeois institution, Dostovevsky tended to view it as a horrible «house of the dead» which senselessly destroys «the most gifted, the strongest of our people,» yet provides chosen sufferers with a unique chance for miraculous spiritual epiphany and moral renewal.

Indeed, American culture can be tested by its treatment of Dostoyevsky as manifested in the history of our quotation. The aphorism, ideologically rooted in 18th-century Enlightenment thinking and falsely attributed to the author of «The House of the Dead» by American activists of the late 1960s, sums up the essence of US prison reform and protest movements, as well as the message of the era's prison literature. Sanctified by the name and cultural aura of the great anti-Western writer and former inmate, the quotation lent a universal ethical dimension to a targeted critique of the North American prison-industrial complex.

As Amy Ronner told me in discussing this matter, there is something about Dostoyevsky that makes American

¹ The French and Russian origins of these words were first traced by S. A. Reiser and, most recently and convincingly, by Aleksandr Dolinin in «Кто же сказал 'Все мы вышли из 'Шинели' Гоголя?'» (см.: Долинин А. А. «Гибель Запада» и другие мемы: Из истории расхожих идей и словесных формул. М., 2020. С. 124–134).

<sup>&</sup>lt;sup>2</sup> Naiman E. When Dickens Met Dostoevsky // Times Literary Supplement. 2013. 10 Apr.

criminologists and activists reach out to him for support: «Sometimes 'we' are so desperate to have him as our ally that we even construct (unintentionally?) a myth or falsehood. Why him?» I think that this sincere fascination with and unintended misprision of Dostoyevsky's «human rights'» writings can be explained by a unique American sensitivity to the existential issue of humiliated human dignity, which Dostoyevsky raised and portrayed in his post-prison novels so powerfully but interpreted in a framework very different from enlightened civilizationist ideologies. The real Dostoyevsky, then, is an alien to contemporary prison activists, who have, by force of necessity, converted him into a natural and desirable ally.

P. S. The quotation used as the second epigraph to this essay obviously does not (and could not) come from the writings of Michel Foucault, either in the original or in translation. However, no one can prevent its active proliferation once it falls on suitable ideological soil.

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