A Criminal Power

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WHAT IS the primary power of the law? This question is not as straightforward as it may seem, and the answer obviously changes with context and perspective. From the perspective of the “average, law-abiding” citizen, the law has the power to protect the populace, or to productively separate the innocent from the guilty. Such a perspective may seem naive to anyone who has been wrongfully convicted, though, or who is aware that the scales of justice are not equally balanced. The belief in the law as a neutral, objective, regulatory force is as much a fixture of romanticized American ideology as are the belief in unfettered class mobility, or the dream of the melting pot, or the fantasy of American exceptionalism. The law certainly has the effect of preserving the prevailing social order, whether or not that is its explicit intent. One of the ways it does so is by reifying popular associations between minority groups and criminal or illegal behavior. Michael Hames-Garcia summarizes a subfield of Critical Legal Studies known as “deviancy theory” which argues “that certain acts become ‘criminal’ in a process whose ultimate outcome is the criminalization of whole groups and subcultures. From a critical criminological perspective, the process of manufacturing deviancy becomes, through penalization, a method for separating members of disenfranchised or disfavored groups from the larger society.” Regardless of how deeply one wants to look for explanations, a simple fact exists in American society: the nation’s jails are disproportionately filled with young black men. To say that black men commit more crimes than other
demographic groups is simplistic, if not patently false. To say that they are more likely to be convicted of crimes is to approach the subject more subtly, and more accurately. The societal effect of this fact is that jails are associated with the black and brown people who fill them, and thus that criminality itself is associated with the black and brown people who are not in jail. Hollywood and television further distort this unfortunate and socially destructive perception, but they are not fully responsible for creating it.

One would like to think that the law itself does not cause racism, but to absolve the law of its complicity in perpetuating racism is to ignore reality, and American history. Slavery was upheld by law, even by the Supreme Court in the years immediately preceding the Civil War, and segregation persisted through so-called Jim Crow laws for nearly a century thereafter. As Ian Haney-López details in his book *White by Law*, U.S. citizenship was linked to whiteness from the late-eighteenth century through 1952. He notes how the courts enlisted social scientists to help define whiteness in legal terms in the early twentieth century, then abandoned scientific definitions of race in favor of “common knowledge,” or social definitions of race. He argues, “to say race is socially constructed is to conclude that race is at least partially legally produced. Put most starkly, law constructs race. Of course, it does so within the larger context of society, and so law is only one of many institutions and forces implicated in the formation of races. Moreover, as a complex set of institutions and ideas, ‘law’ intersects and interacts with the social knowledge about race in convoluted, unpredictable, sometimes self-contradictory ways.” In her recent book *What Blood Won’t Tell*, Ariela Gross concurs; taking the case of a slave who argued for her whiteness as a paradigm, she traces a similar history to the one Haney-López describes: “race may not be objectively observed. Instead it is a powerful ideology which came into being and changed forms at particular moments in history,” moments that she chronicles as a series of challenges to legal wisdom which culminate in her observation, “Fundamental to race is a hierarchy of power.” Haney-López similarly concludes, “The operation of law does far more than merely legalize race; it defines as well the spectrum of domination and subordination that constitutes race relations.”

The “convoluted, unpredictable, and self-contradictory” intersections of law and society that Hames-Garcia describes are myriad and often invisible. In Baldwin’s work, and in late-twentieth-century America generally, they frequently take the form of imbalanced rates of arrest and severity of sentencing based on racial identity. I am referring to the law again
in a wide range of its dimensions, from high court decisions through the behavior of police and corrections officers whose duty it is to enforce such decisions. Racial profiling by law enforcement officers, though not legal, is certainly a familiar and egregious dimension of the way the law can be used to “separat[e] members of disenfranchised groups from the larger society.” In recent decades, African Americans have wryly noted the tendency to be arrested or at least intimidated on the charge of DWB (“driving while black”). Others have noted a disparity in illegal drug sentencing between blacks and whites: possession of crack cocaine, for instance, which is more common among black drug users, carries a much stiffer sentence in most states than possession of powdered cocaine, more common among white drug users. What the law has the power to do in such cases is to construct figurative and literal barriers between racial groups while simultaneously reinforcing the stereotypical assumption that racial minorities are either criminals or potential criminals.

Imprisoned black authors in Baldwin’s lifetime occasionally represented their period of incarceration as positive, even when the circumstances of their arrest were unjust, or unjustified. Prison gave Malcolm X the opportunity to reform himself and to read and study in a way he would not have otherwise done; as he writes in *The Autobiography of Malcolm X*, “I don’t think anybody ever got more out of going to prison than I did. In fact, prison enabled me to study far more intensively than I would have if my life had gone differently and I had attended some college.” For Martin Luther King, writing from prison was a way to raise the political consciousness of his readers and to demonstrate his political solidarity with other members of the oppressed black community. George Jackson, in *Soledad Brother* (1970), also emphasizes the solidarity of the black community in prison, and Eldridge Cleaver in *Soul on Ice* (1968) uses the jail cell as a kind of platform to reinforce the connection between black militancy and the prison complex. Baldwin, however, never depicted incarceration in terms that could be considered even remotely positive, and even if he later regarded it as an opportunity to raise the public’s political consciousness or to create solidarity among African Americans, he never would have declared it worthwhile to serve time in order to do so. If there are important reasons for being arrested such as those Martin Luther King details in “Letter from Birmingham Jail” (1963) (“in order to arouse the conscience of the community”), they are outside the Baldwin oeuvre. Prison for Baldwin was always the most depraved space in human existence, and his characters’ consistent fear of it, and despondency if they are unfortunate enough to experience it, is consistent throughout his career,
but especially prominent in his first decade as a professional writer when his own fear and despondency were most evident.

Baldwin is generally excluded from studies of prison literature, though the field includes two of his own oft-cited nineteenth-century predecessors, Dickens and Dostoevsky. Definitions of twentieth-century prison literature have expanded to accommodate writers who imagine prison from an outside perspective as well as those who developed as writers in prison, such as Jimmy Santiago Baca or Edward Bunker. In his foundational study *The Victim as Criminal and Artist*, H. Bruce Franklin emphasizes that his work examines “‘common criminals’ whose understanding of their own situation developed as a direct consequence of their crime and punishment” as opposed to “those who were professional writers before they became convicts.”¹² This definition of prison literature has persisted, but the field of prison literature has grown to include professional writers such as Norman Mailer, John Cheever, and John Edgar Wideman who have written about prison through close contact with prisoners, as well as “uncommon criminals”—that is, incarcerated writers such as Leonard Peltier, Mumia Abu-Jamal, and Kathy Boudin—whose writing careers grew out of highly publicized cases. Since Baldwin’s time in prison was brief and since it occurred just as he was becoming a professional writer, he fits into both of Franklin’s categories, and thus neither. He definitely does not fit into the political reform mode in which the author has been imprisoned “for an act many readers would commend,”¹³ yet we can see in his early work the nascent development of a certain political attitude that will flourish in his later works: when incarceration is based on racial profiling, it should inspire outrage rather than despair so it can lead to political action and legal empowerment. In his 1963 essay “We Can Change the Country,” for instance, Baldwin writes, “I ask all of you to ask yourselves what would happen if Harlem refused to pay the rent for a month,” and adds, in italics for emphasis, “Some laws should not be obeyed” (CR 50). In his writings of the 1940s and 1950s, though, he has not yet formed this confidence, and the keynote is despair.

Baldwin’s initial engagement with the law was deeply personal and related to two facets of his early life in Harlem and his first period of exile in Paris: namely, the presence of the police on the streets of Harlem and the devastating effects of incarceration. Biographer David Leeming talks of two events in particular from Baldwin’s childhood that led to his lifelong fear of the police: one was being roughed up at the age of ten and the other was being “scared shitless” by policemen on horses at a May Day parade at the age of thirteen.¹⁴ As a way to escape the dangers of
the street—dangers represented by the cops as much as the criminals—Baldwin searches for personal spaces of refuge. His early works are dominated by the motif of the need to find a room of one’s own—a space where one can discover the self away from the threats of society, specifically the threat of being labeled a criminal, and assigned to the space that makes this label, as it were, concrete. Thus we see Peter in “Previous Condition” (1948), John in Go Tell It on the Mountain (1953), Baldwin himself in “Equal in Paris” (1955), and David and Giovanni in Giovanni’s Room (1956) discussing in detail their own dingy private spaces. Peter is evicted from his room by a landlady who threatens to call the police; Baldwin is removed from his hotel room by Paris police and taken to jail; Richard (John’s biological father) in Go Tell It on the Mountain is arrested for a crime he did not commit; and Giovanni is placed in jail and is on the verge of being executed at the novel’s conclusion. Baldwin’s early works implicitly argue that there is no safe haven, no room of one’s own that can shelter one from the law. The complex intersection of themes related to racism, persecution of homosexuality, poverty, the abandonment of religion, and the need for exile in Baldwin’s early works can be focused through a study of the law’s power as it intrudes upon the individual’s pursuit of self-improvement.

Baldwin scholars and biographers tend to point to three formative moments to define the origin of Baldwin’s story, three epiphanies that sketch out the portrait of this artist as a young man: (1) his violent conversion on the threshing floor of his church followed by his decision to leave the church, described in Go Tell It on the Mountain, The Amen Corner, and The Fire Next Time; (2) the incident in which he throws a water glass at a waitress in a New Jersey restaurant who refuses to serve him because he is black (discussed in “Notes of a Native Son” and reworked in many other works); and (3) his decision to leave New York for Paris, discussed in No Name in the Street and in numerous interviews. In his study Exiled in Paris James Campbell notes Baldwin’s claim for his own origin story, quoted from “Equal in Paris,” that his “life . . . began that year in Paris,” but Campbell uses the quotation to illustrate Baldwin’s promiscuity and profligacy; flanking the quotation are observations about how Baldwin brought a parade of “young French boyfriends” to his room as a way of breaking free from the morality of the church “with extreme fervor,” and observations about how Baldwin’s “motto” was “Go for broke.”

To someone unfamiliar with Baldwin’s work, it might sound from this description like Paris was a joyful, bacchanalian expatriate experience for the young author, that he had accessed the myths of Hemingway, of
Richard Wright, and of other American models who had gone to Paris to flourish as American literary artists, and to live life with an expatriate’s abandon. Although these features were certainly part of Baldwin’s experience, it is crucial to return this quotation from “Equal in Paris” to its proper context: his observation that his life began that year comes as a direct result of a vision change he experiences in prison. Paris is merely the location: the setting is jail. This self-described beginning of life as detailed in “Equal in Paris” is born of fear, despair, and bewilderment, not revelry.

In style and tone, “Equal in Paris” stands apart from the other so-called Paris essays in Notes of a Native Son for two main reasons. First and most striking is Baldwin’s use of the first-person singular pronoun. The other two Paris essays (“Encounter on the Seine: Black Meets Brown” and “A Question of Identity”) are characterized by broad generalizations about American expatriates and Parisians, and Baldwin relies heavily on his distancing trademark pronoun “one” in those essays. The other feature separating “Equal in Paris” from its companions is its raw emotion, contrasted with the emotionally neutral reportage that characterizes the other two essays. The personal nature and development of voice in this essay connect it to two of the strongest and most famous essays in Notes—the title essay and “Stranger in the Village”—and these features clear the path for his later, more ambitious attempts to master and reinvent the essay genre in Nobody Knows My Name, The Fire Next Time, No Name in the Street, and The Evidence of Things Not Seen. “Equal in Paris” has not received as much critical attention as other essays in the collection, but it marks an important shift in trajectory that results in the development of Baldwin’s voice and provides a paradigm for a theme that unifies his career. To quote fully the final line of “Equal in Paris”: “In some deep, black, stony, and liberating way, my life, in my own eyes, began during that first year in Paris” (NNS 158). It is deeply ironic, but fitting to my study, that the liberation of Baldwin’s voice occurs as a direct result of an eight-day stint in prison. The word “liberating” in this sentence cannot counterbalance the adjectives “deep” and “stony,” which strongly connote prison, and the other adjective, “black,” is the word that truly troubles Baldwin in this essay. The word “black” is situated within the imprisoning adjectives, buried rather than confronted.

Baldwin attempts to describe the central incident, nearly an anecdote, of “Equal in Paris,” in comic terms; he even refers to it as a “comic-opera” (NNS 139), and James Campbell refers to the essay as Baldwin’s “funniest piece,” although he acknowledges that its humor does not obscure its fundamental serious purpose. On December 19, 1949, Baldwin was arrested
and held in a French prison after a friend, evicted from a hotel, left a stolen sheet in his room. The police officers assured him that the incident was of minor or no importance, but they held him regardless. The essay chronicles Baldwin’s bewilderment: minutes turn into hours, and hours turn into days as he awaits a trial that seems like it will never arrive. Baldwin slows the pace of his essay nearly to a standstill in order to reveal his growing despondency, fear, and alienation from self. His attempts to write an essay reflecting the comic absurdity of the situation fail: his bitterness and anger swell under the surface of the essay. These burgeoning forces are so strong that they propel his entire writing career thereafter.

What Baldwin does not tell us in “Equal in Paris” is that the experience in a Paris jail, far from being the catalyst for his writing life, nearly killed him. As detailed in my introduction, Baldwin attempted to hang himself with a sheet, but the water pipe over which he threw his makeshift noose broke. Having lived through this suicide attempt, Baldwin omits it from his essay, but does give us some indication of his state of mind when he writes, “there was a real question in my mind as to which would end soonest, the Great Adventure or me” (NNS 141). The other element Baldwin omits from his essay is an overt connection between the force that kept him in a Paris jail cell for eight days and racism. The essay’s comic notes indicate Baldwin’s desperate attempts to write off the incident as a case of bad luck, of being in the wrong place at the wrong time, but the humiliation he experiences lays the foundation for the outrage that typifies the rest of his career, an outrage more frequently related to race than to poverty or to foreignness. In exile from America following his first-hand experience with racism, Baldwin is reluctant to admit that racism is not unique to America, and that prison is one means through which racism can be legally reinforced even in the famously liberal City of Lights. Baldwin takes pains in the essay to avoid ascribing his arrest to race; he writes, “That evening in the commissariat I was not a despised black man. . . . For them I was an American” (NNS 146). Yet Baldwin published this essay in 1955, and in June of 1954 he and his friend Themistocles Hoetis had also been arrested for no reason, this time in New York. On this occasion, according to Hoetis, Baldwin “screamed. All night long. . . . ‘I’m a nigger, they picked me up because I’m black.’”17 This screaming voice is muffled in “Equal in Paris.”

*Notes of a Native Son* contains many instances of Baldwin’s struggle with racial discrimination, so its apparent absence from “Equal in Paris” is curious, especially given the fact that he made the connection between racism and wrongful arrest so vociferously in New York the year before he
published “Equal in Paris,” and because other versions of wrongful arrest in Baldwin’s early work are so clearly linked to racism: Richard in *Go Tell It on the Mountain* kills himself after he is the victim of racial profiling, for instance. Perhaps Baldwin was eager to place this incident in the broadest possible context; as he insists in his introduction to *Nobody Knows My Name*, “In America, the color of my skin had stood between myself and me; in Europe, that barrier was down” (*Nobody* 11). He clearly wanted to see Paris as a place of integration, where no barriers divide the self. And yet there is a nagging sense under the surface of “Equal in Paris” that racism is one of the factors, if not the main factor, that contributed to Baldwin’s feelings of powerlessness. The absence of race from the essay might indicate that Baldwin felt it would do no good to draw attention to it as a relevant factor. Motivated only by fear, he had not yet developed outrage at the law’s power to discriminate, and this surprising faltering of Baldwin’s conviction can be interpreted by what Cornel West deems “the nihilism that increasingly pervades black communities. *Nihilism is to be understood here not as a philosophic doctrine that there are no rational grounds for legitimate standards or authority; it is, far more, the lived experience of coping with a life of horrifying meaninglessness, hopelessness, and (most important) lovelessness. The frightening result is a numbing detachment from others and a self-destructive disposition toward the world*” (italics West’s). Baldwin, having thoroughly rejected religion as hope and having not yet established his belief in the saving power of either art or love to the point that they could prevent despair, does indeed reflect the nihilism West identifies as pervasive. He was young, he was a foreigner, he had little money, and he hadn’t mastered the French language. These four factors combined with his race led Baldwin to be thrust into a rift he confronts throughout the Paris essays: namely, the black American’s tenuous connection to his ancestral African past.

In the face of being judged as just another poor American drifter as opposed to an ambitious author, Baldwin is forced to confront his status as a Westerner of African descent. The question is one of identity, but also of a delicately evoked history. Led deeper and deeper into the hellish bowels of the French prison system, he feels a victim of the extraordinary way in which society enforces its power structure through its legal, judicial, and penal systems. Incarceration forces Baldwin to begin to understand this power and his own powerlessness in the face of it. In prison he observes:

I was handcuffed again and led out of the Préfecture into the streets—it was dark now, it was still raining—and before the steps of the Pré-
fecture stood the great police wagon, doors facing me, wide open. The handcuffs were taken off, I entered the wagon, which was peculiarly constructed. It was divided by a narrow aisle, and on each side of the aisle was a series of narrow doors. These doors opened on a narrow cubicle, beyond which was a door which opened onto another narrow cubicle: three or four cubicles, each private, with a locking door. I was placed in one of them; I remember there was a small vent just above my head which let in a little light. The door of my cubicle was locked from the outside. I had no idea where this wagon was taking me and, as it began to move, I began to cry. (NNS 150)

This passage is sure to elicit the vision of an African slave taken from his native land, being put in an absurdly narrow vehicle, taken from a home he would not see again, and led, against his will, he knows not where. Baldwin’s response to the French prison testifies to what Foucault observes about prison construction in *Discipline and Punish* (“enclosed, segmented space, observed at every point, in which the individuals are inserted in a fixed place”) and anticipates a broader theme even than slavery: the related theme of legal power reinforcing social hierarchy. His arrest and prolonged imprisonment in Paris did not occur simply because he happened to be friends with a petty thief, but rather because of what might be called his “previous condition,” or the factors he cannot control, from society’s perspective: his race, his poverty, and his nationhood. The essay is about the lack of control over one’s destiny. To be “equal” is to be equally powerless wherever one goes.

In “Equal in Paris” Baldwin interprets his powerlessness most evidently in terms of poverty: he believes he is seen in terms of “the familiar poverty and disorder of that precarious group of people of whatever age, race, country, calling, or intention which Paris recognizes as *les étudiants* and sometimes, more ironically and precisely, as *les nonconformistes*” (NNS 142–43). It is the presence of the policemen that causes Baldwin to see himself as mainstream Parisians must see him, not as an intellectual and an aspiring writer, but as an outcast who does not belong, and who must be re-placed: as he is marched out of the hotel room with his friend, he imagines the scene from the point of view of the hotel proprietor: “And so we passed through the lobby, four of us, two of us very clearly criminal” (NNS 143). The very existence of police uniforms causes Baldwin and his friend to be labeled this way: the police presence immediately and irrevocably alters Baldwin’s identity. Having been labeled “criminal,” his fate is no longer in his control, and he contemplates his vulnerability in the
context of incarceration: “I am not speaking now of legality which, like most of the poor, I had never for an instant trusted, but of the tempera-
ment of the people with whom I had to deal” (NNS 144)—that is, the jail-
ers, judges, and police officers who held power over him. He observes, “It was quite clear to me that the Frenchmen in whose hands I found myself were no better or worse than their American counterparts. Certainly their uniforms frightened me quite as much, and their impersonality, and the threat, always very keenly felt by the poor, of violence, was as present in
that commissariat as it had ever been for me in any police station” (NNS 145). This observation adds another layer of meaning to the essay’s title, “Equal in Paris”—that is, the poor are treated equally poorly wherever they go—and it also reiterates the Baldwin theme that expatriation does not amount to escape: there is “no hiding place.” At the same time, he
has understood what it means to be disenfranchised—due to poverty, race, and foreignness—and the experience compromises his view of himself as a confident social and literary critic, advanced in the early essays of Notes, and as an honest man and a good writer, advanced in the preface to the volume and in the central essays.

The law, in the form of police officers acting according to the least rational interpretation of criminality, makes Baldwin keenly aware of the fear at the core of his being. Baldwin is frightened not only by the police officers but, in the alienating world of the prison cell, also afraid of his fel-
low prisoners: North Africans to whom he “could not make any gesture simply because they frightened [him]” (NNS 153) and other cellmates who warned him that he might mistakenly face the guillotine; he writes, “The best way of putting my reaction to this is to say that, though I knew they were teasing me, it was simply not possible for me to totally
disbelieve them. As far as I was concerned, once in the hands of the law in France, anything could happen” (NNS 154). The law, intended to be the most rational force holding together any society, becomes for Baldwin at this moment the most irrational force within society, one that would murder without remorse. His bewilderment and victimization not halfway into
his eight-day detention are only to develop and to cause him to change the way he views not only the law in France, but in Western society more broadly, and the ultimate powerlessness of individuals in response to it.

Baldwin is left with a fatalistic vision of humanity, in marked contrast to the cheerful optimism of the “Autobiographical Notes” at the begin-
ning of the collection where he states, “I want to be an honest man and a
good writer” (NNS 8). When he finally reaches the courtroom this phrase echoes hollowly; he observes
that all the people who were sentenced that day had made, or clearly were going to make, crime their career. This seemed to be the opinion of the judge, who scarcely looked at the prisoners or listened to them; it seemed to be the opinion of the prisoners, who scarcely bothered to speak in their own behalf; it seemed to be the opinion of the lawyers, state lawyers for the most part, who were defending them. The great impulse of the courtroom seemed to be to put these people where they could not be seen—and not because they were offended at the crimes, unless, indeed, they were offended that the crimes were so petty, but because they did not wish to know that their society could be counted on to produce, probably in greater and greater numbers, a whole body of people for whom crime was the only possible career. Any society inevitably produces its criminals, but a society at once rigid and unstable can do nothing whatever to alleviate the poverty of its lowest members, cannot present to the hypothetical young man at the crucial moment that so-well-advertised right path.” (NNS 155)

The fact that Baldwin has already chosen his own right path—honest man, good writer—seems irrelevant as he becomes aware of the immense and irrational power of the law to incarcerate the innocent, and to assign a preordained criminal identity to the poor, to the immigrants, and to the racial minorities. As Peter Caster writes, “Criminalization is . . . a jurisprudential process, not coincident with the commission of the crime but, rather, an effect of conviction. . . . Criminalization is thus a matter of interpellation, of being named.”20 Baldwin’s interest in naming, evident from the titles of his books Nobody Knows My Name and No Name in the Street, stems from the namelessness he experiences at this moment when the state has taken responsibility for his identity.

Baldwin’s perspective on prison and on the law in general as a society’s most invidious way to enforce its power structure in terms of race and class was just beginning to develop in “Equal in Paris,” though we can see evidence of it elsewhere in Notes of a Native Son. The first two essays in the collection—“Everybody’s Protest Novel” and “Many Thousands Gone,” about the artistic shortcomings of protest novels by Harriet Beecher Stowe and Richard Wright, respectively—are the essays in the collection that initially gained the most attention, and they continue to absorb Baldwin’s critics. Both Uncle Tom’s Cabin and Native Son are about the consequences of African Americans breaking the law. As Jon-Christian Suggs reminds us, “The very premise of the escaped slave’s tale is that she or he has broken the law,”21 and Stowe’s novel is built on the
genre of the slave narrative. Gregg D. Crane argues that “Stowe’s images of good-hearted and law-abiding Northerners confronted by weary and shivering fugitives in *Uncle Tom’s Cabin* were intended to and did bring home for many of her readers the momentous contest between conscience and law created by the Fugitive Slave Law.” In converting the slave narrative genre into the genre of the protest novel, according to Baldwin, Stowe fails to inspire true understanding in the reader, focusing instead on sentimentality and guilt. What is interesting about Baldwin’s language in the essay is the prominence of prison metaphors in describing the human and American conditions. Protest novels, according to Baldwin, “emerge for what they are: a mirror of our confusion, dishonesty, panic trapped and immobilized in the sunlit prison of the American dream” (*NNS* 19). He also speaks of the “cage of reality” (*NNS* 20, 21) that determines the fate of individuals deemed inferior by society. Protest novels are not the keys to unlock these prisons and cages, according to Baldwin; in fact, these novels are partially responsible for constructing the cages because they fail to bring us closer to the crucial concept of truth: “truth, as used here, is meant to imply a devotion to the human being, his freedom and fulfillment; freedom which cannot be legislated, fulfillment which cannot be charted” (*NNS* 15). Baldwin is reaching for a lofty, abstract notion of freedom here and elsewhere in his early work. In doing so, he refuses to equate freedom with something granted by law, something “legislated.” Part of this perspective is optimism: he wants to think of freedom as something that is above the law. His prison experience, of course, weighs on this idea with heavy irony.

Baldwin’s criticism of Wright’s *Native Son* is even more focused in terms of the law, for Bigger Thomas, Wright’s antihero, is an undisputed criminal whose trial occupies a considerable portion of the novel. In “Many Thousands Gone” Baldwin begins to develop his theory that the fate of black Americans and the fate of white Americans are intertwined, and that to separate them through such means as incarceration is to use legal power to deny the truth and basis of American race relations. Wright’s main flaw, in Baldwin’s estimation, is that he approaches Bigger as a sociologist would rather than a novelist should. Bigger is not allowed to develop his voice, particularly in the legal arena of the courtroom; Baldwin writes, “It is useless to say to the courtroom in which this heathen sits on trial that he is [the white Americans’] responsibility, their creation, and his crimes are theirs; and that they ought, therefore, to allow him to live, to make articulate to himself behind the walls of prison the meaning of his existence. . . . Moreover, the courtroom, judge, jury, wit-
nesses and spectators, recognize immediately that Bigger is their creation and they recognize this not only with hatred and fear and guilt and the resulting fury of self-righteousness but also with that morbid fullness of pride mixed with horror with which one regards the extent and power of one’s wickedness” (NNS 43). This observation links Baldwin’s critique of Native Son to his own experience in the French prison: in both cases, he understands how courtrooms and prisons function to manufacture a scapegoat who can serve to preserve society’s power structure. In “Equal in Paris” he feels a victim of the notion that “any society inevitably produces its criminals” (NNS 155), and he sees the same idea in Native Son. In both cases there is no possibility for self-determination. Like Bigger, he is denied the opportunity to speak on his own behalf in the French courtroom, and he observes the way judges, juries, and witnesses condemn the accused anyway. If criminals are nothing more or less than criminals, in literature as well as in life, then there is no hope that their humanity can be fully developed. Baldwin believes that literature should be the realm where the accused, whether guilty or innocent, should have the opportunity to become human. His reaction to Wright’s novel may not only have been a statement of his own aesthetic, but an enraged solidarity with Bigger Thomas born of Baldwin’s experience in a French prison: unable to speak, both Baldwin and Bigger are rendered powerless by the massive grinding wheels of the justice system. And yet he wants desperately to distance himself from Bigger, a “heathen” whose very real and absolutely sickening crime repulses Baldwin, as it does all readers. If “receiving stolen goods” lands a black man in jail just as rape and murder do, then the law is a racist, dehumanizing force that puts Baldwin and Bigger in the same cell. Baldwin and Bigger are thus “equal” in Paris, and everywhere else in the Western world. Baldwin’s individually created identity is destroyed in favor of a racial identity that labels him a criminal.

If he has any power in the aftermath of his humiliating prison incident, it is the power to rewrite his experience in a voice less naturalistic than Wright’s, if no less passionate. Baldwin’s early fiction also reveals his fear of the law enforcement officer’s power to destroy the individual. Even before his arrest in Paris—which he implies was not his first encounter with the police—Baldwin demonstrated how seemingly confident and angry characters like Peter in “Previous Condition” and Richard in Go Tell It on the Mountain are driven to despair when they confront the police. Both Peter and Richard resemble Baldwin in that they are trying to forge a respectable identity by engaging with the artistic creations associated with the finest aspects of white culture. They also resemble two potential
outcomes of Baldwin’s experience in the Paris prison. Peter retreats to the world from which he has tried to escape and ends his identity quest by giving up, telling a Harlem barfly, “I got no story” (GM 100). Richard commits suicide, ending his hopeful identity quest, but somehow passing along his legacy to the novel’s protagonist John Grimes. John, in this sense, is the side of Baldwin that lived while Richard represents the side that would have died if the water pipe in the Grand Hôtel du Bac had not burst. Peter inhabits a paralyzed limbo between these two outcomes.

“Previous Condition” was published before the incident described in “Equal in Paris,” but it reveals Baldwin’s awareness of the power of the law even before he arrived in Paris. Baldwin’s first published work of fiction clearly derives from the incident he describes in “Notes of a Native Son” and elsewhere throughout his career when he threw a water glass at a waitress who refused to serve him in a segregated New Jersey restaurant. In “Previous Condition” the waitress is recast as a landlady. Peter illustrates Baldwin’s assertion from “Many Thousands Gone”—that “no American Negro exists who does not have his private Bigger Thomas living in the skull” (NNS 42). He defines this condition further, strongly echoing Du Bois’s definition of double consciousness advanced in The Souls of Black Folk:

no Negro living in America who has not felt, briefly or for long periods, with anguish sharp or dull, in varying degrees and to varying effect, simple, naked and unanswerable hatred; who has not wanted to smash any white face he may encounter in a day, to violate, out of motives of the cruelest vengeance, their women, to break the bodies of all white people and bring them low, as low as that dust into which he himself has been and is being trampled; no Negro, finally, who has not had to make his own precarious adjustment to the ‘nigger’ who surrounds him and to the ‘nigger’ in himself. (NNS 38)

This rage, in response to racial oppression, is clearly at play when Baldwin throws the glass at the New Jersey waitress, stating, in the film documentary The Price of the Ticket, “I wanted to kill her, but I couldn’t get close enough.” It is also at play when Peter, confronting the racist landlady who wants to evict him, says twice, “I wanted to kill her” (GM 91) and elaborates: “I wanted to take a club, a hatchet, and bring it down with all my weight, splitting her skull down the middle where she parted her iron-grey hair” (GM 91). We see in Peter’s speech not only an echo of Bigger Thomas (whose murder of Mary Dalton is compounded by decapita-
tion), but a foreshadowing of Baldwin’s later characters such as Richard in *Blues for Mister Charlie* or Rufus in *Another Country* whose anti-white hostility eventually leads to their own deaths. Peter doesn’t act on his rage, though, partly because he has made the “precarious adjustment” Baldwin speaks of in “Many Thousands Gone,” but also largely because the landlady threatens him with the most effective weapon she has: “If you don’t get out,’ she said, ‘I’ll get a policeman to put you out’” (GM 92).

Peter reveals that his life has been undergoing this “precarious adjustment” for some time, and part of that adjustment involves finding an outlet for his rage that will not land him in prison. Like his earnest expatriate creator who wants to become an honest man and a good writer, Peter has committed himself to acting; yet this acting is a dubious stab at identity formation, especially since he is so often typecast in stereotypical black roles, including “a kind of intellectual Uncle Tom” (GM 83) and “the lead in *Native Son*” (GM 95), allusions to the two protest novels Baldwin scorns in the first two essays in *Notes*. Peter’s acting is also parallel to adjustments he must make so that he is not typecast by the police; he admits,

I’d learned to get by. I’d learned never to be belligerent with policemen, for instance. No matter who was right, I was certain to be wrong. What might be accepted as just good old American independence in someone else would be insufferable arrogance in me. After the first few times I realized that I had to play smart, to act out the role I was expected to play. I only had one head and it was too easy to get it broken. When I faced a policeman I acted like I didn’t know a thing. I let my jaw drop and I let my eyes get big. I didn’t give him any smart answers, none of the crap about my rights. I figured out what answers he wanted and I gave them to him. I never let him think he wasn’t king. If it was more than routine, if I was picked up on suspicion of robbery or murder in the neighborhood, I looked as humble as I could and kept my mouth shut and prayed. I took a couple of beatings, but I stayed out of prison and I stayed off chain gangs. (GM 89)

Peter’s survival depends upon this conviction that police power supersedes legal power: he knows better than to talk about his rights, which amount to “crap.” His admission shows that he is practical, but also that his ability to act, to “play smart, to act out the role [he] was expected to play,” is a form of equivocation or dissembling. His girlfriend Ida responds off-handedly to his strategy for keeping out of prison and off chain gangs, and
Peter’s response is, “You mean you think I’m a coward?” (GM 89). He is afraid that he has compromised his identity, his place in the world, by conceding to police power and refusing to advocate for his rights.

In fact, he does have the legal right to rent any apartment in the United States: according to the Civil Rights Act of 1866, property owners cannot discriminate against renters or buyers based on race. However, it was common practice to discriminate against renters based on their race or ethnicity before the Supreme Court decision of 1968 known as Jones vs. Alfred H. Mayer Co. in which the court decided that the second section of the Thirteenth Amendment could be used in such cases to give Congress the power to enforce this law. In the period between these years, race-based discrimination in property law was made possible through a series of “restrictive covenants” which were originally determined by states, but which later could be applied to cities, even to blocks within cities or to individual buildings. Restrictive covenants proliferated from 1926 (following the Supreme Court decision in Corrigan v. Buckley) through 1948, the year Baldwin published “Previous Condition,” until the U.S. Supreme Court reversed a decision by the Missouri Supreme Court known as Shelley v. Kraemer; according to David Delaney, “The gist of the opinion was that judicial enforcement of the racist contracts counted as ‘state action’ and therefore violated constitutional rights of equal protection. Restrictive covenants were thereby invalidated as legal techniques for shaping geographies of race and racism.”

Delaney dubs the period between 1926 and 1948 as “the era of changed conditions,” so named because the most common way to legitimate restrictive covenants was through the line of argument known as “changed conditions”—a slippery term that allowed small courts to argue that local circumstances related to the change in the racial makeup of a neighborhood constituted special cases. The phrase “changed conditions” is a way to interpret the title of “Previous Condition.”

Peter, in the late 1940s when the debate over restrictive covenants was reaching a boiling point, understands that he might be able to argue for his legal right to live in this room, but also that the case would be long and costly. He exclaims to his friend Jules, “Can’t I get a place to sleep without dragging it through the courts?” (GM 93). To Ida’s suggestion about Peter’s landlady, “We can sue her,” Peter replies, “Forget it. I’ll end up with lawsuits in every state in the union” (GM 96). The courtroom clearly offers no salvation for someone like Peter even if he has the means to hire a lawyer. (Ida claims they can “waste some of [her] husband’s money” (GM 96) on the suit). Courtroom trials are not an arena he knows; the
police, though, are a clear enough symbol of power. When he returns to Harlem at the end of the story, he observes, “There were white mounted policemen in the streets. On every block there was another policeman on foot. I saw a black cop” (GM 99). The absolute power of policemen is enough to deflate this enraged young man’s budding identity: after the landlady threatens to call them, Peter attempts to keep up his show of bravado, but fails: “I tried to take as long as possible but I cut myself while shaving because I was afraid she would come back upstairs with a policeman” (GM 92). This self-inflicted wound, born of fear of policemen and prisons, prefigures Baldwin’s suicide attempt under the same circumstances a year after the publication of this story: in both cases, the act of harming oneself is born of an instinctive, desperate desire to escape the law’s power.

“Previous Condition” showcases Peter’s attempt to find refuge from the streets where there are policemen “on every block.” The story’s first sentence shows him waking up, “alone in my room,” and it is a room described as “dirty” (GM 84), “heavy ceilinged, perfectly square, with walls the color of chipped dry blood . . . hideous . . . the kind of room that defeated you” (GM 84). And yet it is at least initially a private space where he can smoke cigarettes and listen to Beethoven. The threatened invasion of the room by the police makes sense of Peter’s dream at the beginning of the story: in that dream he is running because there is no hiding place, no room of his own. Though confining, the room is paradoxically a space of freedom or protection, or rather it is intended to be. As such, it is a metaphor for Peter’s identity quest: his hope that he can determine his own fate is compromised by his nation’s prejudices just as his hope that he can dwell in a private room is compromised by the power of the police to evict him, even if he is right, or has rights. He tries to convince himself that this circumstance is not a tragedy; he tells himself, “What’s the worst thing that can happen? You won’t have a room. The world’s full of rooms” (GM 91). This bravado is deflated by the fact that he has no room at the end of the story, and moreover, by his own admission in the story’s haunting final line, he’s got no story. The survival skill he has cultivated to acquiesce to or run from the police has its price.

Yet Peter is alive at the end of his story, and he can cling to the belief that there are other rooms for him in the world. John Grimes’s quest in Go Tell It on the Mountain is also to forge an identity in the white world apart from the dangerous streets of his youth. His father’s house is clearly not the safe space he seeks, nor is the church, the Temple of the Fire Baptized, due to its associations with his father and its restrictive prohibitions
of the material world John desires. The church is, of course, more rule-bound than the world in general is. In one of the novel’s early scenes Elisha is essentially sentenced in front of the entire church because he has been accused of “walking disorderly” with another church youth, Ella Mae (GTI 16). This is one of the reasons John may feel that he and the other youths are “oppressed by their elders” (GTI 14) who preside over them according to the absolute authority of their interpretation of the church’s laws. C. W. E. Bigsby notes, “Rejection of God is a natural extension of rebellion against the power of the state,” but the relationship is actually reversed here: John must first reject the power of the church before he even becomes aware that the state has power. At the beginning of the novel he is only aware of the pleasures of the world outside his father’s church, not of its legal power structure: “there awaited him, one day, a house like his father’s house, and a church like his father’s, and a job like his father’s, where he would grow old and black with hunger and toil. The way of the cross had given him a belly filled with wind and had bent his mother’s back; they had never worn fine clothes, but here [on Broadway], where the buildings contested God’s power and where the men and women did not fear God, here he might eat and drink to his heart’s content and clothe his body with wondrous fabrics, rich to the eye and pleasing to the touch” (GTI 34). The narrowness and filth of his house contrasts with the glories of midtown Manhattan, and John clearly seeks a private space in the latter; yet he does not know how to access such a space. At the end of the novel he announces, “I’m ready . . . I’m coming. I’m on my way” (GTI 221), but that is the extent of his plan.

Two clear alternatives to forming a life outside of the filthy rooms of his youth are represented in the early sections of the book by his father and his brother Roy, both of whom are angry at the white world in general. His father’s belligerence manifests itself in abusing his family. Roy takes his anger to the streets: his mother warns him that he is headed “right on down to hell where it looks like you is just determined to go anyhow! Right on, Mister Man, till somebody puts a knife in you, or takes you off to jail!” (GTI 24). Roy responds, “I ain’t looking to go to no jail. You think that’s all that’s in the world is jails and churches? You ought to know better than that, Ma” (GTI 25). The alternative to prison Elizabeth had posited, though, is not church, but the prophecy that someone would stab Roy with a knife, which happens just a few hours later. (This was also the fate of Gabriel’s first son through his affair with Esther, also named Royal.) Peter in “Previous Condition” only wanted to avoid prison and chain gangs; John in Go Tell It seeks to avoid his brother’s destiny
(stabbing) and his stepfather’s destiny (church). Yet his mother’s admonition that jail offers a third alternative to be avoided is represented in her “prayer,” the section of the novel devoted to her past, specifically to her connection to John’s biological father, Richard.

Though it comprises a relatively small space in the novel, the narrative of Richard’s life, often bypassed by critics in favor of John’s or Gabriel’s narratives, is crucial. From Elizabeth’s perspective, the interlude of her life involving Richard represents God’s punishment: “being forced to choose between Richard and God, she could only, even with weeping, have turned away from God. And this was why God had taken him from her. It was for all of this that she was paying now, and it was this pride, hatred, bitterness, lust—this folly, this corruption—of which her son was heir” (GTI 158). Like John, Elizabeth was compelled to choose between God and between the “sinful” alternative, the godless lover who at one point says of Jesus, “You can tell that puking bastard to kiss my big black ass” (GTI 163). Yet her fatalistic interpretation of Richard’s death seems less attributable to God than to a corrupt justice system in which racist cops and biased accusers conspire to destroy the soul of a poor, uneducated black man who is trying desperately to access the cultural institutions of the white world. Elizabeth blames herself repeatedly, especially in the following sentences: “What was coming would surely come; nothing could stop it. She had tried, once, to protect someone and had only hurled him into prison” (GTI 175). The implication of the second sentence is that she was directly responsible for Richard’s tragic imprisonment, but an objective observer can clearly see the fault in the broken justice system that is indifferent to Elizabeth’s actions.

The love affair between Elizabeth and Richard is the purest in the book, the only one that highlights mutual respect and unselfish devotion. Elizabeth ironically describes love itself as a kind of prison in contrast to the material prisons that surround her: “She sensed that what her aunt spoke of as love was something else—a bribe, a threat, an indecent will to power. She knew that the kind of imprisonment that love might impose was also, mysteriously, a freedom for the soul and spirit, was water in the dry place, and had nothing to do with the prisons, churches, laws, rewards, and punishments that so positively cluttered the landscape of her aunt’s mind” (GTI 158). If Elizabeth believes that love is a kind of salvation expressed as “imprisonment,” Richard’s fate is cynical indeed, and the author’s cynicism in the creation and suicide of this character is certainly born of his own experience in prison that led to the deepest despair he ever felt.
Richard resembles Baldwin on a number of levels: both are prickly intellectuals, impressed with the art and artifacts of the white world, angry at the fact that they must work to gain access to this art, and ambitious to build on their anger in order to achieve respect; Richard says, “I just decided me one day that I was going to get to know everything them white bastards knew, and I was going to get to know it better than them, so could no white son-of-a-bitch nowhere never talk me down, and never make me feel like I was dirt, when I could read him the alphabet, back, front, and sideways” (GTI 167). His knowledge coupled with this bravado makes Richard seem like a survivor. Yet the event that reduces his confident façade to rubble is his arrest and imprisonment for a crime he did not commit.

In the scene surrounding Richard’s arrest, we see a direct echo of the anger Peter from “Previous Condition” felt toward the white landlady who threatened to call the cops to evict him, but here the anger is transferred from the victim (Richard) to his loved one (Elizabeth). Sexually harassed by the white police officers who arrested Richard, Elizabeth meditates on their (phallic) symbols of power, then is consumed by virtually the same revenge fantasies Peter expressed: “She found herself fascinated by the gun in his holster, the club at his side. She wanted to take that pistol and empty it into his round, red face; to take that club and strike with all her strength against the base of his skull where his cap ended, until the ugly, silky, white man’s hair was matted with blood and brains” (GTI 169). This graphic fantasy of violence directed at a white authority figure proves how deeply Baldwin linked racism to wrongful arrest. Here he overcomes the impulse in “Equal in Paris” to leave race out of the power dynamic: Richard is arrested because he is black, and the police and the accuser make no secret about this fact. When Elizabeth asks the police officer why Richard has been arrested, he responds, “For robbing a white man’s store, black girl” (GTI 169) and when Richard tells the accuser that he wasn’t at the scene of the crime, the accuser responds, “You black bastards . . . you’re all the same” (GTI 171). Baldwin also adds a sexual dimension to this power dynamic: as the policemen repeatedly make suggestive comments to Elizabeth, she becomes aware of the way she must respond: “She knew that there was nothing to be gained by talking to them any more. She was entirely in their power; she would have to think faster than they could think; she would have to contain her fear and her hatred, and find out what could be done” (GTI 170). Her response is similar to Peter’s understanding that silence is his only recourse when faced with the law’s power.
If Elizabeth and Peter represent the fast-thinking, shrewd side of Baldwin when facing the police, Richard represents his fearful, despairing side. As if the psychological torment of being arrested isn’t enough, Richard has been physically brutalized when Elizabeth visits him in prison (prefiguring the fate of Tony Maynard in No Name in the Street): “He had been beaten, he whispered to her, and he could hardly walk. His body, she later discovered, bore almost no bruises, but was full of strange, painful swellings, and there was a welt above one eye” (GTI 170). We later learn that he had been beaten because he refused to sign a confession for a crime he did not commit. The addition of a physical element to the psychological torment of wrongful imprisonment makes the experience of incarceration more immediate to the reader. The fact that Richard’s wounds are nearly invisible demonstrates how efficient the police are at exercising their criminal power: even if justice is served and the accused is found innocent, the damage has been done.

Compounding the actual damage done is Richard’s realization that all of this would happen: as soon as he sees white men chasing black men in the subway just prior to his arrest, “he knew that whatever the trouble was, it was now his trouble also; for these white men would make no distinction between him and the three boys they were after” (GTI 171). The perpetrators of the crime do not initially rush to Richard’s defense because “they probably also felt that it would be useless to speak” (GTI 171). Like Elizabeth, their only recourse when talking to the arresting officers is silence; even when they speak for Richard’s innocence in the station, “they were not believed” (GTI 171). Race may be the reason Richard is arrested, but poverty is the reason he will not receive a fair trial. Realizing this, Elizabeth “sat before him, going over in her mind all the things she might do to raise money, even to going on the streets” (GTI 172). Illegal behavior is the only viable way to combat the criminal power that Elizabeth and Richard are confronted with, but it seems futile. The power of the courts, in Richard’s thoroughly jaundiced view, is even greater than the power of God; he sarcastically suggests, “‘Maybe you ought to pray to that Jesus of yours and get Him to come down and tell these white men something.’ He looked at her a long, dying moment. ‘Because I don’t know nothing else to do’” (GTI 172). Richard’s realization that he has no viable options echoes in Elizabeth’s mind on the same page, and she, like Peter, is thrust out onto the streets away from any safe domestic space: “In the streets she did not know what to do. . . . She looked out into the quiet, sunny streets, and for the first time in her life, she hated it all—the white city, the white world” (GTI 172–173).
Richard is released from prison due to lack of evidence, and like Baldwin in Paris, the legal world seems either indifferent to or sadistic about his plight: “The courtroom seemed to feel, with some complacency and some disappointment, that it was his great good luck to be let off so easily” (GTI 173). Hoping for a safe space away from the jail cell and the streets, Elizabeth and Richard “went immediately to his room” (GTI 173), but its safety and sanctity have been destroyed by the police and the courts. Richard weeps in despair and when Elizabeth touches him she discovers that “his body was like iron” (GTI 174), demonstrating how thoroughly the prison has gotten into his system. The experience overwhelms him as it did Baldwin: “That night he cut his wrists with his razor and he was found in the morning by his landlady, his eyes staring upward with no light, dead among the scarlet sheets” (GTI 173). In Richard’s bloody, tragic end, the image of the sheet is once again associated with death, and a landlady looms over the scene, a haunting reminder of the landlady who substituted for the police in “Previous Condition.” Perhaps the most defiant rendition of this character we have seen yet, Richard is brought lower than the others here, and his suicide against the backdrop of a sheet confirms that, because of the law’s invasive power, no room is safe.

Baldwin explores the metaphorical dimensions of rooms in great detail in Giovanni’s Room, his novel that pays the least attention to race relations. In keeping with Giovanni’s Room’s emphasis on interiority, the law in this novel is initially reflected inside the protagonist David who declares, “My crime, in some odd way, is in being a man” (GR 95), an idea Baldwin earlier develops in the essay “The Male Prison” (1954). David’s statement is incomplete, though, just as his confession throughout Giovanni’s Room is never fully formed: his crime is not in being a man, but in failing to admit his homosexuality in a culture that adheres to heterosexist definitions of manhood. The other dimension of David’s halting admission of criminality, though, is that homosexuality was indeed criminal behavior in 1956 when the novel was published. Most states had anti-sodomy laws on the books, though many were not enforced. These laws were not deemed unconstitutional until 2002 in the Supreme Court case Lawrence et al. vs. Texas. When Giovanni says to David, “We have not committed any crime,” the guilty American lover replies, “it is a crime—in my country and, after all, I didn’t grow up here, I grew up there” (GR 107). Giovanni responds, “If your countrymen think that privacy is a crime, so much the worse for your country” (GR 107–8). His interpretation that the law criminalizes privacy rather than homosexuality is telling: David has absorbed the message of his country’s laws and transferred them to his own set of
beliefs, which means that, for him, privacy and the possibility for homosexual love are simultaneously forbidden. Public judgment and criminal activity become synonymous for David, and the word “guilt” amounts to his admission of sin and crime.

We can see in Giovanni’s Room Baldwin reworking his Paris jail experience in another way. Richard in Go Tell It on the Mountain represents the suicide outcome, but Baldwin had begun to imagine the redemptive power of love as another outcome. In two reworkings of “Equal in Paris” unpublished in Baldwin’s lifetime—the television play Dark Runner and a short story entitled “Equal in Paris,” both co-written with Sol Stein and recently published in Native Sons (2005)—Baldwin added a female love interest to the story. Both of these fictionalized scenarios end, rather improbably, with the protagonist, just released from prison, reuniting with a young woman named Sidds whose love presumably will help erase the pain of wrongful imprisonment. As Baldwin translates his experience into fiction, imprisonment has two outcomes: suicidal despair or the hopefulness of love. In Giovanni’s Room both of these elements are present, but Baldwin varies and rearranges the formula in order to explore the theme in detail: the rejection of love leads to despair, which manifests itself in Giovanni’s imprisonment and death sentence, a form of suicide. As David realizes, “Perhaps he wanted to die. He pleaded guilty” (GR 208). David allows the French justice system to absolve him of his own guilt with one clean drop of the guillotine’s blade, but the novel is in fact a study in how false such a resolution is.

David’s situation in Paris initially echoes Baldwin’s experience in overt ways: emphasizing his own poverty repeatedly, David tells Giovanni during their initial meeting, “My hotel wants to throw me out” (GR 62). Giovanni later invites him back to his room, arguing, “There is certainly no point in going home now, to face an ugly concierge and then go to sleep in that room all by yourself and then wake up later with a terrible stomach and a sour mouth, wanting to commit suicide” (GR 85). David later provides an admission that explains Baldwin’s own rationalization about his suicide attempt: “I had thought of suicide when I was much younger, as, possibly, we all have, but then it would have been for revenge, it would have been my way of informing the world how awfully it had made me suffer” (GR 136). The skeleton of the “Equal in Paris” story in place, with a poor young American being thrown out of a hotel and contemplating suicide, Baldwin then develops the interrelationship of the criminal power of the state and the failure of the individual to act courageously.
If “Equal in Paris,” “Previous Condition,” and Richard’s narrative in *Go Tell It* are the stories of how the individual’s sense of safety is violated by the law’s power, *Giovanni’s Room* is the story of how that sense of safety is and always has been an illusion. Public safety is ostensibly the main goal of the law as it is represented by police on the street, and David uses that public safety as an excuse to validate his own need for personal safety, the safe choice of rejecting the love that his countrymen have criminalized. In a telling paragraph he reveals that the reason he loves Paris “so much” is because of its walls, the barriers that separate the private world of the French middle class from the public world of the streets: “Those walls, those shuttered windows held them in and protected them against the darkness and the long moan of this long night. Ten years hence, little Jean Pierre or Marie might find themselves out here beside the river and wonder, like me, how they had fallen out of the web of safety” (*GR* 137). We see this same imagery when David is wrestling with his personal demons as Giovanni is about to be executed: “Walls, windows, mirrors, water, the night outside—they are everywhere. I might call—as Giovanni, at this moment lying in his cell, might call. But no one will hear. I might try to explain. Giovanni tried to explain. I might ask to be forgiven—if I could name and face my crime, if there were anything or anybody anywhere with the power to forgive” (*GR* 148). The wall imagery that pervades the latter half of the novel represents the division between the public and the private, but also the division between the criminal and the free. At this moment David fully realizes his complicity in Giovanni’s crime and feels as though he is in the same jail cell.

This feeling of empathy leads David, who has struggled to lead an upright life in the eyes of society, into a meditation on prison that further develops the image of the wall:

I walk up and down this house—up and down this house. I think of prison. Long ago, before I had ever met Giovanni, I met a man at a party at Jacques’ house who was celebrated because he had spent half his life in prison. He had then written a book about it which displeased the prison authorities and won a literary prize. But this man’s life was over. He was fond of saying that, since to be in prison was simply not to live, the death penalty was the only merciful verdict any jury could deliver. I remember thinking that, in effect, he had never left prison. Prison was all that was real to him; he could speak of nothing else. All his movements, even to the lighting of a cigarette, were stealthy, wherever his eyes focused one saw a wall rise up. His face, the color of his face brought to mind darkness and dampness, I felt that if one cut him,
his flesh would be the flesh of mushrooms. And he described to us in avid, nostalgic detail the barred windows, the barred doors, the judas, the guards standing at far ends of corridors, under the light. It is three tiers high inside the prison and everything is the color of gunmetal. Everything is dark and cold, except for those patches of light, where authority stands. (GR 149)

The passage, which continues to contemplate the prison cell, is striking for its tactile and visual detail, especially coming from David who is generally adept at distancing himself from unpleasantness. As Kathleen Drowne points out, “For the most part, the physical places described in Giovanni’s Room are dark and dirty and close; virtually every indoor scene is characterized by a feeling of airlessness, and the characters often seem on the verge of suffocation.” Giovanni accuses David of sharing the American trait of wanting everything to be clean, orderly, and light (GR 187), which is why David rejects Giovanni’s disorderly and filthy room. In fact, this meditation on prison leads David back to a contemplation of the room: “I wonder about the size of Giovanni’s cell. I wonder if it is bigger than his room” (GR 150). The private space that contained their love affair is here directly linked to the alienated space of incarceration in David’s mind, and presumably in Giovanni’s experience: “Whether he is with others or not, he is certainly alone. I try to see him, his back to me, standing at the window of his cell. From where he is perhaps he can only see the opposite wing of the prison; perhaps, by straining a little, just over the high wall, a patch of the street outside” (GR 150–51). David is attempting here to peer over the walls of the prison, and even to imagine himself inside Giovanni’s cell with him. But he is also aware of his participation in building the walls that separate them. This connection and separation between Giovanni and David is the central theme of the novel as it is manifested in the room as metaphor. The penal system has evolved an elaborate mechanism for what Foucault calls “the principle of elementary location or partitioning. Each individual has his own place; and each place its individual. . . . Disciplinary space tends to be divided into as many sections as there are bodies or elements to be distributed.” Having largely subscribed to the values of his society that disciplines prisoners this way, it is no surprise that David translates the logic of the prison to his relationship with Giovanni: most notably, it is Giovanni’s room, in David’s mind and in the novel’s title, and it never becomes a shared space.

The walls that David helps to build are in fact related to the walls of the prison. As Giovanni tells David, homosexuality is not a crime in Paris; however, the law has a way of displaying public distaste for homosexual-
ity even though it is not illegal. We learn early on in the novel of one of Jacques’ favorite bars, “Every once in a while it was raided by the police” (GR 37), an act that is explained after Giovanni has apparently murdered Guillaume: “Plainclothes policemen descended on the quarter, asking to see everyone’s papers, and the bars were emptied of tapettes [derogatory term for homosexual men]. . . . Most of the men picked up in connection with this crime [Guillaume’s murder] were not picked up on suspicion of murder. They were picked up on suspicion of having what the French, with a delicacy I take to be sardonic, call les gouts particuliers. These ‘tastes,’ which do not constitute a crime in France, are nevertheless regarded with extreme disapprobation by the bulk of the populace” (GR 197–98). If one homosexual allegedly killed another homosexual, the effect of the police raid is not only to find and arrest the murderer, but to “out” the men who frequent this bar who might otherwise be considered respectable heterosexuals: “Fathers of families, sons of great houses, and itching adventurers from Belleville were all desperately anxious that the case be closed, so that things might, in effect, go back to normal and the dreadful whiplash of public morality not fall on their backs” (GR 198). This passage emphasizes the connection between law enforcement and public approval or disapproval.

The law is ostensibly based on public approval or disapproval, and Baldwin reveals an understanding of the way the general public and law enforcement officers participate in the same processes of vigilance. When David observes that “it was astonishing that in so small and policed a city [Giovanni] should prove so hard to find” (GR 201), the “policing” he speaks of involves the community as well as the actual police. David’s initial fantasy that France offers complete privacy and a lack of surveillance proves as self-deceptive as his belief in emotional safety; he says near the beginning of his narrative, “these nights were being acted out under a foreign sky, with no one to watch, no penalties attached” (GR 9–10), but he gradually reveals a public watchfulness that exists under this foreign sky just as it did back home. He expresses fear at the feeling of being watched when he first encounters Giovanni: “And then I watched their faces, watching him. And then I was afraid. I knew that they were watching, had been watching both of us. They knew that they had witnessed a beginning and now they would not cease to watch until they saw the end. It had taken some time but the tables had been turned; now I was in the zoo and they were watching” (GR 53). The privacy and sanctity of an individual’s room is fully exposed as illusory here: David is in a cage, being watched, yet unable to escape, and the analogy to being impris-
ned is all but explicit. The surveillance that invades the private space of love is also omnipresent on the Parisian streets: “it was a fireman who, seeing [Giovanni] crawl back into hiding with a loaf of bread one night, tipped off the police” (GR 101). David’s guilt, caused by his upbringing in a nation where homosexuality is criminalized, is exacerbated by this very real sensation that he is always being watched, observed, and judged. Giovanni may be literally imprisoned, but psychologically, nothing separates him from David.

David is eager to ally himself with the general heterosexual population, which is why he is reluctant to reveal his homosexuality to either his father or to Hella, and in fact perpetuates the pretense that he is going to marry Hella in order to please both of them. But his refuge in heterosexual mores is probably born more of fear than of the will to please anyone. He expresses this fear in terms of one of his failures of willpower: in trying to repress his homosexual desires, he declares, “I had decided to allow no room in the universe for something which shamed and frightened me” (GR 30; emphasis mine), yet he admits to a number of “drops,” which he describes “like an airplane hitting an air pocket. And there were a number of those, all drunken, all sordid, one very frightening such drop while I was in the Army which involved a fairy who was later court-martialed out. The panic his punishment caused in me was as close as I ever came to facing in myself the terrors I sometimes saw clouding another man’s eyes” (GR 31). Here his adoption not only of heterosexual mores, but of heterosexist stereotypes (“fairy”) is linked directly to crime and punishment.

David’s solution to his complex problem of wanting both homosexual love and heterosexual approval is to join forces with the upholders of the law and of public taste: the police. He realizes how powerless he is, especially after Giovanni narrates an episode in which Guillaume threatens to have him arrested; Giovanni says, “[Guillaume] began saying that I was a tapette and a thief and told me to leave at once or he would call the police and have me put behind bars. . . . Everybody knew that Guillaume was right and I was wrong, that I had done something awful. . . . I hated to walk away but I knew if anything more happened, the police would come and Guillaume would have me put in jail” (GR 143, 144, 145). David becomes the only character in a Baldwin novel to attempt to make friends with the police: “There was a policeman standing there, his blue hood, weighted, hanging down behind, his white club gleaming. He looked at me and smiled and cried, ‘Ça va?’

‘Oui, merci. And you?’

‘Toujours. It’s a nice day, no?’” (GR 193).
Their small talk continues, and David seems desperate to keep his attention, but the officer begins bantering with a middle class housewife. After briefly fantasizing about her life, David hopes that he can continue his substanceless conversation with the officer, but he is disappointed: “The bus came and the policeman and I, the only people waiting, got on—he stood on the platform, far from me. The policeman was not young, either, but he had a gusto which I admired” (GR 193). Tellingly, the last time he encountered a policeman was when he and Hella had just met upon her return to Paris, and David describes the officer in exactly the same way: “Hella looked about delightedly at all of it, the cafés, the self-contained people, the violent snarl of traffic, the blue-caped traffic policeman and his white, gleaming club” (GR 160). Clearly the policeman, especially the details of his uniform (blue cape, white, gleaming club) are associated in David’s mind with both safety and with heterosexuality. In cozing up to the policeman at the bus stop, he is trying to avoid the fate of Giovanni: the poor, homosexual street kid who is initially criminalized through the accusations of his wealthy social superior, Guillaume. Even though David succeeds in distancing himself from Giovanni, the price he pays is eternal torment.

One factor that unites all of Baldwin’s protagonists discussed in this chapter is their roomlessness, a metaphor for isolation. This isolation is not merely a condition of a disenfranchised young man trying to find his place in the world in the absence of traditionally stable cultural institutions like family, religion, and higher education. It is a direct function of the realization of the law’s monolithic power; as Foucault says of the first logical principle of the prison, “Isolation provides an intimate exchange between the convict and the power that is exercised over him.”29 In his early creative imagination, Baldwin interprets the criminal power of the law in terms of the way it exercises its influence unevenly due to differences in economic worth, race, and sexuality. Race is perhaps surprisingly underemphasized in “Equal in Paris” and in Giovanni’s Room, but his renditions of the incident in “Previous Condition” and Go Tell It demonstrate the shape of things to come: in future writings, the law will most often manifest its criminal power in terms of race. But sexuality and poverty are not unimportant in this formulation, and the three together provide an example of what Critical Race Theorists describe as intersectionality, or the combination of social circumstances that lead to criminalization. The law has the ability to aid in the persecution of anyone who is relatively powerless in society’s eyes. The only rooms available to the persecuted are jail cells, and these are rooms that belong to the state, not to the self.